

PERSONNEL

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Title IX – Certified/Non-Certified

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The Regional School District No. 1 Board of Education agrees to comply with Title IX of the Education Amendments of 1972 and the Regulations promulgated pursuant thereto, and the Board designates the Director of Pupil Services as Compliance Officer. The Board shall, at least annually, notify all students, parents, employees, and labor organizations with which it deals, of the name, address and telephone number of the Compliance Officer and the procedure for processing grievances.

Except as hereinafter noted, all complaints shall be addressed in writing to the Compliance Officer, and he/she shall be responsible for investigating all complaints. Upon investigation, the Compliance Officer shall effectuate any changes deemed necessary to eliminate any discriminatory practices and shall inform the complainant in writing of his/her actions within ten (10) days of the receipt of such complaint.

If the complainant is not satisfied with the action of the Compliance Officer, within ten (10) days the complainant may appeal the action of the Compliance Officer in writing to the Board. The Board shall hold a hearing within fifteen (15) days of receipt of such written request and shall decide what, if any, remedies are necessary to eliminate the practices deemed discriminatory. The Board shall notify the complainant in writing of its decision within ten (10) days after such hearing.

Employees who are represented by labor organizations recognized by the Board for the purposes of collective bargaining, shall process all complaints of alleged Title IX violations through the grievance procedures set forth in the applicable collective bargaining contracts.

Legal References:

Title VII, Civil Rights Act, 42 U.S.C. 2000e, et. seq.
29 C.F.R. 1604.11, EEOC Guidelines on Sex Discrimination
Title IX of the Education Amendments of 1972, 20 U.S.C. 1681, et. seq.
34 C.F.R. Section 106.8b, OCR Guidelines for Title IX
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol. 62, #49, 29
C.F.R. Sec. 1606.8a 62 Fed. Reg. 12033 (March 13, 1997) and 66 Fed. Reg.
5512 (January 19, 2001)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26,
1998)
Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme
Court, June 26, 1998)
Davis v. Monro County Board of Education, No. 97-843 (U.S. Supreme Court,
May 24, 1999)
Connecticut General Statutes
46a-60 Discriminatory employment practices prohibited
10-15c Discrimination in public schools prohibited. School attendance by five-
year olds (amended by P.A. 97-247 to include “sexual orientation”)
10-153 Discrimination on account of marital status
17a-101 Protection of children from abuse

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Title IX – Certified/Non-Certified

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Grievance Procedure

The following procedure is adopted for granting an “informal appearance” before the Board to a staff member:

1. Purpose of Informal Appearance – the purpose of granting an informal appearance before the Board to the staff member is to provide that member with an opportunity to dissuade the Board from its determination not to offer re-employment.
2. Procedure:
 - a) A timely written request must be made by the staff member for a written statement of reasons within thirty (30) calendar days from the receipt of the Board’s written notification of failure to renew employment.
 - b) The Board must present a written statement of reasons to the staff member within fifteen (15) calendar days of its receipt of the formal request for said reasons.
 - c) The staff member, having requested and received a written statement of reasons, must make a timely request for an appearance before the Board – “timely” to be interpreted to mean that the request must be made within ten (10) calendar days and the appearance scheduled within thirty (30) calendar days from the receipt of the requested statement of reasons.
 - d) The staff member’s informal appearance before the Board is not an adversarial proceeding.
 - e) The proceeding is not intended to be protracted. The Board will find it necessary to exercise discretion regarding the reasonable length of time of the proceeding, depending upon specific circumstances in each instance.
 - f) The individual staff member must receive adequate written notice of the date and time when the informal appearance is scheduled.
 - g) The staff member may be represented by counsel or an individual of the staff member’s own choice before the Board, and may present witnesses on his/her behalf.
 - h) Such witnesses need not present testimony under oath, and should not be cross-examined by the Board.
 - i) Witnesses should be called into the meeting to address the Board one at a time and should be excused from the meeting after making their statements.
 - j) If the Board has refused employment for proscribed reasons (i.e., race, color, religion, etc.) or in violation of constitutional rights, such as free speech, or if the Board was arbitrary, capricious or abused its discretion, and the staff member is able to prove allegations, then the staff member may file a Petition of Appeal before the appropriate judicial body which will result in a full adversarial proceeding.

Adopted: 01-05-2015

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Recruitment and Selection – Certified

4111

The Regional School District No. 1 Board of Education desires the Superintendent to develop and maintain a recruitment program designed to attract and hold the best possible personnel who are highly qualified as defined by federal law in the District's school. All District teachers teaching in a core academic subject area, as defined in the No Child Left Behind Act, must be determined to be "highly qualified."

The District recognizes the heterogeneity of the people who live in the District and believes that this characteristic should have an important bearing on all aspects of the District's activities.

The Board believes it is especially important that this heterogeneity of population be recognized in the recruitment and assignment of personnel.

To this end, the Board shall develop and implement a written plan for minority staff recruitment. The administration is directed to make a serious effort to see that the recruitment procedures of the District produce a total staff representative of the population of the District and that the assignment procedures of the District bring to each school staff members representative of the population represented by the student membership in the school.

The school shall engage in fair and sound personnel practices in the appointment of all District employees. The administration shall be responsible for establishing recruitment, selection and appointment procedures.

The Superintendent shall insure that the District is in compliance with the provisions of Title I, the No Child Left Behind Act. Manuals and handbooks shall comply with federal law as to the qualifications for instructional personnel. Notice of professional qualifications shall be provided to parents/guardians of students in Title I schools and staffing pattern reviews, as required by law, shall be conducted annually.

Hiring of Retired Teachers

A retired teacher receiving benefits from the Teachers' Retirement Board (TRB) may be re-employed by the Board for up to one (1) full school year in a position designated by the Commissioner of Education as a subject shortage area. Such re-employment may be extended for an additional school year, provided the Board (a) submits a written request for approval to the Teachers' Retirement Board, and (b) certifies that no qualified candidates are available prior to the re-employment of such teacher, and (c) indicates the type of assignment to be performed, the anticipated date of rehire and the expected duration of the assignment.

The salary of each teacher shall be fixed at an amount at least equal to that paid other teachers in the District with similar training and experience for the same type of service. Upon Board approval of such employment, the retired teacher shall be eligible for the same health insurance benefits provided to active teachers employed by the District. No retirement benefits shall be paid during this period of re-employment.

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Recruitment and Selection – Certified

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Legal References:

Connecticut General Statutes
10-151 Employment of teachers. Notice and hearing on termination of contract
(as amended by P.A. 12-16 An Act Concerning Educational Reform)
10-153 – Discrimination on account of marital status
10-183v Re-employment of teachers (as amended by P.A. 10-111, An Act
Concerning Education Reform in Connecticut)
10-220 Duties of Boards of Education (as amended by P.A. 98-252)
46a-60 Discriminatory employment practices prohibited
20 U.S.C. Section 1119 No Child Left Behind Act
34 C.F.R. 200.55 Federal Regulations
Circular Letter C-6, Series 2004-2005, Determining Highly Qualified Teachers
Circular Letter C-9, Series 2004-2005, No Child Left Behind and Districts' High
Objective Uniform State Standards of Evaluation (HOUSSE) Plans
Circular Letter C-9, Series 2007-2008, discontinued use of Districts' HOUSSE
Plans
Circular Letter C-13, Series 2007-2008, Construction of HOUSSE Plans for
Highly Qualified Veteran Teachers

Adopted: 01-05-2015

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Equal Employment Opportunity – Certified/Non-Certified

4111.1

The Regional School District No. 1 Board of Education will provide equal employment opportunities for all persons without regard to race, color, religious creed, age, veterans' status, genetic information, marital status, national origin, sex, sexual orientation, gender identity, or physical disability. The Board directs the administration to set as a goal the recruitment, selection and employment of qualified people among racial and ethnic minority groups to the end that the school district's employees will proportionately mirror the racial and ethnic composition of the community.

No advertisement of employment opportunities may by intent or design restrict employment based upon discrimination as defined by law.

Legal References:

Connecticut General Statutes
4a-60 Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions rather than municipalities
4a-60a Contracts of the state and political subdivisions, other than municipalities, to contain provisions re: nondiscrimination on the basis of sexual orientation
10-153 Discrimination on account of marital status
46a-60 Discriminatory employment practices prohibited
46a-81a Discrimination on the basis of sexual orientation
Title VII, Civil Rights Act 42 U.S.C. 2000e, et seq.
The Vietnam Era Veteran's Readjustment Assistance Act of 1974, as amended, 38 U.S.C. Sec. 4212
Title II of the Genetic Information Nondiscrimination Act of 2008

Adopted: 01-05-2015

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Minority Recruitment Plan – Certified

4111.3

The Regional School District No. 1 Board of Education recognizes that the increasing diversity of individuals and cultures is a growing characteristic of our state and nation which should have a significant bearing on activities of the school district. Further, the State of Connecticut has determined that the educational interests of the state require efforts by each school district to provide educational opportunities for its students to interact with teachers from other racial, ethnic and economic backgrounds in order to reduce racial, ethnic and economic isolation.

To this end, the Board believes that the importance of diversity of individuals and cultures should be recognized in the recruitment and assignment of personnel in order to help promote an intellectually and culturally dynamic environment that enables all students to gain an increased awareness and appreciation of the diverse world in which all are connected.

Accordingly, the Superintendent of Schools shall develop and maintain a written plan for minority staff recruitment as approved by the Board and shall report to the Board annually on implementation of the plan. Consistent with the Board's policies on Affirmative Action (4111.1) and Non-discrimination (4118.11), said plan for minority staff recruitment shall provide for an energetic effort to attract talented minority educators and other minority personnel to serve in available positions within the district with the long range goal of achieving staffing of the District which is broadly representative of the populations of the regional and state communities of which the District is a part.

Legal References:

Connecticut General Statutes
10-151 Employment of teachers. Notice and hearing on termination of contract
10-153 Discrimination on account of marital status
10-220 Duties of Boards of Education (as amended by P.A. 98-252)
46a-60 Discriminatory employment practices prohibited

Adopted: 01-05-2015

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Appointment – Certified/Non-Certified

4112

For all certified positions authorized by the Regional School District No. 1 Board of Education, the Superintendent of Schools, or his/her designee, shall recommend the best qualified candidate to the Board for appointment. The Superintendent of Schools shall report all non-certified hires to the Board.

The Superintendent shall insure that all certified personnel recommended to the Board for hire, meet certification requirements set by the State for the position.

The Superintendent is authorized to hire administrators, teachers, substitute teachers, and classified staff for positions authorized by the Board.

The Superintendent shall insure that all personnel employed meet state requirements for the position, including required fingerprinting and other criminal records checks.

Within guidelines of any existing provisions in negotiated agreements, the Superintendent shall be responsible for placement of appointed employees on the salary schedule. The Superintendent shall award credit for years of previous professional experience for certified personnel at his/her discretion.

Legal References:

Connecticut General Statutes
10-144a through 10-145f re: teacher certification
10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal.
10-153 Discrimination on account of marital status.
10-155f Residency requirement prohibited
46a-60 Discriminatory employment practices prohibited

Adopted: 01-05-2015

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Security Check/Fingerprinting – Certified/Non-Certified

4112.5

In order to create a safe and orderly environment for students, all offers of employment will be conditional upon the successful outcome of a criminal record check. In addition, any person applying for employment with the Regional School District No. 1 Board of Education shall submit to a record check of the Department of Children and Families Abuse and Neglect Registry before the person may be hired.

District employees shall, within thirty (30) days after they are hired, submit to state and national criminal checks. District students employed by the school system are exempted from this requirement.

Workers in a school under a public assistance employment program shall also submit to the criminal check if such individuals shall have direct contact with students.

School nurses and nurse practitioners, appointed by the Board, or under a contract with the Board, shall also submit to a criminal history check pursuant to C.G.S. 29-17a.

Student teachers placed in District as part of completing preparation requirements for the issuance of an educator certificate, effective July 1, 2010, shall also be required to undergo the same criminal background checks already required for school employees.

Legal References:

Connecticut General Statutes
10-221d Criminal history records checks of school personnel. Fingerprinting.
Termination or dismissed (as amended by PA 01-173, PA 04-181, June 19
Special Session, PA 09-1 and PA 11-93)
29-17a Criminal history checks. Procedures. Fees.

Adopted: 01-05-2015

Reference Checks – Certified/Non-Certified**4112.51**

The Regional School District No. 1 Board of Education believes that it is critical that all references on applicants be checked prior to an offer of employment. The administration, therefore, is directed to make a documented good faith effort to contact an applicant's former employer(s) for recommendations and information about the person's fitness for employment prior to an offer of employment. References should be checked with prior employers listed on the application, even if those references are not specifically listed on the "references" section of the employment application.

The Superintendent of Schools, or his/her designee, is directed to develop guidelines pertaining to the checking of applicant references.

(cf. 5125 – Student Records)

Legal References:

Connecticut General Statutes
1-200 through 1-241 of the Freedom of Information Act
5-193 through 5-269 State Personnel Act
10-151c Records of employee performance and evaluation not public records
10-221d Criminal history records checks of school personnel. Fingerprinting.
Termination or dismissal
Federal Family Education Rights and Privacy Act of 1974 (Sec. 438 of the General Education Provisions Act, as amended, added by Sec. 513 of PL 93 568, codified at 20 U.S.C. 1232g)
Department of Education 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regulations implementing FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/1996)

Adopted: 01-05-2015

Reference Checks – Certified/Non-Certified**4112.51****Regulations**

In checking references, the following guidelines shall be followed:

1. All reference questions must be directly related to the applicant's qualifications and ability to perform the position in question.
2. Questions, which are impermissible in the application/interview context, are equally improper when checking references.
3. As in the interview context, nothing is "off the record." Contents of reference checks are discoverable in litigation.
4. The use of an appropriate reference check form specifically related to the qualifications for the position in question should be developed and used consistently.
5. Consider the statutory safeguards with respect to obtaining employment and educational references.

Connecticut Personnel Files Act:

- Private employers may only verify dates of employment, position and salary.
- Further disclosure of personnel information is prohibited unless:
 - i. the employee provides written consent for such disclosure; or
 - ii. one of the specific statutory exemptions applies such as a lawfully issued subpoena or response to a government audit/investigation

Connecticut Freedom of Information Act:

- Applicable to all public employers.
- Personnel files and similar files are exempt from disclosure only if disclosure would result in an invasion of privacy. The "invasion of privacy" standard is construed strictly, favoring disclosure.
- A public employer is only required to produce existing public records upon request. It does not require a public employer to create records or provide verbal comments regarding an employee.
- Connecticut General Statute 10-151c exempts records of performance from disclosure unless the employee has provided written consent for such disclosure.

Family Educational Rights and Privacy Act (FERPA):

- Applies to all education institutions receiving federal aid.
- Prohibits disclosure of student records without written consent, unless a specific exemption applies.

Regulations Approved: 01-05-2015

**Use and Disclosure of Employee Medical Information (HIPAA)-
Certified/Non-Certified****4112.61**

Other than health information contained in employment records held by Regional School District No. 1 in its role as employer, all information in the District's possession which is related to an employee's past, present and future health conditions, and that identifies the individual employee, or could reasonably be utilized to identify the employee, will be protected under the terms of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

To the extent the District possesses personally identifiable health information regarding employees, aside from health information contained in employment records held by the District in its role as employer, the Superintendent or his/her designee, shall act as the Privacy Officer to oversee the administration of privacy of such records. The Superintendent, or his/her designee, shall provide all employees with the following information regarding such records:

1. the use and disclosure of personally identifiable health information;
2. each employee's rights to privacy with respect to his/her personally identifiable health information;
3. duties under HIPAA with respect to employee's personally identifiable health information;
4. each employee's rights to file a complaint with the District, Health Benefit Plan, and/or the Secretary of the United States Department of Health and Human Services; and
5. the person or office that an employee can contact for further information about privacy practices.

In addition, the District shall notify the administrator of each of the District's health benefits plans, of the requirement under HIPAA that it take reasonable steps to maintain the privacy of each employee's personally identifiable health insurance, and to inform each employee about the information set forth above in items 1 through 5. Further, the District shall notify the administrator of the health benefit plan of the requirement under HIPAA that it provide reasonable notice to all employees of whom the benefit plan designates as the Privacy Officer to oversee the administration of privacy of the benefit plan and to receive complaints.

Legal References:

42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and
Accountability Act of 1996 (HIPAA)
65 Fed. Reg. 50312-50372
65 Fed. Reg. 92462-82829
63 Fed. Reg. 43242-43280
67 Fed. Reg. 53182-53273

Adopted: 01-05-2015

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Evaluation of Coaches

4115.3

There shall be an annual evaluation of all coaches employed by the Regional School District No. 1 Board of Education, to be conducted by the Athletic Director or the coach's immediate supervisor. Each coach shall receive a written copy of the evaluation.

The purposes of evaluation are:

1. to provide a systematic process whereby coaches may increase the effectiveness of their services to the athletic program utilizing the available professional resources.
2. to provide an opportunity for coaches to analyze their strengths and weaknesses, and to discuss objectively the contributions they have made to the athletic program.
3. to provide an opportunity for the administrative staff to analyze the strengths and weaknesses of individual coaches, and to utilize this knowledge to develop supervisory service to assist individuals in developing their competence.
4. to provide an effective means by which administrators may make recommendation concerning the continued employment of personnel, the granting of increments, and /or other recommendation to the Board.

It is the responsibility of all administrators, coaches and other professional staff members to recognize that the district intends to seek and maintain the best qualified staff to provide quality coaching for student athletes. In keeping with this goal, all personnel are expected to participate fully in the appraisal process.

An integral part of this process is self-appraisal. The self and administrative appraisals include: knowledge of sports area, coaching skills and techniques, attitudes, behavior patterns, values and ethics.

Any coach that has held the same coaching position for three (3) or more years, for which the Board terminates or non-renews the contract, shall be informed of the Board's decision within ninety (90) days of the completion of the sports season covered by the contract. The coach may request a written statement from the Board specifying the reason(s) for the Board's action. The statement shall be provided within thirty (30) days of the request. The decision to terminate or non-renew the coach's contract may be appealed by the coach in a manner prescribed by the Board.

The Board may terminate the contract of any coach at any time for reasons of moral misconduct, insubordination or a violation of the rules of the Board or because a sport has been cancelled by the Board.

Legal References: C.G.S.
10-149 Qualifications for coaches of intramural and interscholastic athletic coaches (as amended by P.A. 13-41)
10-151b Evaluation by Superintendent of certain educational personnel

Adopted: 01-05-2015

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Non-Renewal/Suspension – Certified

4117.4

Non-Renewal

Prior to obtaining tenure, a certified employee's contract may be non-renewed, provided that the employee is notified in writing prior to May 1st by the Superintendent. A teacher so notified, may request not later than three (3) calendar days after receiving such notice of non-renewal, a written statement of the reasons for non-renewal of the contract, and the District will furnish such a statement not later than four (4) calendar days of receipt of the request. The teacher may also file with the Regional School District No. 1 Board of Education, not later than ten (10) calendar days of receipt of the notice of non-renewal, for a hearing before the Board or, if indicated in such request designated by the Board, before a single impartial hearing officer chosen by the teacher and the Superintendent. The hearing shall commence not later than fifteen (15) calendar days after receipt of such request unless an extension, not to exceed fifteen (15) calendar days, is mutually agreed upon.

A teacher who has not attained tenure shall not be entitled to a hearing concerning non-renewal if the reason for such non-renewal is either elimination of position or loss of position to another teacher. The Board shall rescind a non-renewal decision only if the Board finds such decision to be arbitrary and capricious.

Suspension

A certified employee may be suspended by the Board for an alleged or actual violation of any of the reasons for termination in C.G.S. 10-151c or 10-151d, when insufficient cause for dismissal is considered to exist, or may be suspended pending Board or legal action for dismissal of the employee on charges of violation of one or more said causes for termination. The Superintendent may suspend an employee pending Board action when, in the opinion of the Superintendent, continuation of the employee in the position presents a clear danger to the students, staff, property, or reputation of the district, or to the employee.

Legal References: Connecticut General Statutes
 10-151b Employment of teachers. Definitions. Tenure, etc. (as amended by P.A. 12-116,
 An Act Concerning Educational Reform)
 10-151c Employment of teachers (as amended by P.A. 11-136, An Act Concerning
 Minor Revisions to the Education Statutes)
 P.A. 95-58 An Act Concerning Teacher Evaluations, Tenure and Dismissal
 Shanbrom v. Orange Board of Education, 2 Conn. L. Rpts. 396, 398 (1990)

Adopted: 01-05-2015

Non-Discrimination – Certified/Non-Certified**4118.11**

In compliance with regulations of Title VII of the Civil Rights Acts of 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, the Civil Rights Act of 1987 and the Americans With Disabilities Act, the Regional School District No. 1 Board of Education adopts the following Equal Employment Opportunity and Equal Education Opportunity Policies.

Equal Employment Opportunity

Both federal and state law prohibits discriminatory practices in hiring and employment. The Board prohibits discriminatory acts in all district matters dealing with employees and applicants for positions and requires equal employment opportunities for all employees and applicants. As an equal opportunity employer, the Board does not discriminate on the basis of race, color, religious creed, age, veterans' status, genetic information, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, pregnancy, physical disability or any classification protected by law, past or present history of mental disorder, intellectual disability, learning disability, regarding any individual who can perform the essential functions of the job with or without reasonable accommodations for physical disability (including blindness) or other disability (except in the case of a bona fide occupational qualification or need.)

Equal Education Opportunity

Pursuant to the IDEA, Americans With Disabilities ACT (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the Board.

Every student has the right to participate fully in classroom instruction and extracurricular activities and shall not be abridged or impaired because of age, sex, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinator for the Board shall have the responsibility to monitor the compliance of this policy. Further compliance with this policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

Students shall not be discriminated against, including but not limited to, in the areas of: Admission; Use of School Facilities; Vocational Education; Competitive Athletics; Student Rules, Regulations and Benefits; Financial Assistance; School-sponsored Extracurricular Activities; Enrollment In Courses; Counseling and Guidance; Physical Education; Graduation Requirements; Treatment as a Married and/or Pregnant Student; Health Services; Most Other Aid, Benefits or Services.

Non-Discrimination – Certified/Non-Certified

4118.11

Employees or applicants shall not be discriminated against, including but not limited to, the areas of: Hiring and Promotion; Compensation; Job Assignments; Leaves of Absence; Fringe Benefits; Labor Organization; Contracts or Professional Agreements.

Sexual harassment has been established as a form of sexual discrimination and is defined as follows: “any **unwelcome** sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of employment or participation in an educational function (2) submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance or creating an intimidating, hostile or offensive working environment.”

Examples of specific behaviors (that are unwanted and sexual in nature) that could constitute sexual harassment include, but would not be limited to: Inappropriate Touching; Sexually Explicit Comments; Sexual Name Calling; Sexual Rumors; Inappropriate Public Displays of Affection; Overly Personal Conversation; Cornering/Blocking; Sexually Explicit Gestures; Leers; Sexually Explicit Jokes/Cartoons/Pictures; Rape or Attempted Rape; Pulling at Clothes; Harassing Telephone Calls.

If an employee believes that he/she has been discriminated against in regard to this policy, a grievance may be filed, charging that the employee’s personal rights have been denied or violated.

Employees wishing to discuss these regulations or rights under this policy, the need for a reasonable accommodation, or the wish to discuss or file a grievance, should contact the District’s Civil Rights Coordinator or an administrator. Forms are available from the Civil Rights Coordinator. Contact with the Civil Rights Coordinator should take place within forty (40) calendar days of the alleged occurrence.

Legal References:

- Connecticut General Statutes:
 - 10-153 Discrimination on account of marital status
 - 41a-60 Discriminatory employment practices prohibited
 - P.A. 11-55 An Act Concerning Discrimination
- Federal Law:
 - Title VII of the Civil Rights Acts of 1964
 - Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b)

Adopted: 01-05-2015

Non-Discrimination – Certified/Non-Certified**4118.11****Discrimination Grievance Procedure - Regulations**

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to problems which may arise concerning claims of discrimination. Evidence of reprisal against a complainant or witness shall be viewed as a violation of this policy.

Any person who wishes to inquire or register a complaint concerning alleged discrimination in Regional School District No. 1, shall have an opportunity to bring such concerns to the attention of the Civil Rights Coordinator or the Superintendent, who have the authority to resolve such complaints. The following grievance procedure shall be utilized by any student, parent or employee in making a complaint or inquiry. Officials shall be governed by this procedure.

Level I. The complainant shall discuss the alleged discriminatory act or practice with the Civil Rights Coordinator or the closest individual to the daily decision-making level. This will normally be a Principal, teacher, counselor, Department Chairperson, Head Custodian, or Cafeteria Manager. If satisfaction cannot be achieved through informal discussion, the following procedure must be initiated.

Level II: The complainant shall, within forty (40) calendar days of the alleged incident, on forms provided, put the complaint in writing and file it with the Civil Rights Coordinator. Within five (5) working days a conference must be held. Within five (5) working days following the conference, the complaint must be resolved to the satisfaction of both parties or referred to the Superintendent of Schools. Within five (5) working days, the Civil Rights Coordinator shall notify the Superintendent and must notify the complainant of this notification. The Board will be apprised by the Superintendent of any grievance reaching Level II.

Level III. Within ten (10) working days after receipt of such complaint, the Superintendent must hold a hearing; and within five (5) working days of the hearing, resolve the complaint, negotiate a long-term solution or refer the matter to the Board for consideration.

Level IV. The Board, Superintendent and Civil Rights Coordinator shall proceed in accordance with appropriate laws or regulations.

Regulation Approved: 01-05-2015

Sexual Harassment – Certified/Non-Certified**4118.112**

The Regional School District No. 1 Board of Education is committed to safeguarding the rights of all employees within the District to a work environment that is free from all forms of sexual harassment. Therefore, the Board condemns all unwelcome behavior of a sexual nature which is either designed to extort sexual favors from an employee as a term or condition of employment, or which has the purpose or effect of creating an intimidating, hostile or offensive working environment. The Board also strongly opposes any retaliatory behavior against complainants or any witnesses.

Any employee who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately so that appropriate corrective action may be taken at once. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct, will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of sexual harassment.

A copy of this policy and its accompanying regulation are to be distributed to all supervisory and non-supervisory personnel and posted in appropriate places.

Legal References:

Civil Rights Act of 1964, Title VII, 42 U.S.C. S2000-e2a
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on
Current Issues of Sexual Harassment, Effective 10/15/1988
Meritor Savings Bank, FSB v. Vinson 477 US. 57 (1986)
29 CFR Para. 1604.11 (EEOC)
Faragher v. City of Boca Raton, No. 97-282, (U.S. Supreme Court, June 26,
1998)
Burlington Industries v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26,
1998)
Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme
Court, June 26, 1998)
Connecticut General Statutes
46a-60 Discriminatory employment practices prohibited

Adopted: 01-05-2015

Sexual Harassment – Certified/Non-Certified**4118.112****Regulations**Definitions

“Employee” shall mean all teaching, administrative and support personnel.

“Immediate supervisor” shall mean the person to whom the employee is directly responsible (e.g., department head, principal).

Procedures

Employees who believe they have been subjected to sexual harassment are to report the incident to their immediate supervisor. Should the immediate supervisor be the alleged harasser, the report shall be made to the next level of management. Incidents of sexual harassment may be reported informally or through the filing of a formal complaint.

All reports of sexual harassment will be held in confidence subject to all applicable laws and any relevant provisions in the District’s collective bargaining agreements.

Consistent with federal and state law, and all applicable provisions in the District’s collective bargaining agreements, the following procedures shall be employed in handling any report, investigation and remedial action concerning allegations of sexual harassment.

Informal Complaints

Employees who believe they have been subjected to sexual harassment may request that an informal meeting be held between themselves and the appropriate supervisor. The purpose of such a meeting will be to discuss the allegations and remedial steps available. The supervisor will then promptly discuss the complaint with the alleged harasser. Should the harasser admit the allegations, the supervisor is to obtain a written assurance that the unwelcome behavior will stop. Depending on the severity of the charges, the supervisor may recommend that further disciplinary action be taken. Thereafter, the supervisor is to prepare a written report of the incident and inform the complainant of the resolution. The complainant is to indicate on the supervisor’s report whether or not he/she is satisfied with the resolution.

If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be re-opened for investigation if a recurrence of sexual harassment is reported. The supervisor is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur.

Should the complainant be dissatisfied with the resolution, he/she is to file a formal written complaint.

Sexual Harassment – Certified/Non-Certified**4118.112****Regulations (continued)**

If, during the supervisor's informal attempt to resolve the complaint, the alleged harasser admits the allegations, but refuses to give assurance that he/she will refrain from the unwelcome behavior, the supervisor is to file a report with the next appropriate level of management. The report is to indicate the nature of the complaint, a description of what occurred when the supervisor informed the alleged harasser of the allegations against him/her, the harasser's response to the allegations and a recommendation that stronger corrective measures be taken. This report should be accompanied by a formal complaint.

Should the alleged harasser deny the allegations, the supervisor is to inform the complainant of the denial and state that a formal written complaint will be required for further formal investigation. The supervisor will file a report with the next level of management on what has transpired to date. If the complainant submits a formal complaint, a copy of it should accompany the supervisor's report with a recommendation for further action.

Formal Complaints

Formal complaints may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the supervisor originally consulted, who will then forward it to the next appropriate level of management, e.g., the District's business official or the Superintendent, for appropriate action.

The formal written complaint will consist of any appropriate forms and a copy of any applicable supervisor reports. The appropriate forms solicit the specifics of the complaint, e.g., date and place of incident, description of sexual misconduct, names of any witnesses, and any previous action taken to resolve the matter.

Complaint Investigations

Upon receipt of a formal or informal complaint, a prompt, thorough and impartial investigation of the allegations must follow. This investigation is to be conducted diligently. Complainants are to be notified of the outcome of the investigation.

Remedial Action

If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law and collective bargaining agreements. Depending on the gravity of the misconduct, these may range from a reprimand up to and including dismissal from employment. When applicable, any lost employment benefits or opportunities will be restored to the victims.

Sexual Harassment – Certified/Non-Certified**4118.112****Regulations (continued)**

Anyone subjecting complainants to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law and consistent with any applicable provisions in the District's collective bargaining agreements.

If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the next appropriate level of management, e.g. the District's business official, the Superintendent or the Board. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant is appealing.

Post Remedial Action

Following a finding of sexual harassment, victims will be periodically interviewed by the appropriate supervisory personnel to ensure that the harassment has not resumed and that no retaliatory action has occurred. These follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response.

Complaint Records

Complainants should receive a copy of any resolution reports filed by the supervisor concerning his/her complaint. Copies should also be filed with the employment records of both the complainant and the alleged harasser.

Investigation in the Absence of a Complainant

The Board will, in the absence of a victim's complaint, ensure that an investigation is commenced by the appropriate individuals upon learning of, or having reason to suspect, the occurrence of any sexual misconduct.

Training

Each year, or more frequently if the Board deems it appropriate, employees will receive training regarding sexual harassment and related matters. Such training may include a review of this policy and regulation, discussion, films, or other activities.

Regulations Adopted: 01-05-2015

Forms

SEXUAL HARASSMENT FORMAL COMPLAINT FORM

Name and Position of Complainant: _____

Date of Complaint: _____

Name of Alleged Sexual Harasser: _____

Date and Place of Incident: _____

Description of Misconduct: _____

Name of Witness(es) (if any): _____

Has Incident Been Reported Before? _____

If "Yes", When? _____

To Whom? _____

What was the Resolution? _____

Reason for Dissatisfaction: _____

Form Completed by: _____ Date: _____

SEXUAL HARASSMENT COMPLAINT – APPEAL FORM

Name and Position of Complainant: _____

Date of Appeal: _____

Date of Original Complaint: _____

Have There Been Prior Appeals? _____

If “Yes”, When? _____

To Whom? _____

Describe Decision Being Appealed: _____

Why is Decision Being Appealed? _____

Form Completed by: _____ Date: _____

Non-Discrimination on the Basis of Disabilities – Certified/Non-Certified 4118.14

The Regional School District No. 1 Board of Education prohibits discrimination against any individual with a disability with regard to recruitment, advertisement and job application procedures, hiring, upgrading, promotion, awarding of tenure, demotion, transfer, layoff, termination, right of return from layoff, employee compensation, job assignments, job classifications, organizational structures, position descriptions, liens of progression and seniority lists, leaves of absence, sick leave or other leaves, fringe benefits, or job training.

Federal law defines a person with a disability as one who (1) has a mental or physical impairment which substantially limits one or more major life activities such as, but not limited to, caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, sitting, reaching, lifting, bending, reading, concentrating, thinking, communicating, interacting with others, speaking, breathing, learning, or working; (2) has a record of such impairment; or (3) is regarded as having such an impairment. The Board will afford qualified disabled individuals reasonable accommodations. The Supreme Court of the United States has recognized that individuals with a communicable disease may be considered disabled.

The Board recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents, and members of the public who participate in school-sponsored programs. No discrimination against any person with a disability will be knowingly permitted in any of the programs and practices in the District.

With regard to its employees, the Board specifically prohibits discrimination against any individual with a qualified disability with regard to recruitment, hiring, promotion or advancement, compensation, evaluation, training, or any other aspect of employment within the District. The Board will afford qualified disabled individuals reasonable accommodations in accordance with state and federal law.

Disabled employees who can no longer perform essential job functions are encouraged to advise their supervisors or administrators of the nature of their disability and which functions cannot be performed. The Board will consider any reasonable suggestions of accommodation that would enable performance of those functions so long as the accommodation will not impose an undue hardship on the operation of the school system. The determination of whether an individual has a disability should not demand extensive analysis.

A person is not qualified to perform his/her duties if his/her medical condition or disability poses a threat to the health or safety of individuals in the workplace.

Persons, including employees of the District, who feel that they may have been discriminated against on the basis of a disability, should contact the Director of Pupil Services.

Employees seeking accommodations for a disability in order to perform essential job functions are encouraged to contact their supervisors or administrators and/or the Director of Pupil Services.

PERSONNEL

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Non-Discrimination on the Basis of Disabilities – Certified/Non-Certified 4118.14

(cf. 0521 – Non-discrimination)

(cf. 4112.4 – Health Examinations)

Legal References:

Connecticut General Statutes

10-209 Records not to be public

19-581 AIDS testing and medical information

46a-60 Discriminatory employment practices prohibited

Federal Law

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)b

American Disability Act of 1989, 42 U.S.C. 12101 et. seq., (as amended by the ADA

Amendments Act of 2008)

20 C.F.R., Part 1630, Regulations to Implement the Equal Employment Provisions of the

Americans with Disabilities Act, as amended, published in the Federal Register, Vo. 76,

No. 58, 3/25/11

Chalk v. The United States District Court of Central California, 840f.2d701 (9th Cir.

1988)

Adopted: 01-05-2015

Non-Discrimination on the Basis of Disabilities – Certified/Non-Certified 4118.14**Regulations**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the Regional School District No. 1 Board of Education does not discriminate against qualified individuals with disabilities in the District's services, programs or activities, nor does the Board discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act.

Definitions

“Person with a Disability” – An individual who (1) has a mental or physical impairment which substantially limits one or more major life activities such as, but not limited to, caring for one's self, performing manual tasks, walking seeing, hearing, eating, sleeping, standing, sitting, reaching, lifting, bending, reading, concentrating, thinking, communicating, interacting with others, speaking breathing, learning, or working; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

“Mental or Physical Impairments” – Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine. They also cover any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or physical illness, and specific learning disabilities.

“Major Life Activities” – Major life activities include, but are not limited to (1) caring for one's self, performing manual tasks, seeing, hearing, eating sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communication, interacting with others, and working; and (2) the operation of a major bodily function, including functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

“Substantially Limits” – This term shall be construed broadly in favor of expansive coverage to the maximum extent permitted by the ADA. It is not meant to be a demanding standard. Consistent with the Amendments to the ADA (ADAAA), “rules of construction” are not to be used when determining if an individual is substantially limited in performing a major life activity.

“Has a Record of Such Impairment” – In general, this term means if an individual has a history of, or has been misclassified as having a mental or physical impairment that substantially limits

Non-Discrimination on the Basis of Disabilities – Certified/Non-Certified 4118.14**Regulations (continued)**

one or more major life activities. This shall be construed broadly and not demand extensive analysis. An individual with a record of a substantially limiting impairment may be entitled, absent undue hardship to the District, to a reasonable accommodation, if needed and related to the past disability.

Determination of Disability Requiring Accommodation

“Rules of construction” are to be used when determining if an individual is substantially limited in performing a major life activity. These rules include the following:

1. the impairment substantially limits the ability of an individual to perform a major life activity, as compared to most people in the general population. It need not prevent or severely or significantly limit a major life activity. Not every impairment will constitute a disability.
2. the term “substantially limits” should be construed broadly in favor of expansive coverage to the maximum extent permitted by the terms of the ADA.
3. the determination of whether an impairment substantially limits a major life activity requires an individual assessment, but should not demand/require extensive analysis.
4. although determination of whether an impairment substantially limits a major life activity as compared to most people will not usually require scientific, medical or statistical evidence, such evidence may be used, if appropriate.
5. an individual need not be substantially limited, or have a record of a substantial limitation in one major life activity, to be covered under the first or second prong of the definition of “disability.”
6. an impairment that is episodic or in remission meets the definition of “disability” if it would substantially limit a major life activity when active. (Impairments that may be episodic include epilepsy, hypertension, asthma, diabetes, major depression disorder, bipolar disorder, and schizophrenia. Cancer that is in remission, but that may possibly return in a substantially limiting form, is also considered a disability.)
7. mitigating measures, including but not limited to medications, medical equipment and devices, prosthetic limbs, low vision devices, hearing aids, mobility devices, oxygen therapy equipment, use of assistive technology, reasonable accommodations, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, and physical therapy, shall not be used in the determination of whether an impairment substantially limits a major life activity. (Eyeglasses and contact lenses shall, however, be considered.) The determination of disability must focus on whether the individual would be substantially limited in performing a major life activity without the mitigating standard.
8. an impairment that substantially limits one major life activity need not substantially limit other major life activities to be considered a substantially limiting impairment.

Non-Discrimination on the Basis of Disabilities – Certified/Non-Certified 4118.14**Regulations (continued)**

9. impairments that last fewer than six (6) months do not apply to the definition of “disability.” The effects of an impairment lasting or expected to last fewer than six (6) months can be substantially limiting.

Medical Examinations

The Board may make pre-employment inquiries into the ability of an applicant to perform job-related functions. Medical examinations may be required after an offer of employment has been extended to an applicant and before commencement of employment duties. Any information obtained from such medical examinations will be collected and maintained on separate forms and in separate medical files and will be treated with confidentiality.

An employee who is not qualified to perform their duties or whose medical condition of disability poses a direct threat to the health or safety of individuals in the workplace, once properly established by medical evidence and after proper due process procedures, may be relieved of their duties or reassigned.

The Board may lawfully refuse to assign a person having a communicable disease, which is transmittable through the handling of food, to such duty or position as specified in the Federal Register Food and Drug Administration Regulations of May 1991.

Privacy

The confidentiality of medical records of applicants or employees shall be strictly observed in accordance with state and federal laws. Medical records shall be maintained separately from an applicant or employee personnel file. Such information may be released in limited circumstances:

- A. upon signed release by the individual;
- B. to inform supervisor or administrator about any restriction or accommodation to accomplish work or duties of the employee;
- C. emergency medical treatment;
- D. in compliance with state or federal law.

Connecticut General Statutes, Sections 19a-581 through 19a-585, “Aids Testing and Medical Information,” provides that no person shall request HIV-related testing or disclose HIV-related information without written or oral informed consent of such individual.

Alternative Accommodations

The Supreme Court has recognized that individuals with a contagious disease will be considered as having a disability. Disabled employees who can no longer perform essential job functions are

Non-Discrimination on the Basis of Disabilities – Certified/Non-Certified 4118.14**Regulations (continued)**

encouraged to advise their administrators of the nature of their disability, indicating which functions cannot be performed and suggest accommodations that would enable them to perform those functions. Accommodations will be considered if such accommodation does not impose an undue hardship on the operation of the District.

An employee is not qualified to perform his/her duties, whose medical condition or disability poses a direct threat to health or safety of individuals in the workplace, if it has been properly established by medical evidence and the employee has been afforded proper procedural due process safeguards.

Grievance Procedure

- A. In the event an employee believes that there has been discrimination on the basis of his/her disability, he/she shall mail or deliver to the ADA Coordinator/Superintendent of Schools, a written statement setting out the alleged violations in specific terms, describing the incident or activity involved, the individuals involved, and the dates, times and location involved.
- B. If the individual who files the written statement so requests, the ADA Coordinator/Superintendent of Schools, shall provide that person with an opportunity to discuss the matter personally.
- C. The ADA Coordinator/Superintendent of Schools shall investigate the complaint and render a decision, in writing, within thirty (30) days.
- D. If the complainant is not satisfied with the decision of the ADA Coordinator/Superintendent of Schools, the complainant may appeal to the Board within ten (10) days of receipt of the decision.
- E. Such an appeal shall be filed, in writing, with the Superintendent of Schools in his/her capacity as the executive agent of the Board.
- F. The Board shall render a decision on any such appeal, in writing, within twenty (20) days of it being filed, or, if a hearing should be held, within twenty (20) days of the conclusion of such hearing.

Regulations Approved: 01-05-2015

PERSONNEL

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Academic Freedom – Certified

4118.21

Teachers shall be free to discuss controversial ideas and to select and employ materials and methods of instruction. Such freedoms should be used judiciously and prudently to promote the free exercise of intelligence and learning.

However, academic freedom is not an absolute; it must be exercised within the law and the basic ethical responsibilities of the teaching profession. Those responsibilities include:

1. understanding of our democratic tradition and its methods;
2. concern for the welfare, growth, maturity, and development of children;
3. appropriate presentation of appropriate material for children's intellectual and emotional development;
4. good taste and judgment in selecting and employing materials and methods of instruction.

Legal References:

Amendment to U.S. Constitution, Article I
Connecticut Constitution, Article First
Academic Freedom Policy (adopted by Connecticut State Board of Education,
9/9/1981)

Adopted: 01-05-2015

Conduct – Certified/Non-Certified**4118.23**

The Regional School District No. 1 Board of Education recognizes that school children are often influenced by the conduct displayed by teachers and other members of a school's staff. The Board expects that staff will strive to set the kind of example for students that will serve them well in their own conduct and behavior and contribute toward an appropriate school atmosphere.

Employees are expected to report for work appropriately dressed, on time and fully prepared to perform their duties. They are expected to perform their duties in a timely and efficient manner, and to refrain from inappropriate conduct. Every employee is expected to deal effectively with students, parents and other staff members, both superior and subordinate.

The personal life of an employee will be the concern and warrant the attention of the Board only as it may directly affect the employee's fitness to perform the job, his/her fitness to be placed in a position of trust with children, the property of the District, or constitute a conflict of interest.

Disciplinary action, when necessary, will be applied in accord with applicable laws, policies and collective bargaining agreements.

Adopted: 01-05-2015

Smoking/Drinking/Use of Drugs on School Premises – Certified/Non-Certified 4118.231**Introduction**

The Regional School District No. 1 Board of Education is concerned with maintaining a safe and healthy working and learning environment for all staff and students. Medical research indicates that the use of alcohol, drugs and tobacco are hazardous to one's health. In addition to the health hazard to the individual, certified employees are entrusted with the responsibility of imparting knowledge and serving as role models to students.

Alcohol and Drugs

The Board recognizes the importance of maintaining a drug-free environment for its staff and students. In compliance with federal and state requirements, employees are prohibited from the unlawful manufacture, distribution, dispensing, possession, or use on or in the workplace, any alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance. Controlled drugs are further defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. Sec. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15.

The "workplace" is defined to mean the site for the performance of work done. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under jurisdiction of the school district.

Each employee shall notify his/her supervisor of his/her conviction for any criminal drug statute violation occurring in the workplace as defined above, no later than five (5) days after such conviction.

Each employee shall abide by the terms of the school district policy respecting a drug-free and alcohol-free workplace.

An employee who violates the terms of this policy may be required to complete successfully an appropriate rehabilitation program, or may not be renewed, or his/her employment may be suspended or terminated, at the discretion of the Board.

Tobacco

There shall be no smoking or other use of tobacco products on school property during regular school hours, on transportation provided by the Board, or during the course of any trip sponsored by the Board or under the supervision of the Board or its authorized agents.

For the purposes of this policy, "tobacco product" is defined to include, but is not limited to, cigarettes, cigars, pipes, chewing tobacco and all other forms of smokeless tobacco,

Smoking/Drinking/Use of Drugs on School Premises – Certified/Non-Certified 4118.231

rolling papers and any other items containing or reasonably resembling tobacco or tobacco products, such as electronic cigarettes.

Promulgation of Rules

A copy of this policy, and the consequences of violating the policy, shall be distributed to all employees of the Board. Failure to comply with the policy may result in disciplinary action as detailed by the administration.

Legal References: Drug-Free Workplace Act 102 Statute 4305-4308
 Drug-Free Schools and Community Act, P.L. 99-570, as amended by P.L. 101-226(1991)
 21 U.S.C. 812, Controlled Substances Act, I through V, 202
 21 C.F.R. 1300.11 through 1300.15 regulation
 54 Fed. Reg. 4946 (1989)
 Connecticut General Statutes
 19a-342 Smoking prohibited in certain places

Adopted: 01-05-2015

Smoking/Drinking/Use of Drugs on School Premises – Certified/Non-Certified 4118.231**Regulations**

Employees violating the alcohol, drug and tobacco policy may be subject to disciplinary action as indicated below.

Alcohol and Drugs

In accordance with state and federal law the Regional School District No. 1 Board of Education is required to provide written explanation of the consequences of violating the Board's policy which prohibits the unlawful manufacture, possession, use, dispensing, or distribution of illicit, controlled drugs and alcohol on school premises or as part of any school activities.

“Controlled drugs” are those drugs which contain any quantity of a substance which has been designated as subject to federal narcotic laws, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Public Health Council and Commissioner of Consumer Protection pursuant to Section 19-451 as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence – or both. Controlled drugs are classified as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type, and other stimulant and depressant drugs. Specifically excluded from controlled drugs are alcohol, nicotine and caffeine.

The Superintendent, with necessary Board assistance and support, will provide a drug-free workplace in accordance with state and federal regulations.

The District will establish a drug-free awareness program to inform employees about the dangers of drug and alcohol abuse in the workplace; the District's policy of maintaining a drug-free workplace; any available drug and alcohol counseling, rehabilitation, and employee assistance programs; and penalties which may be imposed on employees for drug or alcohol abuse violations in the workplace.

Employees Funded by Federal Grant

Any employee who is funded by a federal grant, in an amount greater than \$25,000, is required to be given a copy of this policy and regulation concerning a drug-free workplace.

All employees will be notified that, as a condition of employment under the grant, the employee must abide by the terms of the statement and will notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

If an employee who works under a federal grant is convicted, the federal agency will be notified within ten (10) days after the employer receives notice from the employee of such conviction.

Smoking/Drinking/Use of Drugs on School Premises – Certified/Non-Certified 4118.231**Regulations (continued)**

One of the following actions will be taken within thirty (30) days of receiving notice with respect to any employee who is so convicted:

1. take appropriate personnel action against such employee, up to and including termination;
2. require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health law enforcement, or other appropriate agency.

The District shall make a good faith effort to continue to maintain a drug-free and alcohol-free workplace through implementation of this regulation.

Disciplinary Action for Violation of Alcohol and Drug Abuse Policy

These procedures should be followed if an employee of the District is found to have violated the alcohol and drug policy.

1. *Employee observed selling, possessing or transferring controlled drugs and alcohol*
 - a) Employee will be reported to the building Principal immediately.
 - b) The Superintendent will become responsible for holding any suspicious materials and will issue a signed receipt for them.
 - c) The police will be notified and the material turned over to them for analysis and disposition in exchange for a written receipt. Any further action will be left to the police. No employee shall act in a law enforcement capacity.
2. *Employee suspected to be under the influence of drugs or alcohol*
 - a) Employee shall be taken to the nurse and shall be treated as a person who is ill. The Superintendent shall be notified by the Principal. In case of emergency, or if there is a clear and present danger to an employee's health, he/she will be transferred immediately to the hospital.
 - b) Consistent with local, state and federal law, employees found to be in possession of, using or distributing illicit drugs or alcohol on school premises may be subject to termination of employment and prosecution.
 - c) Information about drug and alcohol counseling and rehabilitation and re-entry programs will be made available to employees, and the completion of an appropriate rehabilitation program will be required as a condition of continued employment.
3. *Discovery of controlled drugs and alcohol*
 - a) An employee finding such material will deliver it to the Principal.
 - b) The Principal will investigate the matter and notify the Superintendent of the incident.
 - c) If the material is found to be or is suspected of being a controlled drug, the building Principal will turn over the material to the police for analysis in exchange for a written receipt.

Smoking/Drinking/Use of Drugs on School Premises – Certified/Non-Certified 4118.231**Regulations (continued)**

The Superintendent will designate one staff member, who handles all disciplinary matters regarding personnel, to review, monitor and recommend to the Superintendent disciplinary action.

Sanctions for Violating Smoking Policy

1. **First Offense.** Upon the first violation, an employee found to be smoking in the school building or on the school grounds during regular school hours will be warned orally that he/she is violating the school smoking ban policy and that further violation will lead to a written warning and further disciplinary action.
2. **Second Offense.** Employees who are found to violate the policy a second time will receive a written warning. A copy of this written warning will be placed in the employee's personnel file.
3. **Third Offense.** Upon the third violation, an employee will receive a second written warning. A copy of this written warning will be placed in the employee's personnel file.
4. **Fourth Offense.** If the employee violates the smoking policy a fourth time, the employee will be referred to the Superintendent for further disciplinary action.

Legal References:

Drug-Free Workplace Act. 102 Stat. 4305-4308
Drug-Free Schools and Community Act, P.L. 99-570, as amended by P.L. 101-226 (1991)
21 U.S.C. 812, Controlled Substances Act, I through V, 202
21 C.F.R. 1300.11 through 1300.15 regulation
54 Fed. Reg. 4946 (1989)
Connecticut General Statutes
19a-342 Smoking prohibited in certain places
19-443(6) Exception

Regulations Approved: 01-05-2015

Psychotropic Drug Use (Students) – Certified/Non-Certified**4118.234**

The Regional School District No. 1 Board of Education prohibits all school personnel from recommending the use of psychotropic drugs for any student enrolled within the District. For purposes of this policy, the term “recommend” shall mean to directly or indirectly suggest that a child use psychotropic drugs.

Psychotropic drugs are defined as prescription medications for behavioral or social-emotional concerns, such as attention deficits, impulsivity, anxiety, depression, and thought disorders and includes, but is not limited to, stimulant medications and anti-depressants.

Procedures shall be established by the Superintendent of Schools, or his/her designee, (or Director of Special Education) delineating the manner in which school personnel and school health and mental health personnel shall communicate with each other regarding children who may need to be recommended for a medical evaluation. Such procedures shall also include how school health and mental health personnel should communicate the need for a medical evaluation to the child’s parents/guardians. Such procedures shall be consistent with all mandatory and existing procedures and due process safeguards governing assessment and diagnosis.

Further, upon consent of the student’s parents/guardians, obtained in writing through the Planning and Placement Team (PPT) process, school personnel may consult with the medical practitioner regarding such use.

In addition, the PPT may recommend a medical evaluation as part of the initial evaluation or re-evaluation, as needed to determine either a child’s eligibility for special education and related services, or educational needs for an Individualized Education Program (IEP).

The Superintendent of Schools, or his/her designee, shall promulgate this policy to District staff and parents/guardians of students annually and upon the registration of new students.

Legal References:

- Connecticut General Statutes
- 10-212b Policies prohibiting the recommendation of psychotropic drugs by school personnel (as amended by PA 03-211)
- 46b-120 Definitions
- 10-76a Definitions (as amended by PA 00-48)
- 10-76b State supervision of special education programs and services
- 10-76d Duties and powers of boards of education to provide special education programs and services (as amended by PA 97-114 and PA 00-48)
- 10-76h Special education hearing and review procedure. Mediation of disputes (as amended by PA 00-48)
- State Board of Education Regulations.
- 34 C.F.R. 3000 Assistance to States for Education for Handicapped Children
- Americans with Disabilities Act, 42 U.S.C. Sec. 12101 *et seq.*
- Rehabilitation Act of 1973, Section 504, 29 U.S.C. Sec. 794

Adopted: 01-05-2015

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Electronic Mail – Certified/Non-Certified

4118.4

Rights, Responsibilities and Duties

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval.

Electronic mail includes all electronic messages that are transmitted through a local, regional or global computer network.

All District electronic mail systems are owned by the Regional School District No. 1 and are intended for the purpose of conducting official District business only. District electronic mail systems are not intended for personal use by employees of the District and employees should have no expectation of privacy when using the electronic mail systems.

Users of District e-mail systems are responsible for their appropriate use. All illegal and improper uses of the electronic mail system, including but not limited to pornography, obscenity, harassment, solicitation, gambling, and violating copyright or intellectual property rights are prohibited. Use of the electronic mail system for which the District will incur an expense without expressed permission of an administrator is prohibited.

Electronic messages are not for private or confidential matters. Because there is no guarantee of privacy of confidentiality, other avenues of communication should be used for such matters. Except for directory information, student records will not be transmitted by electronic mail. Care should be taken when forwarding an electronic mail message. If the sender of an electronic mail message does not intend for the mail to be forwarded, the sender should clearly mark the message "Do Not Forward."

In order to keep District electronic mail systems secure, users may not leave the terminal "signed on" when unattended and may not leave their password available in an obvious place near the terminal or share their password with anyone except the electronic mail system administrator. The District reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

The District retains the right to review, store and disclose all information sent over the District electronic mail systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation and to access District information in the employee's absence.

Except as provided herein, District employees are prohibited from accessing another employee's electronic mail without the expressed consent of the employee. All District employees should be aware that electronic mail messages can be retrieved even if they have been deleted and that statements made in electronic mail communications can form the basis of various legal claims against the individual author or the District.

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Electronic Mail – Certified/Non-Certified

4118.4

Rights, Responsibilities and Duties (continued)

Electronic mail sent or received by the Board, the District or the District's employees may be considered a public record subject to public disclosure or inspection. All Board and District electronic mail communications may be monitored.

District employees will be subject to disciplinary action for violation of this policy.

The Superintendent, or his/her designee, will ensure that all District employees have notice of this policy and that each District employee is given an acknowledgement form to sign stating that they have received and read the policy. The form will be maintained in the employee's personnel file.

Legal References:

Connecticut General Statutes
The Freedom of Information Act
31-48d Employers engaged in electronic monitoring required to give prior notice to employees

Adopted: 01-05-2015

PERSONNEL

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Acceptable Computer Network Use – Certified/Non-Certified

4118.5

Rights, Responsibilities and Duties

Employees of Regional School District No. 1 are to utilize the District's computers, networks, e-mail system, and Internet services for school-related purposes and performance of job duties. Limited incidental use of District computers, networks, e-mail systems, and Internet services is permitted as long as such use does not interfere with the employee's job duties and performance, with system operations or other system users. "Limited incidental personal use" is defined as use by an individual employee for appropriate, lawful, brief, and occasional personal purposes. Employees are reminded that such personal use must comply with this policy and all other applicable policies, procedures and rules.

Employees shall be notified that computer files and electronic communications, including e-mail and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees or District operations without authority. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, employees must be aware that they should not have any expectation of personal privacy in the use of these computer systems. This provision applies to any and all uses of the District's computer systems, including any incidental personal use permitted in accordance with this policy and applicable regulations.

Online/Internet Services

The District will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response. Additionally, the District will implement a technology protection measure to block or filter Internet access to visual depictions that are obscene material, contain child pornography, or are harmful to minors, and ensure that such filtering technology is operative during computer use.

Any employee who violates this policy and/or rules governing use of the District's computers will be subject to disciplinary action, up to and including discharge. Illegal use of the District's computers will also result in referral to law enforcement authorities.

All District computers remain under the control, custody and supervision of the District. The school unit reserves the right to monitor all computer and Internet activity by employees. Employees should have no expectation of privacy in their use of school computers.

Each employee authorized to access the District's computers, networks and Internet services is required to sign an acknowledgement form stating that they have read this policy and the accompanying regulations. The acknowledgement form will be retained in the employee's personnel file.

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Acceptable Computer Network Use – Certified/Non-Certified

4118.5

Rights, Responsibilities and Duties (continued)

The Superintendent, or his/her designee, shall be responsible for overseeing the implementation of this policy and the accompanying rules and for advising the Board of the need for any future amendments or revisions to the policy/regulations. The Superintendent, or his/her designee, may develop additional administrative procedures/rules governing the day-to-day management and operations of the District's computer system as long as they are consistent with the Board's policy/rules. The Superintendent, or his/her designee, may delegate specific responsibilities to the building principal and others, as he/she deems appropriate.

Legal References:

Connecticut General Statutes
The Freedom of Information Act
31-48d Employers engaged in electronic monitoring required to give prior notice to employees. Exceptions. Civil penalty.
53a-182 Disorderly conduct; Class C misdemeanor
53a-182b Harassment in the first degree
53a-183 Harassment in the second degree
53a-250 Computer-related offenses: definitions
Electronics Communication Privacy Act, 28 U.S.C. Section 2510 through 2520

Adopted: 01-05-2015

Acceptable Computer Network Use – Certified/Non-Certified**4118.5****Regulations**

This is a set of general guidelines for the use of web blogs (“blogs”) in Region School District No. 1. Blogs are considered an extension of the classroom and therefore are subject to these guidelines as well as the rules and regulations of the District. The use of school computers is limited to assigned schoolwork; personal blogs that do not pertain to classwork in the District’s school should not be accessed from school computers. These guidelines are not meant to be exhaustive, not do they cover every contingency. If students are ever in doubt about the appropriateness of an item, a parent or teacher should be consulted. Staff members unsure of the appropriateness of an item should consult with the administration.

Safe and Responsible Blogging

The most basic guideline to remember when blogging is that the blog is an extension of the classroom. Students/staff should not write anything on a blog that one would not say or write in the classroom. When in doubt a teacher, parent or administrator should be consulted as to whether or not what one is considering posting is appropriate. Here are some specific items to consider:

1. The use of blogs is considered an extension of the classroom. Therefore, any speech that is considered inappropriate in the classroom is inappropriate on a blog. This includes, but is not limited to, profanity; racist, sexist or discriminatory remarks; personal attacks.
2. Blogs are used primarily as learning tools, either as extensions of conversations and thinking outside of regular class time, or as the basis for beginning new classroom discussions. Either way, be sure to follow all rules and suggestions that are offered by teachers/administrators regarding appropriate posting in your class.
3. Blog safely. NEVER post personal information on the web (including, but not limited to, last names, personal details including address or phone numbers or photographs). It is advised not to use a last name for the individual’s protection. Teachers may choose to use their last names for their posts/comments. Do not, under any circumstances, agree to meet someone met on the Internet.
4. Because a log-in to the blogging site (e.g., Blogger) is typically linked to a person’s profile, any personal blog created in class is directly linked to a class blog and must follow these blogging guidelines. In addition to following the information above about not sharing too much personal information (in a profile or in any posts/comments made), students need to realize that anywhere they use that log-in links back to their class blog. Therefore, anywhere that you use that log-in (posting to a separate personal blog, commenting on someone else’s blog, etc.), they need to treat the same as a school blog and follow these guidelines. Students and staff should also monitor any comments received on their personal blogs and, if they are inappropriate, delete them. If students would like to post or comment somewhere and not follow these guidelines, they need to

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Acceptable Computer Network Use – Certified/Non-Certified

4118.5

Regulations (continued)

create a separate log-in to the blogging site so that it does not connect back to their class blog. They may not use that log-in from school computers. The District still recommends that students follow the portion of these guidelines that address their personal safety (e.g., not posting personal information, etc.).

5. Pictures may be inserted into a blog. The image must be appropriate for use in a school document and copyright laws shall be followed. Images that can identify a student or others shall not be posted.

Regulations Approved: 01-05-2015

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Substitute Teachers

4121

A substitute teacher shall be a person who has earned a Bachelor's Degree, is fully qualified to instruct in the Regional School District No. 1, and who is employed for short periods of time in the absence of the regular teacher. The Commissioner of Education may waive requirement for a Bachelor's Degree for good cause upon the request of the Superintendent of Schools.

Suitable programs for training, assigning, orienting, and evaluating the work of substitute teachers shall be provided by the certified staff under the direction of the Superintendent.

Rates of compensation for substitute teachers will be recommended by the Superintendent.

It will be the responsibility of the Principal, or his/her designee, to assign a substitute to fill any vacancy created by the temporary absence of a regular staff member. The substitute teacher will be selected from a list of approved substitutes furnished by the Superintendent's office.

Only fully certified replacement teachers will be assigned to classes whose regular teachers are on long-term leaves of absence of forty (40) days or more. The Principal will attempt to maintain as much continuity as possible by engaging only one substitute for the full period of absence of one teacher and by calling back a substitute to serve in a classroom in which he/she has already performed successfully.

Substitute teachers will not participate in the health and welfare plans or other fringe benefits of the school system. However, substitute personnel hired to fill the position of an employee absent on an extended leave, will be entitled to the privileges and benefits afforded regular professional employees, with the exception that the term of employment ordinarily will cease at the scheduled termination of the regular teacher's leave.

Retired teachers may be employed as substitute teachers without jeopardizing their retirement salary within the limits as prescribed by law.

Legal References:

Connecticut General Statutes
10-183v Reemployment of teachers
10-145a Certificates of qualification for teachers, as amended by P.A. 11-27, An Act Concerning Substitute Teachers
June 19 Special Session, Public Act No. 09-1
An Act Implementing the Provisions of the Budget Concerning Education, Authorizing State Grant Commitments for School Building Projects and Making Changes to the Statutes Concerning School Building Projects and Other Education Statutes (Section 48) Public Act No. 09-6 September Special Session

Adopted: 01-05-2015

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Staff Development – Certified

4131

“Staff development” is viewed by the Regional School District No. 1 Board of Education as a continuous systematic effort to improve educational programs and instructional practices in the District through (1) staff involvement in organized program planning, implementation and evaluation efforts, and (2) activities to upgrade the skills, knowledge and ability of educators to improve student learning.

Each certified employee, beginning July 1, 2013, shall annually participate in a program of professional development, of not fewer than eighteen (18) hours in length, of which a preponderance is in a small group or individual group settings. The professional development programs shall:

1. be consistent with National Standards for Professional Development (2011);
2. be a comprehensive, sustained and intensive approach to improving teacher and administrator effectiveness in increasing student knowledge and achievement;
3. focus on refining and improving various effective teaching methods that are shared between and among educators;
4. foster collective responsibility for improved student performance through collaborative communities of practices; and
5. be comprised of professional learning that is aligned with state student academic achievement standards, conducted at the school among educators and facilitated by principals, coaches, mentors, and distinguished educators or other appropriate teachers, occurs frequently on an individual basis or among groups of teachers and includes a repository or best practices for teaching methods developed by educators within the school.

Teachers must constantly review curricular content, teaching methods and materials, educational philosophy and goals, social change, and other topics related to education to enhance the capabilities of educators to improve student learning. The Board recognizes that it shares with its certified staff, responsibility for the upgrading and updating of teacher performance and attitudes. The Board and teachers' organizations support the principles of continuing training of teachers and the improvement of instruction.

All employees shall be provided opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties. It is the teacher's responsibility to come to the learning experience committed and ready to learn.

The Board, in order to determine a professional development program seeking the advice and assistance of teachers, shall establish a professional development and teacher evaluation committee, consisting of certified employees, including their union representatives, and other school personnel the Board deems appropriate. The duties of the committee shall include, but not

Staff Development – Certified**4131**

be limited to, the development, evaluation and annual updating of a comprehensive local professional development plan, in fulfillment of the statutes, for certified employees of the District. Such plan shall (1) be directly related to the educational goals proposed by the Board pursuant to C.G.S. 10-220(b), and (2) on or after July 1, 2012, be developed in full consideration of the priorities and needs related to student outcomes as determined by the State Department of Education.

Special effort shall be made to prepare teachers and other school personnel to meet the needs of all, including students of diverse backgrounds. Planning and implementation of such programs shall be done cooperatively by administration and teachers. Special effort shall also be given to administrators and/or supervisors in training pursuant to their obligations in the evaluation of the teacher.

Staff development activities should respond directly to the education needs of the student body, including, (a) content areas such as language arts, including reading, writing, speaking, listening, viewing, and enacting; math, social studies, and science; (b) methodological areas such as motivation, teaching techniques, including the use of computers in the classroom and classroom management, and second language acquisition; and (c) effective areas of interpersonal relations of students and faculty, student growth and development and staff communication, problem solving, and decision making. The in-service program shall fulfill all applicable statutory requirements, especially those delineated in C.G.S. 10-220a.

The Board will allow any paraprofessional or non-certified employee of the District to participate, on a voluntary basis, in any in-service training program provided to certified staff on those topics mandated per C.G.S. 10-220a, subsection (a).

The District, as required, will participate in compliance audits of the professional development program, as required and conducted by the State Department of Education.

The Superintendent, or his/her designee, is to report annually to the Board on the professional development program and its effect, with recommendations for changes, as needed.

Professional Development Pertaining to the Teacher Evaluation and Support Program

The Board, prior to implementing the teacher evaluation and support program contained within P.A. 12-116, An Act Concerning Educational Reform, but not later than July 1, 2014, shall provide training for all evaluators and orientation to all certified District employees relating to the provisions of such teacher evaluation and support program. Such training shall provide instruction to evaluators in how to conduct proper performance evaluations prior to the use of the new evaluation and support program. Such orientation shall be completed by all certified personnel below the rank of Superintendent, before the certified employee receives an evaluation under the teacher evaluation and support program.

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Staff Development – Certified

4131

Legal References:

Connecticut General Statutes

10-27 Exchange of professional personnel and students

10-220a In-service training, (amended by P.A. 04-227, P.A. 08-160, June 19 Special Session, P.A. 09-1 and P.A. 12-116, An Act Concerning Educational Reform)

10-153b Selection of teachers' representatives

10-226f Coordinator of intergroup relations

10-226g Inter-group relations training for teachers

10-145b Teaching certifications (as amended by P.A. 01-173)

10-151b Employment of teachers. Definitions. Tenure, etc. (as amended by P.A. 12-116, An Act Concerning Educational Reform)

Adopted: 01-05-2015

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Copyrights and Patents – Certified

4132.1

The Regional School District No. 1 Board of Education recognizes that staff members under contract to the school system may, in carrying out their professional responsibilities, develop patentable or copyrightable educational materials for use in the school program. It is understood by the Board and the staff members that such materials developed as part of regular employment are equally the properties of the school system and the employees.

The school system retains the right to legal claim on all products created by its employees on the job with the assistance of school system funds.

Adopted: 01-05-2015

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Employee Protection – Certified/Non-Certified

4148

An employee may use reasonable force as is necessary to protect him/herself from attack, to protect another person or property, to quell a disturbance threatening physical injury to others, or to obtain possession of weapons or other dangerous objects upon the person or in the control of a student.

Employees shall immediately report cases of assault suffered by them in connection with their employment to their Principal and/or immediate superior. Such notification shall be forwarded immediately to the Superintendent who shall comply with any reasonable request from the employee for information in the possession of the Superintendent relating to an incident or the persons involved, and shall act as liaison between the employee, the police and the courts.

No school administrator shall interfere with the right of a teacher or other school employee to file a complaint with the local police authority in cases of threats of physical violence or actual physical violence against such teacher or employee.

As required by law, the Regional School District No. 1 Board of Education will file a report annually with the State Department of Education indicating the number of threats and physical assaults made by students upon teachers, administrators and other school personnel, and the number of physical assaults involving dangerous weapons made by students upon other students.

If criminal or civil proceedings are brought against an employee alleging that the employee committed an assault in connection with his/her employment, such employee may request the Board to furnish legal counsel to defend the employee in any civil action or proceeding brought against the employee, within the limits set by law.

The Board shall reimburse an employee for the cost of medical, surgical or hospital services (less the amount of any insurance reimbursement) incurred as the result of any injury sustained in the course of his/her employment.

Section 52-557b of the Connecticut General Statutes grants immunity from liability for emergency medical assistance to a person in need of it when the assistance is given by a teacher or other school personnel on the school grounds, in a school building, or at a school function, provided that the teacher or other staff member has completed a course in first aid offered by the American Red Cross, the American Heart Association, the State Department of Health Services, or any municipal health department, as certified by that agency, has such immunity that extends to civil damages for any personal injuries which result from acts or omissions by the person giving the emergency care or first aid, which might constitute ordinary negligence. Such immunity does not apply to acts or omissions constituting gross, willful or wanton negligence.

Legal References:

Connecticut General Statutes
10-233b Removal of pupils from class
10-233c Suspension of pupils
10-233g Boards to report school violence. Reports of principals to police authority
10-235 Indemnification of teachers. Board and commission members and employees in damage suits; expenses of litigation

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Employee Protection – Certified/Non-Certified

4148

10-236 Liability insurance

10-236a Indemnification of educational personnel assaulted in the line of duty

52-557b Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render

53a-18 Use of reasonable physical force or deadly physical force generally

53a-19 Use of physical force in defense of person

Adopted: 01-05-2015

Personal Leave/Family and Medical Leave Act (FMLA) – Certified/Non-Certified 4152.6

Under the Family and Medical Leave Act (FMLA), if you have worked at least one year and at least 1,250 hours in the past twelve (12) months, you are eligible for up to twelve (12) weeks unpaid leave for the following circumstances:

- birth of a child; adoption of a child or the placement of a foster child;
- to care for a spouse, child or parent with a serious health condition;
- a serious health condition which makes the employee unable to perform the functions of their position;
- Active Duty Family Leave; and/or
- Injured Service Member Leave

If you have a spouse, parent or child who has been called to or is on active duty in the Armed Forces, you may be eligible for up to twelve (12) weeks of FMLA in certain circumstances. If you are the spouse, parent, child, or next of kin of a service member who was injured in the line of duty, you may be eligible for up to twenty-six (26) weeks of FMLA leave.

While on FMLA, you are entitled to receive health benefits as if you were still working. Please contact the Benefits Department of Region One at 860-824-5123 extension 309 for information.

Special rules apply to instructional employees which affect the taking of intermittent leave or leave on a reduced schedule, or return from a leave near the end of an academic term (semester).

When returning to work, a ***physician's release statement*** is required. You must be reinstated to the same or an equivalent position. Equivalent position is defined as a position having the same pay, benefits, working conditions, and substantially similar duties and responsibilities, and entails substantially equivalent skill, effort, responsibility, and authority. NOTE: If you go into unpaid status, your salary will be adjusted upon your return.

If you do not return to work following FMLA leave (for a reason other than the same condition, recurrence or onset of a serious health condition that would entitle you to FMLA leave, or other circumstances beyond your control), you may be required to reimburse the District for its share of health insurance premiums paid on your behalf during your FMLA leave.

Adopted: 01-05-2015

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Return to Work/Inability to Return to Work – Certified/Non-Certified

4152.9

This policy works in conjunction with the Personal Leave policy and the employee of Regional School District No. 1 shall refer to the appropriate policy for defined terms. This policy covers a number of scenarios relating to an employee's ability to return to work after experiencing an injury, personal sickness or disability. The scenarios include but are not limited to:

- returning to work on a regular schedule with no restrictions;
- returning to work on a regular schedule with restrictions and receiving a modified duty assignment, if available;
- returning to work on a reduced schedule basis with or without restrictions and potentially being placed in a modified duty assignment, if applicable.
- inability to return to work.

Employees who are released to return to work on a regular or reduced schedule basis but with temporary job restrictions, as supported by medical evidence documented on the *physician's release statement*, may be eligible for a modified duty assignment as defined in this section. The department head, or his/her designee, with the concurrence of Central Office, may require the employee to perform certain modified duty assignments on a temporary basis. Failure of an employee to report for modified duty assignments shall terminate the injury leave, short-term disability leave, or other leave benefit. The goal of this program is to enable employees to continue using skills and abilities temporarily limited by injury, sickness or disability, when modified duty positions are available. This shall apply to any employee who has a temporary injury, sickness or disability, that prevents him/her from performing his/her full duties or meeting the minimum standards established for his/her position.

In cases where the employee is not able to return to work, the District may rely on the information contained in the "Certification of Health Care Provider" form to determine appropriate next steps. An employee must adhere to any restrictions noted on the *physician's release statement*, even if the employee has not missed any work.

Definition: modified duty is an assignment which is for a specified and limited period and fulfills a necessary job function, appropriate to the employee's skills and level of experience as determined by the District, and which the employee can perform without violating any medical restriction imposed as a result of a temporary disability, sickness or injury, for which the employee is compensated at his/her normal rate of pay and benefits.

Modified duty assignments are not a matter of right. The number, availability and duration of such assignments are limited by departmental needs as defined by the department head, or his/her designee.

If restrictions, as noted on the *physician's release statement* or "Certification of Health Care Provider" form are determined to be permanent, the employee is not eligible for a modified duty assignment.

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Return to Work/Inability to Return to Work – Certified/Non-Certified

4152.9

Limitation of Modified Duty Assignment: The modified duty assignment ends on the earliest of:

1. the date the employee is released to his/her regular schedule with no restrictions as evidenced on the *physician's release statement*;
2. the date the physician determines the employee has permanent restrictions;
3. the date the maximum assignment period ends;
4. the date the employee fails to take a required medical examination, without good cause.

Maximum Assignment Period: For full-time employees, no modified duty assignment may last for a cumulative period exceeding 1,560 work hours, excluding any hours charged to over-time or on-call pay. For part-time benefited employees, no modified duty assignment may last for a cumulative period exceeding work hours equivalent to the hours the employee would normally be scheduled to work in a thirty-nine (39) work week period. For part-time, non-benefited and temporary employees, no modified duty assignment may last for a cumulative period exceeding the lesser of 1) the duration of the employee's appointment, or 2) ninety (90) calendar days. Assignment to a modified duty assignment does not in any way create a right for the employee to occupy that or any other position on a regular basis. At the end of the modified duty assignment, if an employee is unable to return to work without restrictions, he/she may be placed on the appropriate leave.

Procedure:

The *physician's release statement* will be completed by a physician (for injury leave, the physician is one of the designated providers selected for the District's workers' compensation insurance) and shall include the probable length of the restrictions and the nature of the restrictions. An additional statement confirming the ability to perform the modified duty assignment may also be required.

Once the employee has seen a physician and the physician has completed the *physician's release statement* indicating that the employee can return to work, the procedures below will be followed:

Return to Work with Regular Hours and No Restrictions:

- The employee obtains the completed *physician's release statement* from his/her physician noting no restrictions and the ability to work his/her regularly scheduled hours. This form must be presented to the Supervisor and Central Office upon the employee's return to work.

Return to Work with Restrictions:

- Restrictions noted by the physician on the *physician's release statement* may be:
 - restricted duties (for example, limitations on lifting, walking, stooping, bending, etc.), and/or

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Return to Work/Inability to Return to Work – Certified/Non-Certified

4152.9

- restricted number of hours worked per day or per week, with or without limitations on the duties performed.
- If the physician releases the employee to return to work with restrictions, as evidenced by completion of the *physician's release statement*, the form must be submitted to the employee's supervisor and Central Office prior to or immediately upon return to work for consideration of a modified duty assignment. The supervisor and a representative from Central Office will review the restrictions and determine if the employee is eligible for a modified duty assignment. The employee must report for work at the designated time.
- If the employee is approved for a modified duty assignment, the employee must make sure that he/she complies with the restrictions outlined in the *physician's release statement*. If the employee's restrictions change at any time, he/she must notify his/her supervisor immediately and give the supervisor and Central Office a copy of the revised *physician's release statement*.

While working a modified duty assignment, the employee may be required to provide periodic updates from his/her physician up to every thirty (30) days. In conjunction with such review, the employee may be required to submit to a periodic physical examination as a condition of continued modified duty status.

- If a modified duty assignment is not available, a representative from Central Office will determine what remaining leave benefits are available to the employee, if any.

If the employee is unable to perform the modified duty assignment, he/she will contact the physician to review and potentially update the *physician's release statement*.

Inability to Return to Work:

- If the employee is unable to return to work, with or without restrictions, as noted on the *physician's release statement* or the "Certification of Health Care Provider" form, the employee must notify Central Office as soon as possible, and may be required to provide periodic updates from his/her physician every thirty (30) days. In conjunction with such review, the employee may be required to submit to a periodic physical examination as a condition of continued leave.
- While off work, it is the responsibility of the employee to supply Central Office with a current telephone number (listed or unlisted), email address and a mailing address where the employee can be reached.
- The employee will notify Central Office as soon as practicable of all changes in medical condition.

Once available leave programs are exhausted, the employee will meet with a representative from Central Office to determine next steps. Those steps may include:

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Return to Work/Inability to Return to Work – Certified/Non-Certified

4152.9

- a review of the employee’s restrictions as noted on the *physician’s release statement* or the “Certification of Health Care Provider” form.
- a review of the employee’s essential required tasks as noted in the employee’s job description and job site evaluation form. The employee will be given an opportunity to review the duties and discuss how he/she can perform the duties with or without accommodation.
- If reasonable accommodation is not possible, the employee and the representative from Central Office will review the employee’s qualifications and look for other employment opportunities with the District.
- If another employment opportunity is not available, the employee will be advised by Central Office of any other options.

Adopted: 01-05-2015

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Title I Paraprofessionals – Non-Certified

4222.1

A Title I paraprofessional is an individual who provides instructional support for students in a Title I School-wide or Targeted Assistance Program, supported with Title I, Part A funds.

Title I paraprofessionals may perform the following instructional support duties:

- One-on-one tutoring for eligible students if the tutoring is scheduled at a time when the student would not ordinarily be receiving instruction from the regular teacher
- Assist in classroom management
- Conduct parent involvement activities
- Assist in computer instruction
- Provide instructional support in a library or media center
- Act as a translator
- Provide instructional support services under the direct supervision of qualified teachers

Title I paraprofessionals may assume limited non-instructional duties, even if they benefit non-Title I students, in the same proportion to their total work time as non-Title I paraprofessionals.

Title I paraprofessionals do not include individuals who have only non-instructional duties such as providing technical support for computers, providing personal care services or performing clerical duties.

Qualifications

Title I paraprofessionals, regardless of hiring date, must have earned a secondary school diploma or its recognized equivalent (except for those who act as translators to enhance the participation of limited English proficient students or whose activities consist solely of conducting parent involvement activities).

Title I paraprofessionals hired after January 8, 2002 must have:

1. completed a least two years of study at an institution of higher education or obtained an associate's or higher degree; or
2. demonstrated through a formal local academic assessment the knowledge of an ability to assist in instructing, as appropriate:
 - a) Reading/language arts, writing and mathematics; or
 - b) Reading readiness, writing readiness and mathematics readiness

Title I paraprofessionals hired on or before January 8, 2002 must have met the above qualifications no later than January 8, 2006. A paraprofessional who was initially hired on or before January 8, 2006, but who, because of the District's fiscal constraints, was laid off is:

1. considered an "existing" paraprofessional if the individual was rehired when the District recalled laid-off paraprofessionals such that the individual has continuous years of employment;

PERSONNEL

4000

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4222.1

2. considered a “new” paraprofessional if the individual did not rejoin the District when it recalled laid-off paraprofessionals, if, and when, the individual is rehired.

In addition, if it is determined that a new paraprofessional, to be hired by the District, has met the Title I qualification requirements in another school district, that individual will be considered to have met to requirements if hired by this District.

These qualifications do not apply to paraprofessionals working in Head Start programs, unless said program is jointly funded with Title I, Part A funds and the paraprofessional’s salary is paid with Title I, Part A funds.

Notice to Parents

An annual written notice shall be provided to parents of students enrolled in a Title I School-wide or Targeted Assistance Program telling them they may request information about any paraprofessionals who provide instructional support for their child. The notice may be combined with a notice regarding Title I teacher qualifications.

Legal References:

42 U.S.C. 653(a) Personal Responsibilities and Work Opportunity Reconciliation Act
15 U.S.C. et seq., Fair Credit Reporting Act
20 U.S.C. Section 1119(c), No Child Left Behind Act of 2001
20 C.F.R. 200.59 Federal Regulations

Note:

The requirements outlined in this policy apply to all paraprofessionals who work in a school that qualifies as a Title I School-wide Program, whether or not their salaries are paid with Title I funds. For Targeted Assistance Programs, only those paraprofessionals who provide instructional support to students in the Title I Program are subject to the requirements.

Adopted: 01-05-2015