

Board of Education
Darien, Connecticut

WEDNESDAY, MARCH 11, 2020

SPECIAL MEETING OF THE BOARD OF EDUCATION

**Darien Public Schools'
Administrative Offices
Meeting Room
7:00 p.m.**

AGENDA

1. Call to order
2. Adjourn to Executive Session (2nd Floor Conference Room) for the purpose of discussion regarding security strategy pursuant to Connecticut General Statute 1-200(6)(C)
3. Reconvene in public session.
4. Adjournment.

**REGULAR MEETING OF THE BOARD OF EDUCATION
WEDNESDAY, MARCH 11, 2020**

**PLACE:
DARIEN PUBLIC SCHOOLS'
ADMINISTRATIVE OFFICES
MEETING ROOM
7:30 P.M.**

TENTATIVE AGENDA

- | | | |
|---------------------------------|------------------|-----------|
| 1. Call to Order..... | Mrs. Tara Ochman | 7:30 p.m. |
| 2. Chairperson's Report..... | Mrs. Tara Ochman | |
| 3. Public Comment*..... | Mrs. Tara Ochman | |
| 4. Superintendent's Report..... | Dr. Alan Addley | |

*Public Comments are limited to three minutes per individual and are designed to allow community members to inform the Darien Board of Education of their opinions and/or concerns. Where appropriate, community members are also encouraged to reach out to the school administration during regular school hours. There should be no expectation for dialogue on such public comments to take place at a regular/special public meeting, given that by law the Board may only discuss matters that are set forth on its agenda.

**REGULAR MEETING OF THE BOARD OF EDUCATION
WEDNESDAY, MARCH 11, 2020**

- 5. Approval of Minutes..... Board of Education
- 6. Board Committee Reports..... Mrs. Tara Ochman
- 7. Presentations/Discussions
 - a. Appointment of Royle..... Dr. Alan Addley
Elementary School Principal
 - b. Presentation and Discussion. Dr. Susie Da Silva/
on Darien High School Second Mrs. Ellen Dunn
Semester Enrollment
Distribution Report
 - c. Interim Progress Report on.... Dr. Alan Addley/
2019-2020 District Goals and Dr. Susie Da Silva/
Objectives Mrs. Shirley Klein/
Ms. Marjorie Cion/
Mr. Richard Rudl
 - d. Update on Kindergarten..... Dr. Susie Da Silva
Enrollment for 2020-2021
 - e. Discussion of Board of Education. Mr. Michael Burke/
Policies: 1175, Prohibition Ms. Marjorie Cion
Against Smoking; 4075, Alcohol,
Tobacco and Drug Free
Workplace; 1300, Non-
Discrimination; 5710, Non-
Discrimination of Students;
4250, Employee Checks;
4111, Equal Opportunity
for Employment/Affirmative
Action and Non-Discrimination
(Personnel)
- 8. Action Items
 - a. Personnel Items..... Ms. Marjorie Cion
 - i. Appointments
 - ii. Resignations/Retirements

**REGULAR MEETING OF THE BOARD OF EDUCATION
WEDNESDAY, MARCH 11, 2020**

9. Public Comment*..... Mrs. Tara Ochman
10. Adjournment..... Mrs. Tara Ochman

AA:nv

*Public Comments are limited to three minutes per individual and are designed to allow community members to inform the Darien Board of Education of their opinions and/or concerns. Where appropriate, community members are also encouraged to reach out to the school administration during regular school hours. There should be no expectation for dialogue on such public comments to take place at a regular/special public meeting, given that by law the Board may only discuss matters that are set forth on its agenda.

APPROVED
REGULAR MEETING OF THE BOARD OF EDUCATION
Tuesday, February 11, 2020

PLACE:
DARIEN PUBLIC SCHOOLS
ADMINISTRATIVE OFFICES
BOARD OF EDUCATION CONFERENCE ROOM
7:30 P.M.

BOARD MEMBERS PRESENT:

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Present	X*	X	X	X	X	X	X	X	X
Absent									

*MR. BROWN DEPARTED AT 10:07 P.M.

ADMINISTRATION PRESENT:

Dr. Addley, Dr. Da Silva, Ms. Klein, Ms. Cion, Mr. Rudl, and Mr. Lynch

AUDIENCE: Approximately 50

- | | |
|-------------------------|--|
| 1. Call to Order | Mrs. Tara B. Ochman, Chair,
at 7:30 p.m. (0:00) |
| 2. Chairperson's Report | Mrs. Ochman, Chair,
at 7:30 p.m. (0:00) |
| 3. Public Comment | Mrs. Ochman, Chair,
at 7:31 p.m. (0:01) |

Amari Zerbe at 9 Morehouse Drive and Maddie Park at 39 Park Place
Clara Sartori 161 Old Kings Highway South
Pam Kiernan 1685 Boston Post Road
Tara Wurm 17 Mystic Lane
Patty Bumgardner 64 Hansen Road
Jenny Schwartz 8 Saddle Ridge Road
Mark Bevin 2 Concord Lane

- | | |
|----------------------------|---|
| 4. Superintendent's Report | Dr. Alan Addley
at 7:44 p.m. (0:14) |
| 5. Approval of Minutes | Board of Education
at 7:50 p.m. (0:20) |

MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETING AND EXECUTIVE SESSION OF THE BOARD OF EDUCATION HELD ON JANUARY 28, 2020:

- 1st Ms. STEIN**
2ND MR. MARONEY

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION HELD ON JANUARY 28, 2020:

1st MR. BROWN

2ND MR. BURKE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF EDUCATION HELD ON FEBRUARY 4, 2020 AT 6:30 PM:

1st MR. BURKE

2ND MR. DINEEN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF EDUCATION HELD ON FEBRUARY 4, 2020 AT 7:30 PM:

1st MR. SINI

2ND MR. BROWN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

6. Board Committee Reports

Mrs. Ochman, Chair,
at 7:50 p.m. (0:20)

PRESENTATIONS AND DISCUSSIONS

7. Presentations/Discussions:

- a. Presentation and Discussion of
iPad Strategic Plan

Dr. Susie DaSilva/
Dr. Joan McGettigan
at 7:54 p.m. (0:24)

- b. Discussion and Possible Action
on New Courses for Darien High
School for the 2020-21 School Year

Dr. Susie DaSilva/
Ms. Ellen Dunn
at 8:40 p.m. (1:10)

MOTION TO APPROVE THE NEW COURSES AS PROPOSED FOR DARIEN HIGH SCHOOL FOR THE 2020-21 SCHOOL YEAR:

1st Ms. STEIN

2ND MR. MARONEY

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

c. Further Discussion, Questions and
Approval regarding 2020-21 Proposed
Board of Education Budget

Dr. Alan Addley

at 8:41 p.m. (1:11)

1.MOTION TO DECREASE RC-1 DHS 21306 BY \$15,859 FOR TEACHERS OF THE GIFTED:

1st Ms. OCHMAN

2ND NONE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes									
No									
Abstain									

RESULT - MOTION FAILED

2.MOTION TO DECREASE TO 21302 BY \$50,000.00 FOR SUBSTITUTES

1st Ms. OCHMAN

2ND MR. MARONEY

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes									
No									
Abstain									

RESULT - MOTION AMENDED

3.MOTION TO AMEND REDUCTION TO ACCOUNT 21302 To \$20,000.00 FOR SUBSTITUTES ACROSS RELEVANT RCs:

1st MR. BURKE

2ND Ms. STEIN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes		X	X		X	X	X		X
No	X			X				X	
Abstain									

RESULT - MOTION PASSED (6-3-0)

4.MOTION TO DECREASE ACCOUNT 21302 BY \$20,000.00 For SUBSTITUTES:

1st MR. BURKE

2ND MR. MARONEY

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes		X	X		X	X	X		X
No				X				X	
Abstain	X								

RESULT - MOTION PASSED (6-2-1)

5. MOTION TO INCREASE RC-11 ATHLETIC HEALTH AND PE 102001 BY \$89,840.00 FOR INTERSCH/EQUIP/RENTAL/SUPPLIES (UNIFORMS):

1st Ms. OCHMAN

2ND Ms. STEIN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes		X	X			X	X		X
No	X			X	X			X	
Abstain									

RESULT - MOTION PASSED (5-4-0)

6. MOTION TO INCREASE RC-11 ATHLETIC HEALTH AND PE 102001 \$18,600.00 FOR INTERSCH/EQUIP/RENTAL/SUPPLIES (WRESTLING MAT):

1st Ms. OCHMAN

2ND MR. BURKE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes									
No									
Abstain									

RESULT - MOTION AMENDED

7. MOTION TO AMEND THE INCREASE OF RC-11 ATHLETIC HEALTH AND PE 10201 INTERSCH/EQUIP/RENTAL/SUPPLIES (WRESTLING MATS) TO \$9,300.00:

1st Ms. STEIN

2ND MR. SINI

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9 -0-0)

8. MOTION TO INCREASE RC-11 ATHLETIC HEALTH AND PE 10201 BY \$9,300.00 FOR INTERSCH/EQUIP/RENTAL/SUPPLIES:

1st Ms. OCHMAN

2ND Ms. STEIN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes		X	X			X	X		X
No	X			X	X			X	
Abstain									

RESULT - MOTION PASSED (5 -4-0)

9. MOTION TO DECREASE RC-11 ATHLETIC HEALTH AND PE 101002 BY \$18,068.00 FOR INTERSCHOLASTIC HS/STIPENDS:

1st Ms. OCHMAN

2ND Ms. McCAMMON

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X			X	X				
No									
Abstain									

RESULT - MOTION FAILED

10. MOTION TO INCREASE RC-15 TECHNOLOGY 13035 BY \$109,350.00 FOR SOFTWARE MAINTENANCE (OPENGov):

1st Ms. OCHMAN

2ND MR. SINI

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X			X					
No									
Abstain									

RESULT – MOTION FAILED

11. MOTION TO DECREASE RC-15 TECHNOLOGY 123021 BY \$65,000.00 FOR NEW COMPUTER EQUIPMENT (3RD AND 4TH GRADE CHROMEBOOKS):

1st Ms. OCHMAN

2ND MS. RITCHIE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

12. MOTION TO DECREASE RC-15 TECHNOLOGY 123021 BY \$ 214,500.00 NEW COMPUTER EQUIPMENT (IPADS FOR 9TH GRADE):

1st Ms. OCHMAN

2ND MS. RITCHIE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X								
No									
Abstain									

RESULT - MOTION FAILED

13.MOTION TO DECREASE RC-15 TECHNOLOGY 123021 BY \$19,500.00 FOR NEW COMPUTER EQUIPMENT (IPAD LOGITECH CRAYON):

1st Ms. OCHMAN

2ND MS. STEIN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9 -0-0)

14. MOTION TO DECREASE RC-15 TECHNOLOGY 123021 BY \$15,000.00 FOR NEW COMPUTER EQUIPMENT (RECYCLING OF EXISTING 12TH GRADE IPADS):

1st Ms. OCHMAN

2ND MR. BURKE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

15. MOTION TO DECREASE RC-15 TECHNOLOGY 123021 BY \$5,000.00 FOR NEW COMPUTER EQUIPMENT (ELEMENTARY SCHOOL ROUTERS):

1st Ms. OCHMAN

2ND Ms. STEIN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

16. MOTION TO INCREASE RC-16 ADMINISTRATION 12001 BY \$25,000.00 FOR CONSULTING FEES:

1st Ms. OCHMAN

2ND MR. BURKE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

17. MOTION TO DECREASE RC-16 ADMINISTRATION 12004 BY \$13,000.00 FOR LEGAL FEES:

1st Ms. OCHMAN

2ND MR. MARONEY

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X		X
No								X	
Abstain									

RESULT - MOTION PASSED (8-1-0)

18. MOTION TO INCREASE RC-22 TECHNOLOGY EDUCATION 24002 BY \$63,116.00 FOR TECH ED TEACHING SUPPLIES (PROJECT LEAD THE WAY):

1st Ms. OCHMAN

2ND Ms. STEIN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X		X		X	X	X		X
No		X		X				X	
Abstain									

RESULT - MOTION PASSED (6-3-0)

19. MOTION TO INCREASE RC-24 SPECIAL EDUCATION 21305 BY \$54,400.00 FOR CONTRACTED SPEECH:

1st Ms. OCHMAN

2ND MR. MARONEY

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9 -0-0)

20.MOTION TO DECREASE RC-24 SPECIAL EDUCATION 21309 BY \$51,400.00 FOR CONTRACTED OCCUPATIONAL THERAPISTS:

1st Ms. OCHMAN

2ND MR. DINEEN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

21. MOTION TO DECREASE RC-24 SPECIAL EDUCATION 21311 BY \$3,000.00 FOR CONTRACTED PHYSICAL THERAPISTS:

1st Ms. OCHMAN

2ND MR. SINI

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9-0-0)

22.MOTION TO INCREASE RC-25 FIXED EXPENSES 52001 For \$88,452.00 FOR REGULAR PUPIL TRANSPORTATION BY:

1st Ms. OCHMAN

2ND Ms. STEIN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X				X			X
No									
Abstain									

RESULT - MOTION FAILED

23. MOTION TO CALL THE QUESTION ON MOTION 21:

1st MR. SINI

2ND MS. RITCHIE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X		X	X	X	X
No					X				
Abstain									

RESULT - MOTION PASSED (8-1-0)

24. MOTION TO DECREASE RC-25 FIXED EXPENSES 82002 BY \$17,147.00 FOR WORKERS COMPENSATION:

1st Ms. OCHMAN

2ND MR. BROWN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9 -0-0)

25. MOTION TO DECREASE RC-25 FIXED EXPENSES 82003 FOR \$94,619.00, HEALTH INSURANCE:

1st MS. OCHMAN

2ND MR. MARONEY

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (9 -0-0)

26. MOTION TO INCREASE CAPITAL PROJECTS BY \$550,000.00 FOR ADDITIONAL TWO TENNIS COURTS AT DHS:

1st MS. OCHMAN

2ND MS. STEIN

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes							X		X
No									
Abstain									

RESULT - MOTION FAILED

27. MOTION TO APPROVE OPERATING BUDGET OF \$103,521,534.00 REPRESENTING AN INCREASE OF 3.4% FOR THE 2020-21 SCHOOL YEAR:

1st MS. OCHMAN

2ND MR. SINI

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes		X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (8-0-0)

28. MOTION TO APPROVE THE CAPITAL BUDGET FOR \$1,380,868.00 FOR 2020-21 SCHOOL YEAR:

1st MS. OCHMAN

2ND MR. BURKE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes		X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (8-0-0)

8. Action Items:

a. Personnel Items

- i. Appointments
- ii. Resignations/Retirements

Ms. Marjorie Cion
at 10:11 p.m. (2:41)

9. Public Comment

Mrs. Ochman, Chair,
at 10:11 p.m. (2:41)

10. Adjournment

Mrs. Ochman, Chair,
at 10:12 p.m. (2:42)

MOTION TO ADJOURN:

1st MR. MARONEY

2ND MR. BURKE

	Brown	Burke	Dineen	McCammon	Maroney	Ochman	Ritchie	Sini	Stein
Yes		X	X	X	X	X	X	X	X
No									
Abstain									

RESULT - MOTION PASSED UNANIMOUSLY (8-0-0)

Meeting adjourned at 10:12 p.m. (2:42)
Respectfully Submitted,

Debra Ritchie,
Secretary

Darien High School

Table #1 Class Size Guidelines

The following chart depicts the class size guidelines, established by the Board of Education in Policy 6510, that are used by the high school to make section enrollment decisions.

Series 6500: Instructional Arrangements
Policy R - 6510

Class Size Administrative Guidelines

<u>Grade Levels</u>	<u>K-1</u>	<u>2-3</u>	<u>4-5</u>	<u>6-12</u>
Recommended Range	18	19	20	Below 18
	19	20	21	18
	21	22	23	22
	22	23	24	23-24
Optimal Range				

DATA ANALYSIS

Table #2

Mean Class Sizes

Table #3

Teacher Average Class Load

Table #4

Distribution of Class Sizes

Table #5

Number of Small Classes (under 10)

Table #6

Number of Large Classes (25 or more)

Table #7

Guidance Counselor Student Load

Table #2 -- Mean Class Sizes

(Includes data for special education and academic support programs)

	# Sections	# Enrolled	<10	10-14	15-19	20-24	>24	13-14S	14-15S	15-16S	16-17S	17-18S	18-19S	19-20S	S-S
English	81	1382	3	20	32	26	0	17	17	17	18	18	17	17	0
Foreign Language	67	1162	1	16	30	20	0	17	18	17	17	17	18	17	-1
Mathematics	72	1416	3	5	17	47	0	19	19	19	19	20	20	20	0
Science	68	1394	0	4	16	46	2	18	19	18	20	20	20	21	1
Social Studies	83	1552	6	4	31	42	0	19	20	20	20	19	20	19	-1

Average

[illegible]

**Includes special ed/adaptive / and IDEA

* Includes Reading/ESL

Table #3 - Teacher Average Class Load

(Does not include special education or academic support programs)

	13-14S	14-15S	15-16S	16-17S	17-18S	18-19S	19-20S	5-5
English	85	86	86	88	89	87	85	-2
Foreign Language	87	90	85	85	87	90	87	-3
Mathematics	94	94	94	96	98	98	98	0
Science	72	75	73	78	80	80	82	2
Social Studies	94	98	98	98	95	98	93	-5
Average	86.4	88.6	87.2	89.0	89.8	90.6	89.2	
Comp/Bus/Tech	82	82	94	100	88	86	86	0
Art/Music	103	103	106	110	102	104	101	-3

Table #4 - Distribution of Class Sizes

(Does not include special education or academic support)

	<u>13-14S</u>		<u>14-15S</u>		<u>15-16S</u>		<u>16-17S</u>		<u>17-18S</u>		<u>18-19S</u>		<u>19-20S</u>	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
< 16	119	24	118	24	101	21	100	21	114	23	101	21	109	22
16 - 20	196	40	180	37	210	43	175	43	139	29	154	32	165	34
> 20	176	36	193	39	176	36	203	42	231	48	232	47	213	44

Table #5 - Number of Small Classes (under 10)

(Does not include special education or academic support)

	<u>13-14S</u>	<u>14-15S</u>	<u>15-16S</u>	<u>16-17S</u>	<u>17-18S</u>	<u>18-19S</u>	<u>19-20S</u>
English	1	4	3	1	6	5	3
Foreign Lang	4	2	3	3	4	3	1
Mathematics	6	2	2	2	4	4	3
Science	2	2	3	1	1	1	0
Social Studies	0	2	2	2	6	6	6
Art/Music	4	2	2	3	2	2	2
Bus/Com/Tech	2	1	0	0	2	0	1
Total	19	15	15	12	25	21	16

Table #6 - Number of Large Classes (25 or more)

	2013-14		2014-15		2015-16		2016-17		2017-18		2018-19		2019-20	
<u>By Size</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>
25 students	19	19	19	13	2	2	0	2	2	3	2	4	5	2
26 students	3	2	2	3	0	0	1	2	1	0	0	0	0	0
27 students	0	0	0	0	0	0	0	0	0	0	0	0	0	0
28 students	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals	22	21	21	16	2	2	1	4	3	3	2	4	5	2

	2013-14		2014-15		2015-16		2016-17		2017-18		2018-19		2019-20	
<u>By Dept.</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>	<u>Fall</u>	<u>SPR</u>
English	4	4	6	5	0	0	0	0	0	1	0	0	0	0
Foreign Lang	6	4	6	2	0	0	0	0	1	0	1	1	0	0
Math	9	12	3	2	2	2	1	2	1	1	1	3	1	0
Science	1	0	0	0	0	0	0	1	1	1	0	0	4	2
Social Std	2	1	6	7	0	0	0	1	0	0	0	0	0	0
Totals	22	21	21	16	2	2	1	4	3	3	2	4	5	2

Table #7 -- Guidance Counselor Student Load

	2013-2014		2014-2015		2015-2016		2016-2017		2017-2018		2018-2019		2019-2020	
<u>DHS Analysis</u>	<u>Fall</u>	<u>Spring</u>	<u>Fall</u>	<u>Spring</u>	<u>Fall</u>	<u>Spring</u>	<u>Fall</u>	<u>Spring</u>	<u>Fall</u>	<u>Spring</u>	<u>Fall</u>	<u>Spring</u>	<u>Fall</u>	<u>Spring</u>
1	38	37	44	43	37	39	35	36	30	32	0	0	0	0
2							184	196	178	175	178	179	177	176
3			181	181	193	193	195	192	181	180	175	175	178	179
4	190	189	193	195	200	197	193	186	180	176	179	180	176	174
5	186	185	188	188	186	188	189	189	170	170	176	174	175	170
6			192	194	193	193	187	186	174	173	178	176	176	176
7							184	182	168	169	179	178	176	176
8	188	190	187	187	182	181	185	185	170	170	178	177	175	175
9									127	125	177	175	174	174
Total	1355	1345	1371	1368	1362	1356	1354	1352	1378	1370	1420	1414	1407	1400
Average	188	187	188	189	191	188	189	188	172	171	178	177	176	175

Board of Education/Superintendent of Schools	
Goal: Engage the district in a process of strategic planning to guide the work of the Board of Education and Darien Public Schools	
December Update	
<ul style="list-style-type: none"> <input type="checkbox"/> Developed and presented Superintendent's Entry Plan to the Board of Education and various town organizations. <input type="checkbox"/> Conducted the first two phases of the Superintendent's Entry Plan (<i>Listening & Learning and Sharing & Building</i>): by attending school, district and town events and by engaging stakeholders in a discourse about the district's values, strengths, challenges and areas of improvement. <input type="checkbox"/> Administered survey to stakeholders. Meetings held with other constituents as needed or requested. <input type="checkbox"/> Participated in a number of other orientation events outlined in the Entry Plan. <input type="checkbox"/> Engaged the Board of Education in the strategic planning (strategic planning process presented, facilitator secured, first meeting scheduled). 	
March Update	
<ul style="list-style-type: none"> <input type="checkbox"/> Dr. Richard Lemons has led the work of the The Strategic Planning Advisory Committee. A presentation has been made to the Board of Education. <input type="checkbox"/> Meetings with constituents and data collection has been completed. The Superintendent's Entry Plan Report will be presented on March 24. 	

Curriculum and Instruction	
Goal: Study the current “exploratory” model (electives being offered, 6-8) at MMS in relation to best practice and continuous growth and make recommendations as appropriate.	
December Update	
<p>Full Presentation by MMS Team: Late Winter/Early Spring (2 Year Goal)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Developed a scheduling committee <input type="checkbox"/> Studying and Identifying the MMS Schedule for: <ul style="list-style-type: none"> <input type="checkbox"/> Strengths <input type="checkbox"/> Opportunities for Growth <input type="checkbox"/> Areas of Challenge <input type="checkbox"/> Best practices in middle school structures <input type="checkbox"/> Comparison with other school districts and models offered to middle-aged children <input type="checkbox"/> Feedback from stakeholders on the current model and opportunities for growth <input type="checkbox"/> Scheduling options available and impact on resources (budgetary and human) 	
March Update	
<p>Presentation scheduled for April 29, 2020 from MMS Team</p> <ul style="list-style-type: none"> <input type="checkbox"/> Surveyed teachers regarding the schedule. A rotating eight period schedule was identified as a priority <input type="checkbox"/> Presented an overview to Dr. Addley of a rotating schedule to include two supersized teams at each grade level <input type="checkbox"/> Collecting teachers’ suggestions on electives in order to develop curriculum and implementation for 2021-2022 <input type="checkbox"/> Teachers are studying a conversational Spanish elective 	
Goal: Assess the current placement structures across all courses and levels and identify appropriate practices based on the vision/philosophy of the Darien Public Schools.	
December Update	
<p>Presentation Early Spring</p> <ul style="list-style-type: none"> <input type="checkbox"/> Identified current practices across departments/levels (course types: AP, Honors, Accelerated) and gathering feedback from department members <input type="checkbox"/> Researched and identified best practices in/and for developing appropriate placement practices <input type="checkbox"/> Studied placement practices across other school districts <input type="checkbox"/> Beginning to discuss findings to department members in order to reflect on ways to improve practices 	

Update on 2019-20 District Goals

- ☐ Early stages of developing a calibrated vision/philosophy on course placement practices across departments and identifying needs

March Update

Presentation scheduled for May 12, 2020 by Department Chairpersons and Assistant Superintendent for Curriculum and Instruction

- ☐ Recommendations being developed for specific courses- as a result of the study of placement practices
- ☐ Challenges/Strengths identified in course offerings at the 9th grade level

Goal: Actualize the vision of the re-imagined library with a physical and digital destination that supports:

- ☐ independence and collaboration
- ☐ inquiry, creativity, and reflection
- ☐ an inspirational, dynamic, and well-resourced space.

December Update

[See Attached Update](#)

March Update

- ☐ Meetings with Library Media Specialists and architect to discuss design/goals of Library Reimagining

Goal: Create a plan for future work that offers students balanced coursework that serves to create a Science Technology Engineering Mathematics (STEM) mindset (creator, critical thinker *innovator, entrepreneur, changemaker, and communicator*).

December Update

- ☐ Added another grade to our STEM outreach program which now connects grades 2-5 at all five elementary schools with a partnered STEM problem-solving experience with high school STEM students.
- ☐ Created a more comprehensive week long celebration of Computer Science Education Week and Hour of Code experiences across the district
- ☐ Proposed additional STEM courses for Middle School for 2020-21
- ☐ Initiated book study of George Couros' *Innovator's Mindset* with the 9 STEM teachers in grades 6-12
- ☐ High School STEM teachers led/attended multiple professional conference presentations including CTETL (Connecticut Technology Leaders Association), CECA/CASL (Connecticut Educators Computer Association/Connecticut Association of School Librarians), CTEEA (CT Technology & Engineering Edu. Association) and Career and Technical Education State Conference.

March Update

Board of Education Presentation Planned for March 24, 2020

- ☐ BOE Budget approved additional PLTW (STEM) modules for MMS

Business
Goal: Review and assess current Darien Public Schools business practices/structures and determine a roadmap/goals for the future.
December Update
<ul style="list-style-type: none"> <input type="checkbox"/> Reviewed and met with Blum Shapiro (State Approved UCOA contractor) to discuss the implementation of UCOA (Uniform Chart of Accounts). <input type="checkbox"/> Recommended Broad Category Adjustments to BOE Transfer Policy. <input type="checkbox"/> Long-Term Review of Budget Book and Financial Report to improve transparency. <input type="checkbox"/> Reviewing policies and practices on how student activities and school cash online are managed <input type="checkbox"/> Working to implement accrual tables within MUNIS to automate compensated absences. <input type="checkbox"/> Reviewing roles, structure of department.
March Update
<ul style="list-style-type: none"> <input type="checkbox"/> Funding included in the FY21 BOE Recommended Budget to begin implementing UCOA. <input type="checkbox"/> Budget Transfer Policy 3050 approved by the BOE. <input type="checkbox"/> Building of accrual tables in MUNIS is underway, anticipated to be completed April 2020. <input type="checkbox"/> Review of Software options for website transparency including OpenGov and MUNIS Socratis <input type="checkbox"/> Department meetings continue in order to more effectively delineate work-flow, structures and checks and balances. <input type="checkbox"/> Continue to improve on Tyler Content Manager (TCM). <input type="checkbox"/> Reviewing policies and practices on how student activities and school cash online are managed

Special Education

Goal: Conduct an Early Literacy Program (ELP) early literacy instruction program review of the provision of language and literacy experiences for preschool students.

December Update

- ☐ Margie Gillis, Ph.D., provided on-site professional development and programming review for three full days this fall.
 - ☐ Day One, 8/25: Orientation to ELP curriculum and program review.
 - ☐ Day Two, 10/4: PD on dyslexia and research on reading development.
 - ☐ Day Three, 11/19: PD on developmentally appropriate practices to include in ELP instruction.

March Update

- ☐ Margie Gillis, Ph.D, provided on-site professional development and programming review on January 17.
- ☐ Continued implementation of developmental language and literacy experiences for preschool students.

Goal: Provide professional development targeting extending Dialectical Behavior Therapy (DBT) to elementary schools, PROMPT (Prompts for Restructuring Oral Muscular Phonetic Targets) therapy, Wilson Reading Systems, and assessment instruments. Conduct a self-study of the continuum of specialized instruction at the elementary level.

December Update

- ☐ DBT: All new clinical staff have received the 4-day intensive DBT training at CBC of Westchester, NY., and CBC has provided on-site kick-off for elementary program. Secondary implementation continues in year 2.
- ☐ Targeted staff have been selected and are receiving training in PROMPT and Wilson Reading Systems.
- ☐ Marilyn Friend, Ph.D., began facilitating a self-study of specially designed instruction in the elementary schools with administrators on November 22, 2019.

March Update

- ☐ DBT: Elementary and secondary clinical teams are participating in bi-weekly implementation fidelity meetings with a consultant from CBC.
- ☐ Targeted staff continue to receive training in PROMPT and Wilson Reading Systems.
- ☐ Marilyn Friend, Ph.D., continued classroom visits at MMS and DHS March 12 and 13. Dr. Friend will visit all five elementary schools to conduct classroom observations April 30 and May 1.

Goal: Design and implement opportunities for parent education on critical topics in special education and student services.

December Update

- ☐ CDSP building-based committees have collaborated with SESS and building administration in designing 2 co-sponsored events at each building during the 2019-20 school year.

Update on 2019-20 District Goals

March Update

- ☐ CDSP building-based committees have continued co-sponsoring events at the building level, including well-attended 5-6 and 8-9 transition coffees.
- ☐ The Special Education Department is collaborating with CBC to present a parent workshop on DBT this spring.

Human Resources	
Goal: Promote the effective and efficient operation of the school district.	
December Update	
<input type="checkbox"/> Negotiations for paraprofessionals, secretaries and nurses will begin in January <input type="checkbox"/> Negotiations with the food service workers continue	
March Update	
<input type="checkbox"/> Negotiations with the secretaries have begun. <input type="checkbox"/> Negotiations with the paraprofessionals and nurses should begin shortly. We have completed their information requests. <input type="checkbox"/> Negotiations with the cafeteria workers are continuing.	
Goal: Support the professional capital of the staff.	
December Update	
<input type="checkbox"/> After conversations with DAA leadership, we have agreed to streamline the Administrator Evaluation Plan to provide opportunities for more meaningful discussion <ul style="list-style-type: none"> <input type="checkbox"/> Goal-Setting Process has been improved <input type="checkbox"/> Internal forms have been developed to track progress on plan <input type="checkbox"/> The new in-house system for tracking teacher evaluation has been implemented and staff has been trained <ul style="list-style-type: none"> <input type="checkbox"/> Collection of feedback and adjustments to the system are ongoing <input type="checkbox"/> Campus Monitors have received additional safety training	
March Update	
<input type="checkbox"/> Secretaries are being surveyed to determine interest in professional development opportunities. <input type="checkbox"/> The in-house system for tracking teacher evaluation will be modified for use with the administrator evaluation plan. <input type="checkbox"/> Feedback continues to be collected for the in-house system for teacher evaluation; adjustments continue to be made	

Facilities	
Goal: Ensure the safety and security of the Darien school community.	
December Update	
<input type="checkbox"/> Emergency Response plan updated and submitted to State <input type="checkbox"/> Security Assessments at all schools are being scheduled with DPD <input type="checkbox"/> Existing Lock Down system is being evaluated for upgrades	
March Update	
<input type="checkbox"/> Security Assessments have been completed and shared with the Principals. <input type="checkbox"/> Lockdown systems are fully functional at all schools and we have begun using the system for drills. Four buildings still have to schedule drills.	
Goal: Identify a permanent solution for the school district's storage needs.	
December Update	
<input type="checkbox"/> Preliminary report on storage facilities has been presented to the Facilities Committee and the Board of Education.	
March Update	
<input type="checkbox"/> This item has been put on hold until further study can be done.	
Goal: Support the Ox Ridge Construction Project to ensure timeliness, efficiencies, and adherence to the educational specifications.	
December Update	
<input type="checkbox"/> Schematic Design phase of the project is nearing completion. Project remains on schedule.	
March Update	
<input type="checkbox"/> Design Development is nearing completion. Kitchen design is nearing completion. <input type="checkbox"/> Team is meeting several times each month to work on the building security plans. <input type="checkbox"/> Plans for the enabling phase, to begin in June, are nearly completed.	

Technology	
Goal: Finalize the district technology vision and plan, and ensure its direction, alignment and fidelity to the district's overall strategic academic plan.	
December Update	
<ul style="list-style-type: none"> <input type="checkbox"/> Parent sessions offered at every level (including Assistive technology) <input type="checkbox"/> Re-established technology committee to review vision and plan to ensure that: <ul style="list-style-type: none"> <input type="checkbox"/> lays the groundwork for learning goals and how technology can best meet those goals; <input type="checkbox"/> is aligned to the district's overall curriculum and instruction goals; <input type="checkbox"/> advances technology use from proficient to transformative. <input type="checkbox"/> Next step is to collect feedback from additional stakeholders outside of the committee and make adjustments as appropriate 	
March Update	
<i>District Technology Plan can be found here</i>	
Goal: Create a technology professional learning plan for faculty and administrators.	
December Update	
<ul style="list-style-type: none"> <input type="checkbox"/> Offered teachers various professional learning sessions based on needs/requests <input type="checkbox"/> Collected feedback from faculty and administrators on individualized learning needs and drafted a fluid, forward thinking professional learning plan for our faculty and staff that is relevant, timely, differentiated, and personalized <input type="checkbox"/> Opportunities to obtain professional certifications (Google level 1 & 2, Apple Teacher (HS), ISTE, Common Sense and AASL) are being offered <input type="checkbox"/> Training offered in various pathways to accommodate the needs of adult learners (whole group/special speaker, small group, one on one, online, plc) 	
March Update	
<i>February 11, 2020 presentation can be found here</i>	
<ul style="list-style-type: none"> <input type="checkbox"/> Weekly Tech Tips <input type="checkbox"/> Professional Learning Sessions offered across full staff development days and PLC afternoons <input type="checkbox"/> Building capacity of Department Chairpersons as leaders within their content areas <input type="checkbox"/> Vanguard Team being created 	

Community	
Goal: Evaluate the Darien Public Schools current communication practices and determine areas for continued growth.	
December Update	
<ul style="list-style-type: none"><input type="checkbox"/> Conducting internal analysis of current district communications.<input type="checkbox"/> Established positive working relationships with local media.	
March Update	
<ul style="list-style-type: none"><input type="checkbox"/> Improvements to the district website have been ongoing.<input type="checkbox"/> Information as part of the Superintendent's Entry Plan has been collected.<input type="checkbox"/> An exploratory planning meeting on communication will be scheduled with a variety of constituents..	

Darien Public Schools - Administrative Offices

35 Leroy Avenue – P.O. Box 1167 – Darien, Connecticut 06820-1167
Tel: 203-656-7414 Email: sdasilva@darienps.org

Memo

To: Alan Addley, Ed.D., *Superintendent of Schools*
From: Susie Da Silva, Ed.D., *Assistant Superintendent for Curriculum and Instruction, K-12*
Re: Projected Enrollment: Kindergarten 2020-2021

The chart below identifies the Kindergarten enrollment based on the number of children who have registered at each of their respective schools. This chart will be shared at the Board of Education meetings over the course of the next few months as we monitor Kindergarten enrollment across our 5 elementary schools. Included in this memo are the SY 2019-2020 enrollment numbers at approximately the same time frames.

Projected Kindergarten Enrollment 2020-2021

School	<u>Registrations as of 2/14/2020</u>	<u>Registrations as of March 2, 2020</u>	<u>Registrations as of April</u>	<u>Budgeted Sections 2020-2021</u>	<u>Class Size Range</u>
Hindley	49	52		4	18 19-21 22
Holmes	42	46		4	
Ox Ridge	57	57		4	
Royle	42	47		3	
Tokeneke	52	52		4	
Total K	242	254			

2019-2020

School	<u>Registrations as of 2/9/19</u>	<u>Registrations as of 3/2019</u>	<u>Registrations as of 4/2019</u>	<u>Budgeted Sections 2019-2020</u>	<u>Class Size Range</u>
Hindley	49	51	53	4	18 19-21 22
Holmes	69	72	75	4	
Ox Ridge	50	61	62	4	
Royle	40	46	48	4	
Tokeneke	47	51	54	4	
Total K	255	281	292		

Memorandum

To: Board of Education

From: Michael Burke
Marge Cion

Date: March 11, 2020

Re: Revisions to Board Policies 1175, 4075, 1300, 5710 and 4250. Repeal and Replace Policy 4111

We are requesting that the Board approve revisions to Board Policy 1175, Prohibition Against Smoking, to include the prohibition against smoking on school grounds, including administrative office buildings, as provided by PA 19-13. The Policy also updates the definition of "electronic nicotine delivery system" and "vapor product" to reflect new technology. We are also asking the Board to approve revisions to Board Policy 4075 (Alcohol, Tobacco and Drug-Free Workplace) to conform to the revisions to Policy 1175.

Board Policy 1300, Community: Non-Discrimination, is being revised to clarify that discrimination based on alienage or citizenship status is prohibited by law. The complaint procedures have been updated to reflect current personnel.

Board Policy 5710, Non-Discrimination of Students, has been revised to clarify that discrimination based on alienage or citizenship status is prohibited by law. The complaint procedures have been updated to reflect current personnel.

We are asking the Board to repeal current Board Policy 4111, Personnel: Non-Discrimination, and replace it with the new Shipman and Goodwin Model Policy. Our current policy is both repetitive and contains language that is potentially confusing. For example, the current policy refers to "Affirmative Action" twice. In both instances, the term is used in connection with the phrase "equal opportunity." Importantly, "equal opportunity" and "Affirmative Action" do not always equate. The concept of Affirmative Action relates to favoring individuals belonging to groups that have previously been discriminated against; however, "equal opportunity" means that all individuals are given the same chance to obtain the employment benefit. This policy should require the Board to affirmatively take action to make sure that individuals are not discriminated against. The Board has not adopted a plan of Affirmative Action to "positively discriminate" or give benefit to groups previously discriminated against. Federal

and state employment laws require the Board to treat all qualified individuals equally, but do not require a plan of Affirmative Action, outside of minority recruitment obligations. In fact, if the Board were to employ a plan of Affirmative Action, it would need to be very thoughtful and cautious in doing so. The US Supreme Court has determined that remedial plans that operate to discriminate against members of the racial majority will be illegal unless (1) there is a statistical disparity between the races in the employee group, (2) there is evidence of past discrimination, and (3) the remedial plan is narrowly drawn and temporary in nature. Since the Board has adopted Policy 4225 relating to Minority Recruitment the language in this policy referring to "Affirmative Action" is both superfluous and confusing. In addition, the complaint procedures in Shipman's Model Policy are more extensive than those contained in the current Board Policy and have been updated to reflect current personnel. For those reasons we are recommending the repeal of current Board Policy 4111, replacing it with Shipman and Goodwin's Model Policy.

Board Policy 4250 formerly titled Employment Checks, has been renamed "Employment and Student Teacher Checks" and has been revised in accordance with Public Act 19-91, which makes various changes to the requirements for conducting criminal background checks. The Act, among other things, now requires schools to conduct national and state criminal background checks for student teachers and requires that all prospective employees explain, in writing, whether they have been convicted of a crime and, if charges are pending, what the charges are and in what court they are pending. The Act further clarifies that fees for criminal background checks for student teachers are waived.

DARIEN PUBLIC SCHOOLS
Darien, Connecticut

SERIES 1000: COMMUNITY/BOARD OPERATION
POLICY 1175

PROHIBITION AGAINST SMOKING

The Darien Board of Education (“Board”) prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes) or vapor product within any of its schools, including any indoor facility owned, or leased or contracted for, and utilized, by the Board, for the provision of routine or regular kindergarten, elementary, or secondary education or library services to children, or on the grounds of such school, or at any school-sponsored activity. on the real property of any school or administrative office building or at any school-sponsored activity. Real property means the land and all temporary and permanent structures comprising the district's elementary and secondary schools, and administrative office building and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots. For purposes of this policy, the term “electronic nicotine delivery system” shall mean an electronic device ~~that may be used to simulate smoking~~ in the delivery of nicotine or other substances to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device including, but not limited to, electronic cigarette liquid. The term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not ~~contain~~ include nicotine, ~~that~~ and is inhaled by the user of such product. ~~As defined by Conn. Gen. Stat. § 10-233a(h), a~~ The term “school-sponsored activity-” means shall mean any activity sponsored, recognized or authorized by ~~a board of education~~ the Board and includes activities conducted on or off school property."

The Board further prohibits smoking including smoking using an electronic nicotine delivery system (e.g., e-cigarettes) or vapor product on the real property of any administrative office building. Real property means the land and all temporary and permanent structures comprising the district’s administrative office building(s) and includes, but is not limited to storage facilities and parking lots.]

Legal References:

Public Act 19-13

Conn. Gen. Stat. § 53-344b10-233a(h)

Conn. Gen. Stat. § 19a-342

Conn. Gen. Stat. § 19a-342a

Conn. Gen. Stat. § 53-344b

Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

~~Public Act 14-76, “An Act Concerning The Governor’s Recommendations Regarding
Electronic Nicotine Delivery Systems And Youth Smoking Prevention”~~

~~Conn. Gen. Stat. § 10-233a(h)~~

APPROVED BY THE BOARD OF EDUCATION: February 10, 2015

REVISED:

DARIEN PUBLIC SCHOOLS
Darien, Connecticut

SERIES 4000: PERSONNEL
POLICY 4075

ALCOHOL, TOBACCO AND DRUG-FREE WORKPLACE

PURPOSE

The purpose of this policy is to establish a workplace which is free of the effects of alcohol and second-hand smoke, and free from drug abuse. By accomplishing this purpose, the Board also seeks to promote a safe, healthy working environment for all employees and to reduce absenteeism, tardiness and other job performance problems which may be caused by alcohol and/or drug abuse. This policy is adopted in accordance with state law and the Drug Free Workplace Act.

STATEMENT OF POLICY

Employees shall not be involved with the unlawful manufacture, distribution, possession, or use of an illegal drug, controlled substance or alcohol and shall not be under the influence of such substances while on school property or while conducting Board business on or off school property. Any employee who discovers illegal drugs or alcohol on school property shall notify the Superintendent or his/her designee who shall investigate the matter.

An employee must report any conviction under a criminal drug statute for violations occurring on or off school property while on Board business, to the Superintendent or his/her designee within five (5) days after the conviction. The Board will notify any agency awarding a grant to the Board of such conviction, within ten (10) days thereafter.

Employees shall only use prescription drugs on school property, or during the conduct of Board business, that have been prescribed by a licensed medical practitioner, and such drugs shall be used only as prescribed. However, in accordance with Conn. Gen. Stat. § 21a-408a through 408q, the Board specifically prohibits the palliative use of marijuana on school property, at a school-sponsored activity, or during the conduct of Board business, and specifically prohibits employees from being under the influence of intoxicating substances, including marijuana used for palliative purposes, during work hours.

The Board prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes), and the use of tobacco products on school property , including property owned, leased, contracted for, or utilized by the Board or at any school-sponsored activity. For purposes of this policy, the term “electronic nicotine delivery system” shall

mean an electronic device ~~that may be used to simulate smoking~~ in the delivery of nicotine or other substances to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device including, but not limited to, electronic cigarette liquid. The term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product.

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Violations of this policy may result in disciplinary action, up to and including possible termination of employment.

DEFINITIONS

“School property” means any land and all temporary and permanent structures comprising the district’s elementary and secondary schools, and administrative office building and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots.

“School-sponsored activity” means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property.

EMPLOYEE ASSISTANCE

In appropriate circumstances, the Board shall provide an employee with an opportunity for rehabilitation in overcoming addiction to, dependence upon or other problem with alcohol or drugs.

An employee who feels he or she has developed an addiction to, dependence upon or other problem with alcohol or drugs, is encouraged to seek assistance. Certain benefits for alcoholism or drug addiction are provided under the Board's group medical insurance plan. An employee may be given an opportunity to participate in a rehabilitation program which requires absence from work for bona fide treatment. Such absence may be charged to the employee's accrued and unused sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any applicable Board policies and regulations.

Any request for assistance with a drug or alcohol problem will be treated as confidential and only those persons "needing to know" will be made aware of such request.

Legal References:

Connecticut General Statutes:

Public Act 19-13

Conn. Gen. Stat. § 10-233a(h) (definition of school-sponsored activity)

Conn. Gen. Stat. § 21a-408a through 408q (palliative use of marijuana)

Conn. Gen. Stat. § 19a-342

~~Public Act 14-76, “An Act Concerning The Governor’s Recommendations
Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention”~~

United States Code:

~~Safe and Drug Free Schools and Community Act, 41 U.S.C. Section 7101 et seq.
Drug Free Workplace Act, 41 U.S.C. § 8101 et seq.~~

~~Pro-Children Act of 2001, 20 U.S.C. § 7973, as amended by the Every Student
Succeeds Act, Public Law 114-95, § 4001
Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183~~

APPROVED BY THE BOARD OF EDUCATION: March 11, 2015, (Effective July 1, 2015)

REVISED:

DARIEN PUBLIC SCHOOLS
Darien, Connecticut

SERIES 1000: COMMUNITY/BOARD OPERATIONS
POLICY 1300
NON-DISCRIMINATION

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, religion, color, national origin, alienage, sex, sexual orientation, marital status, age, disability (including pregnancy), genetic information, gender identity or expression, veteran status, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics, as well as the district website. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), genetic information, gender identity or expression, or veteran status.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard.

Any individual wishing to file a complaint regarding discrimination may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination. These regulations

DARIEN PUBLIC SCHOOLS
Darien, Connecticut

accompany Board Policy 1300 and are available online at www.darienps.org or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled in accordance with other appropriate policies (e.g., Policy 4118, Sex Discrimination/Harassment in the Workplace; Policy 5275 Sex Discrimination and Sexual Harassment (Students); Policy 4111 Section 504/ADA (Personnel), and Policy 5125, Section 504/ADA (Students)).

Individuals also may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800-669-4000)

Individuals may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board’s complaint procedures or complaint forms related to claims of discrimination may contact:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06/820

DARIEN PUBLIC SCHOOLS
Darien, Connecticut

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06820

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of disability may contact the Board's Section 504/ADA Coordinator:

Shirley Klein
Assistant Superintendent for Special Education and Student Services
35 Leroy Avenue
Darien, CT 06820

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
Age Discrimination in Employment Act, 29 U.S.C. § 621
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined
Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.
Connecticut General Statutes § 10-153. Discrimination on basis of marital status
Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-60
Connecticut General Statutes § 46a-81a Discrimination on basis of sexual orientation: Definitions
Connecticut General Statutes § 46a-81c Sexual orientation discrimination: Employment.
Public Act 17-127, An Act Concerning Discriminatory Practices Against Veterans, Leaves of Absence for National Guard Members, Application for Certain Medicaid Programs, and Disclosure of Certain Records to Federal Military Law Enforcement

ADOPTED: June 12, 2018

REVISED:

DARIEN PUBLIC SCHOOLS

Darien, Connecticut

ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (COMMUNITY MEMBERS)

It is the policy of the Darien Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, gender identity or expression, or veteran status is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is the express policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability (including pregnancy), genetic information, ~~or~~ gender identity or expression, or veteran status.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled, as appropriate, in accordance with other Board policies (e.g., Policy 4118 Sex Discrimination/Harassment in the Workplace (Personnel); Policy 5275 Sex Discrimination and Sexual Harassment (Students); Policy 4111 Section 504/ADA (Personnel), and Policy 5125, Section 504/ADA (Students)).

Preferably, complaints should be filed within thirty (30) calendar days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, gender identity or expression, or veteran status. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and implementing Administrative Regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as an individual feels that he or she has been subjected to discrimination or

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harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, gender identity or expression, or veteran status he/she should make a written complaint to the Superintendent, or his/her designee. The individual and any respondent (if applicable) will be provided a copy of the Board's policy and regulation and made aware of his/her rights.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any individual who makes an oral complaint of harassment or discrimination will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the staff member receiving the oral complaint will either reduce the complaint to writing or assist the individual with completing the written complaint form.

All complaints received by staff members are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent or his/her designee shall promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator ("respondent") and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination, the investigator should:

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1. offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
2. provide the complainant and respondent (if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
5. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be extended by fifteen (15) business days during periods of time when school is in session or reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
7. if a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary (see subparagraph 6);
8. whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;

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9. if either party to the complaint is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the party requesting an appeal, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) following the receipt of the written request for review.

A complainant alleging race, color, national origin, sex, disability or age discrimination) may file a formal complaint with the Boston Office, Office for Civil Rights U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (TELEPHONE NUMBER: 617-289-0111).

A complainant may also file a complaint with the Connecticut Commission on Human Rights and Opportunities 450 Columbus Blvd., Hartford, CT 06103-1835 (TELEPHONE NUMBER: 800-477-5737).

An employee alleging discrimination related to their employment may also file a complaint with the Equal Employment Opportunity Commission, Boston Area Office. John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER: 800-669-4000).

DARIEN PUBLIC SCHOOLS

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DISCRIMINATION COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, marital status, sexual orientation, national origin, **alienage**, ancestry, disability (including pregnancy), genetic information, gender identity or expression, or veteran status)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment

Detailed statement of the circumstances constituting the alleged discrimination or harassment _____

Proposed remedy: _____

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 5700
Non-Discrimination (Students)**

Policy 5710

NON-DISCRIMINATION OF STUDENTS

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, religion, color, national origin, alienage, sex, sexual orientation, marital status, age, or disability (including pregnancy), veteran status, or gender identity or expression, subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of race, religion, color, national origin, alienage, sex, sexual orientation, marital status, age, disability (including pregnancy), veteran status, gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), veteran status or gender identity or expression.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination/Students. These regulations accompany Board Policy #5710 and are available online at www.darienps.org or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled in accordance with other appropriate policies (e.g., Policy 4118, Sex Discrimination/Harassment in the Workplace; Policy 5275 Sex Discrimination and Sexual Harassment (Students); Policy 4111 Section 504/ADA (Personnel), and Policy 5125, Section 504/ADA (Students)).

Individuals also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800-669-4000)

Individuals may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination

may contact:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06/820

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06/820

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of disability may contact the Board's Section 504/ADA Coordinator-is:

Shirley Klein
Assistant Superintendent for Special Education and Student Services
35 Leroy Avenue
Darien, CT 06/820

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
Age Discrimination in Employment Act, 29 U.S.C. § 621
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Connecticut General Statutes § 1-1n, "Gender Identity or Expression"
defined
Title II of the Genetic Information Nondiscrimination Act of 2008,
Pub.L.110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.
Connecticut General Statutes § 10-153. Discrimination on basis of marital
status
Connecticut Fair Employment Practices Act, Connecticut General Statutes
§ 46a-60
Connecticut General Statutes § 46a-81a Discrimination on basis of sexual
orientation: Definitions
Connecticut General Statutes § 46a-81c Sexual orientation discrimination:
Employment.
Public Act 17-127, An Act Concerning Discriminatory Practices Against

Veterans, Leaves of Absence for National Guard Members,
Application for Certain Medicaid Programs, and Disclosure of
Certain Records to Federal Military Law Enforcement

Legal Reference:

~~Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.*~~

~~Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*~~

~~Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*~~

~~Connecticut General Statutes § 10-15c and § 46a-81a, *et seq.*~~

~~Discrimination on basis of sexual orientation~~

~~Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, *et seq.*~~

~~Public Act 07-62 An Act Concerning the Deprivation of Rights on Account
of Sexual Orientation~~

ADOPTED: June 9, 2009

REVISED:

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 5700
Non-Discrimination (Students)**

Policy 5710

**ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION
COMPLAINTS (STUDENTS)**

~~It is the express policy of the Darien Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, or disability. In order to facilitate the timely resolution of such complaints any student who feels that he/she has been discriminated against on the basis of these protected characteristics should file a written complaint with:~~

~~———— **Office of the Superintendent of Schools**
———— **2 Renshaw Road**
———— **Darien, CT 06820**~~

~~Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.~~

~~Complaints will be investigated promptly and corrective action will be taken when allegations are verified.~~

~~Specifically, upon receipt of a written complaint of discrimination, the Superintendent and/or his or her designee should:~~

- ~~1. offer to meet with the complainant to discuss the nature of his/her complaint;~~
- ~~2. provide the complainant with a copy of the Board's anti-discrimination policy and accompanying regulations;~~
- ~~3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;~~
- ~~4. conduct the investigation in a confidential manner, to the extent practicable, adhering to the requirements of state and federal law;~~

~~5. communicate the findings and/or results of any investigation to the complainant;
and~~

~~6. take appropriate corrective and disciplinary action, as deemed appropriate by the
Superintendent and/or his or her designee.~~

~~If the complaint involves an allegation of discrimination based on disability or sex, the complainant should be referred to the Board's policies and procedures related to Section 504 of the Rehabilitation Act (for claims of discrimination and/or harassment based on disability) and Sex Discrimination/Sexual Harassment (for claims of discrimination and/or harassment based on sex).~~

~~For allegations pertaining to race, color or national origin discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:~~

~~Boston Office
Office of Civil Rights
U.S. Department of Education
8th Floor
33 Arch Street, Suite 900
Boston, MA 02110-14915 Post Office Square, Suite 900
Boston, MA 02109-3921
Tel. (617) 289-0111
ocr.boston@ed.gov~~

~~If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than one hundred eighty (180) days after the occurrence of the alleged discrimination.~~

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), veteran status or gender identity or expression is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), veteran status or gender identity or expression.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination/Students. These regulations accompany Board Policy # 5710 and are available online at **www.darienps.org** or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy #5275 Students/Sex Discrimination and Harassment; Policy #5125, Section 504/ADA).

All other complaints by a student or parents/guardians alleging discrimination against a student on the basis of the protected characteristics listed herein should file a written complaint with:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06820
203-656-7406

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), veteran status or gender identity or expression. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as a student feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage disability (including pregnancy), veteran status or gender identity or expression, he/she should make a written complaint to or to the building principal, or his/her designee. The student will be provided a copy of the Board's policy and regulation and made aware of his or her rights.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any student who makes an oral complaint of harassment or discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If a student (or individual acting on behalf of the student) is unable to make a written complaint, the administrator receiving the oral complaint will either reduce the complaint to writing or assist the student (individual acting on behalf of the student) in completing the written complaint form.

All complaints are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent shall designate a district or school administrator to promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and

other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination, the investigator should:

1. offer to meet with the complainant (and respondent, if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
2. provide the complainant (and respondent, if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
5. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. communicate the outcome of the investigation in writing to the complainant (and respondent, if applicable) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be extended by fifteen (15) business days during periods of time when school is in session or reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) from the date the complaint was received by the Superintendent's office. The complainant (and respondent, if applicable) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
7. if a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant (and respondent, if applicable) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);

8. whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;
9. if the complainant (and/or respondent, if applicable) is not satisfied with the findings and conclusions of the investigation, the complainant (and/or respondent, if applicable) may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the complainant (and/or respondent, if applicable), the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant (and/or respondent, if applicable), a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant (and respondent, if applicable) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) following the receipt of the written request for review.

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06820
203-656-7406

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06820
203-656-7406

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Section 504/ADA Coordinator:

Shirley Klein
Assistant Superintendent for Special Education and Student Services
35 Leroy Avenue
Darien, CT 06820
203-656-7474

DISCRIMINATION COMPLAINT FORM
(For complaints based on Race, Color, Religion, Age, Sex, Marital Status, Sexual Orientation, National Origin, Alienage, Ancestry, Disability (including Pregnancy), Veteran Status or Gender Identity or Expression)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment _____

Proposed remedy

10/2017

8/22/2019

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 4000 (Currently Section G)
Personnel**

Policy 4111

Equal Opportunity/Non-Discrimination (Personnel)

EQUAL OPPORTUNITY FOR EMPLOYMENT/AFFIRMATIVE ACTION AND NON-DISCRIMINATION (PERSONNEL)

The Board of Education is committed to a policy of equal opportunity/affirmative action for all qualified persons. The Board does not discriminate in any employment practice, education program, or educational activity on the basis of race, color, religious creed, sex, age, national origin, ancestry, marital status, sexual orientation, gender identity or expression, disability (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, or any other basis prohibited by Connecticut state and/or federal nondiscrimination laws. The Darien Public Schools does not unlawfully discriminate in employment and licensing against qualified persons with a prior criminal conviction.

The Board will comply with not making employment decisions, including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination, on the basis of race, color, religious creed, sex, age, national origin, ancestry, marital status, sexual orientation, gender identity or expression, disability, genetic information, pregnancy, or except in the case of a bona fide occupational qualification.

It has always been the policy and will continue to be the strong commitment of the Darien Public Schools and all contractors and subcontractors who do business with the Darien Public Schools to provide equal opportunities in employment to all qualified persons solely on the basis of job-related skills, ability and merit.

The Darien Public Schools will continue to take affirmative action to ensure that no persons are discriminated against with regard to protected characteristics as established by state and federal law. Such action includes, but is not limited to, employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation and selection for training including apprenticeship. The Darien Public Schools will continue to make good faith efforts to comply with all federal and state laws and policies which speak to Equal Employment Opportunity and Affirmative Action.

This policy statement is based on both the spirit and the letter of state and federal anti-discrimination laws, regulations and executive orders. Accordingly, care is taken to ensure that

no person shall be excluded from participation in, be denied the benefits of, or otherwise be unlawfully discriminated against. Further, the Darien Public Schools will not knowingly use the services of, patronize or otherwise deal with any business, contractor, subcontractor or agency that engages in acts of unlawful discrimination.

This Affirmative Action Policy Statement reaffirms the school district's commitment to the principles of Equal Employment Opportunity and Affirmative Action.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), or gender identity or expression.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Inquiries regarding Darien Public Schools' nondiscrimination policies should be directed to:

Office of the Superintendent of Schools
Darien Public Schools
35 Leroy Avenue
Darien, CT 06820

Christopher M. Manfredonia
cm Manfredonia@darienps.org
203-655-3981 (x-2263)

Ellen Ryan
eryan@darienps.org
203-655-3981 (x-2304)

Darien High School
80 High School Lane
Darien, CT 06820

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*
Title IX of the Education Amendments of 1972, 20 USCS § 1681, *et seq.*
Age Discrimination in Employment Act, 29 U.S.C. § 621
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110 233, 42
USC 2000ff; 34 CFR 1635
Connecticut General Statutes § 10-153. Discrimination on basis of
marital status
Connecticut Fair Employment Practices Act, Connecticut General
Statutes § 46a-60
Connecticut General Statutes § 46a-81a Discrimination on basis of
sexual orientation: Definitions
Connecticut General Statutes § 46a-81c Sexual orientation discrimination: Employment.
Public Act 11-55, An Act Concerning Discrimination.

Approved by the Board of Education on October 8, 1991

REVISED: August 27, 2013

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 4000 (Currently Section G)
Personnel**

Policy 4111

Equal Opportunity/Non-Discrimination (Personnel)

ADMINISTRATIVE REGULATIONS

DISCRIMINATION COMPLAINTS (PERSONNEL)

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), or gender identity or expression. In order to facilitate the timely resolution of such complaints any student who feels that he/she has been discriminated against on the basis of these protected characteristics should file a written complaint with:

Office of the Superintendent of Schools
Darien Public Schools
35 Leroy Avenue
Darien, CT 06820

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified.

Specifically, upon receipt of a written complaint of discrimination, the Superintendent and/or his or her designee should:

1. offer to meet with the complainant to discuss the nature of his/her complaint;
2. provide the complainant with a copy of the Board's anti-discrimination policy and accompanying regulations;
3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. conduct the investigation in a confidential manner, to the extent practicable, adhering to

the requirements of state and federal law;

5. communicate the findings and/or results of any investigation to the complainant; and
6. take appropriate corrective and disciplinary action, as deemed appropriate by the Superintendent and/or his or her designee.

If the complaint involves an allegation of discrimination based on disability or sex, the complainant should be referred to the Board's policies and procedures related to Section 504 of the Rehabilitation Act (for claims of discrimination and/or harassment based on disability) and Sex Discrimination/Sexual Harassment (for claims of discrimination and/or harassment based on sex).

For allegations pertaining to race, color or national origin discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

Office of Civil Rights
U.S. Department of Education
8th Floor
5 Post Office Square, Suite 900
Boston, MA 02109-3921
Tel. (617) 289-0111
OCR.boston@ed.gov

If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than one hundred eighty (180) days after the occurrence of the alleged discrimination.

DARIEN PUBLIC SCHOOLS

Darien, Connecticut

COMPLAINT FORM REGARDING DISCRIMINATION

Name of Complainant_____Date of Complaint_____

Date of the alleged discrimination/harassment_____

Name or names of the discriminator(s) or harasser(s)_____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment_____

Detailed statement of the circumstances constituting the alleged discrimination or
harassment _____

(Signature of Complainant) (Date)

Name of Administrator investigating complaint and the findings_____

(Signature of Administrator) (Date)

DARIEN PUBLIC SCHOOLS
Darien, Connecticut

Series 4000
Personnel

Policy 4111

NON-DISCRIMINATION

The Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression, except in the case of a bona fide occupational qualification.

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, religion, color, national origin, alienage, sex, sexual orientation, marital status, age, disability (including pregnancy), genetic information, veteran status or gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), veteran status or gender identity or expression.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity

or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Any employee wishing to file a complaint regarding discrimination may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations accompany Board Policy #4111 and are available online at **www.Darienps.org** or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy #4118, Sex Discrimination/Harassment in the Workplace; Policy #3025 , Section 504/ADA).

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06820
203-656-7406

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06820
203-656-7406

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of disability may contact the Board's Section 504/ADA Coordinator:

Shirley Klein
Assistant Superintendent for Special Education and Student Services
35 Leroy Avenue
Darien, CT 06820
203-656-7474

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
Age Discrimination in Employment Act, 29 U.S.C. § 621
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Title II of the Genetic Information Nondiscrimination Act of 2008,
Pub.L.110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.
Connecticut General Statutes § 1-1n, "Gender Identity or Expression"
defined
Connecticut General Statutes § 10-153. Discrimination on basis of marital
status
Connecticut General Statutes § 46a-58. Deprivation of Rights

Connecticut Fair Employment Practices Act, Connecticut General Statutes
§ 46a-60

Connecticut General Statutes § 46a-81a Discrimination on basis of sexual
orientation: Definitions

Connecticut General Statutes § 46a-81c Sexual orientation discrimination:
Employment.

ADOPTED:_____

ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (PERSONNEL)

It is the policy of the Darien Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, veteran status or gender identity or expression is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is the express policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled, as appropriate, in accordance with other Board policies (e.g., Policy # 4118, Sex Discrimination/Harassment in the Workplace (Personnel) and Policy #3025, Section 504/ADA (Personnel)).

Preferably, complaints should be filed within thirty (30) calendar days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, gender identity or expression, or veteran status. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and implementing Administrative Regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as an individual feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information,

gender identity or expression, or veteran status he/she should make a written complaint to the Superintendent, or his/her designee. The individual and any respondent (if applicable) will be provided a copy of the Board's policy and regulation and made aware of his/her rights.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any individual who makes an oral complaint of harassment or discrimination will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the staff member receiving the oral complaint will either reduce the complaint to writing or assist the individual with completing the written complaint form.

All complaints received by staff members are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent or his/her designee shall promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator ("respondent") and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination, the investigator should:

1. offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
2. provide the complainant and respondent (if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
5. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be extended by fifteen (15) business days during periods of time when school is in session or reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
7. if a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary (see subparagraph 6);
8. whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;

9. if either party to the complaint is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the party requesting an appeal, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) following the receipt of the written request for review.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy #4118, Sex Discrimination/Harassment in the Workplace; Policy #3025, Section 504/ADA).

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.

Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about these regulations may contact:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06820
203-656-7406

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

Marjorie Cion
Director of Human Resources
35 Leroy Avenue
Darien, CT 06820
203-656-7406

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Section 504/ADA Coordinator:

Shirley Klein
Assistant Superintendent for Special Education and Student Services
35 Leroy Avenue
Darien, CT 06820
203-656-7474

DARIEN PUBLIC SCHOOLS
Darien, CT

DISCRIMINATION COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment _____

Proposed remedy _____

DARIEN PUBLIC SCHOOLS
Darien, Connecticut

POLICY

Series 4000: Personnel

Policy 4250

EMPLOYMENT AND STUDENT TEACHER CHECKS

As set forth below, each applicant for a position with the district ~~shall be asked and each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience in the district, shall be asked to provide in writing:~~ (1) whether he/she has ever been convicted of a crime, (2) whether there are any criminal charges pending against him/her and ~~and at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending;~~ and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). If the applicant’s current or most recent employment occurred out of state, the applicant will also be asked whether he/she is included on an equivalent database and/or abuse/neglect registry maintained in that other state. Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

For the purposes of this policy:

“Sexual misconduct means” any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“Abuse or neglect” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“Former employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

In addition, the district shall conduct an employment history check for each applicant for a position, as set forth below.

I. Employment History Check Procedures

- A. The district shall not offer employment to an application for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the district:
1. Requiring the applicant:
 - a. to list the name, address, and telephone number of each current or former employer of the applicant, if such current or former employer was a local or regional board of education, council or operator or if such employment otherwise caused the applicant to have contact with children;
 - b. to submit a written authorization that
 - (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the information requested under paragraph I.A.2 of this policy and the release of related records by such employers,
 - (ii) consents to and authorizes disclosure by the Department of Education of the information requested under paragraph I.A.3 of this policy and the release of related records by the department, and
 - (iii) releases those employers and the Department of Education from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and
 - c. to submit a written statement of whether the applicant
 - (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
 - (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g or abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
 - (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;

2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department of Education, which shall request the following:
 - a. the dates employment of the applicant, and
 - b. a statement as to whether the employer has knowledge that the applicant:
 - (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated;
 - (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or
 - (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct. Such review may be conducted telephonically or through written communication. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the district receives a request for such information about an employee or former employee, the district shall respond with such information. The district may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (f), such employer shall respond not later than five (5) business days after receiving such request.
3. Requesting information from the Department of Education concerning:
 - a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,
 - b. whether the Department of Education has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
 - c. whether the Department of Education has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.

- B. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, if the district receives information that an applicant for a position with or an employee of the board has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of Education of such information.
- C. The district shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The district may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) days, pending the district's review of information received under this section, provided:
 - 1. The applicant complied with paragraph I.A.1 of this policy;
 - 2. The district has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the district; and
 - 3. The applicant affirms that the applicant is not disqualified from employment with the district.
- E. The district shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
 - 1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
 - 2. Affects the ability of the district to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
 - 3. Requires the district to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the district, unless, after investigation, such allegation is dismissed or found to be false.
- F. The district shall not offer employment to a person as a substitute teacher, unless such person and the district comply with the provisions of paragraph I.A of this policy. The district shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The district shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the district as a substitute teacher as described in paragraph III.B.2 of this policy, provided the district does not have any knowledge of a reason that such person should be removed from such list.
- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a. and I.A.1.c of

this policy and a written authorization under paragraph I.A.1.b. of this policy. Such contractor shall contact any current or former employer of such employee that was a local or regional board of education, council, or operator or if such employment caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the district, either telephonically or through written communication. If the district receives such information, it shall determine whether such employee may work in a position involving direct student contact at any school in the district. No determination by the district that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.

- H. Any applicant who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the district that may include
1. denial of employment, or
 2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151.
- I. If the district provides information in accordance with paragraph I.A.2. or I.G. of this policy, the district shall be immune from criminal and civil liability, provided the district did not knowingly supply false information.
- J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (f) of Conn. Gen. Stat. § 31-51i, the district shall provide, upon request by another local or regional board of education, governing council of a state or local charter school or interdistrict magnet school operator for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G. of this policy or to the Commissioner of Education pursuant to paragraph I.B. of this policy any information that the district has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.

~~K. For the purposes of this policy:~~

~~1. "Sexual misconduct means" any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student~~

~~2. "Abuse or neglect" means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a~~

~~(aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).~~

~~L.K.~~ Prior to offering employment to an applicant, the district shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school or interdistrict magnet school operator or supervisory agent of a nonpublic school, or if the applicant’s employment with such current or former employer caused the applicant to have contact with children ~~or if such employment otherwise caused the applicant to have contact with children~~ in order to obtain information and recommendations that may be relevant to the applicant’s fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.

ML. The district shall not offer employment to any applicant who had any previous employment contract terminated by a board of education, governing council of a state or local charter school or interdistrict magnet school operator, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

II. DCF Registry Checks

Prior to hiring any person for a position with the district, , and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience, the district shall require such applicant to submit to a records check of information maintained on the Registry concerning the applicant.

The district shall request information from the Registry or its out of state equivalent promptly, and in any case no later than thirty (30) days from the date of employment. Registry checks will be processed according to the following procedure:

- A. No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or designee will either obtain the information from the Registry or, if the applicant’s consent is required to access the information, will supply the applicant with the release form utilized by DCF, or its out of state equivalent when available, for obtaining information from the Registry.
- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF or its out of state equivalent, with a copy to the Superintendent or his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.

- C. Upon receipt of Registry or out-of-state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.
- D. If notification is received by the Superintendent or designee that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.

III. Criminal Records Check Procedure

- A. Each person hired by the district shall be required to submit to state and national criminal record checks within thirty (30) days from the date of employment. Each ~~worker placed within a school under a public assistance employment program, employed by a provider of supplemental services pursuant to the No Child Left Behind Act or in a nonpaid, noncertified position completing preparation requirements for the issuance of an educator certificate, who performs a service involving direct student contact shall also~~ student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, shall be required to submit to state and national criminal record checks within ~~thirty-sixty (3060)~~ days from the date such worker begins to perform such service. Record checks will be processed according to the following procedure:*
- 1. No later than five (5) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or his/her designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the police department in the town in which they reside. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks. The Superintendent or his/her designee will also provide each applicant with the following notifications before the applicant obtains his/her fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.
- 2. No later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the police department in the town in which they reside. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.

3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks. Fees and costs associated with the fingerprinting process and the submission and process of requests are waived for student teachers, in accordance with state law.
4. Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check. The affected applicant/employee may notify the Superintendent or his/her designee in writing within five (5) calendar days that the affected/employee will challenge his/her criminal history record check. Upon written notification to the Superintendent or his/her designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or his/her designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or his/her designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.
5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Notwithstanding anything in paragraph III.A.5 of this Policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this Policy, above.

B. Criminal Records Check for Substitute Teachers:

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.
2. If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the

district, provided a substitute teacher is subjected to such checks at least once every five years.

IV. Sex Offender Registry Checks

School district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience. . Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the school district.

V. Credit Checks

The district may also ask a prospective employee for a credit report for employment for certain district positions, where the district's receipt of a credit report is substantially related to the employee's potential job. Substantially related is defined to mean "the information contained in the credit report is related to the position for which the employee or prospective employee who is the subject of the report is being evaluated." Prior to asking for a credit report, the district will determine whether the position falls within one of the categories as described in this paragraph. The position must: (1) be a managerial position which involves setting the direction or control of the district; (2) involve access to employees' personal or financial information; (3) involve a fiduciary responsibility to the district, including, but not limited to, the authority to issue payments, collect debts, transfer money or enter into contracts; (4) provide an expense account or district debit or credit card; or (5) involve access to the district's nonfinancial assets valued at two thousand five dollars or more.

When a credit report will be requested as part of the employment process, the district will provide written notification to prospective employee regarding the use of credit checks. That notification must be provided in a document separate from the employment application. The notification must state that the district may use the information in the consumer credit report to make decisions related to the individual's employment.

The district will obtain consent before performing the credit or other background checks. If the district intends to take an action adverse to a potential employee based on the results of a credit report, the district must provide the prospective employee with a copy of the report on which the district relied in making the adverse decision, as well as a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act," which should be provided by the company that provides the results of the credit check. The district will notify the prospective employee either orally, in writing or via electronic means that the adverse action was taken based on the information in the consumer report. That notice must include the name, address and phone number of the consumer reporting company that supplied the credit report; a statement that the company that supplied the report did not make the decision to take the unfavorable action and cannot provide specific reasons for the district's actions; and a notice of the person's right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and to get an additional free report from the company if the person asks for it within sixty (60) days.

VI. Notice of Conviction

If, at any time, the Board of Education receives notice of a conviction of a crime by ~~(1)~~ a person holding a certificate, authorization or permit issued by the State Board of Education, ~~or (2) a person employed by a provider of supplemental services,~~ the Board shall send such notice to the State Board of Education. . In complying with this requirement, the district shall not disseminate the results of any national criminal history records check.

VII. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the Board of Education shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

VIII. Personal Online Accounts

For purposes of these Administrative Regulations, “personal online account” means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the Board, including, but not limited to, electronic mail, social media and retail-based Internet web sites. “Personal online account” does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the Board.

A. During the course of an employment check, the Board may not:

1. request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing a personal online account;
2. request or require that an applicant authenticate or access a personal online account in the presence of the Board; or
3. require that an applicant invite a supervisor employed by the Board or accept an invitation from a supervisor employed by the Board to join a group affiliated with any personal online account of the applicant.

B. The Board may request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing:

1. any account or service provided by Board or by virtue of the applicant’s employment relationship with the Board or that the applicant uses for the Board’s business purposes, or
2. any electronic communications device supplied or paid for, in whole or in part, by the Board.

C. In accordance with applicable law, the Board maintains the right to require an applicant to allow the Board to access his or her personal online account, without disclosing the user name and

password, password or other authentication means for accessing such personal online account, for the purpose of:

1. conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an applicant's personal online account; or
2. conducting an investigation based on the receipt of specific information about an applicant's unauthorized transfer of the Board's proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

IX. Policy Inapplicable to Students Employed by the School District

- A. This policy shall also not apply to a student employed by the local or regional school district in which the student attends school.

X. Falsification of Records.

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References: Conn. Gen. Stat. § 10-212.

Conn. Gen. Stat. § 10-221d.

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Public Act 1819-51,91, "An Act Implementing the Recommendations of the Department of Concerning Various Revisions and Additions to the Education Statutes."

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

~~Public Act 16-67, “An Act Concerning the Disclosure of Certain Education Personnel Records, Criminal Penalties for Threatening in Education Settings and the Exclusion of a Minor’s Name from Summary Process Complaints.”~~

~~No Child Left Behind Act of 2001, Public Law 107-110~~

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

ADOPTED: November 22, 2016

REVISED:

Agency Privacy Requirements for Noncriminal Justice Applicants

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as a job or license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy.

- Officials must provide to the applicant written notice¹ that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the job, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- Officials should not deny the job, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.²

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

If you need additional information or assistance, contact:

Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480	Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306
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¹ Written notification includes electronic notification, but excludes oral notification.

² See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).

Noncriminal Justice Applicant's Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification³ by the Director of Human Resources that your fingerprints will be used to check the criminal history records of the FBI.
- If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the job, license, or other benefit based on information in the criminal history record.⁴
- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁵
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/about-us/cjis/background-checks>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI at the same address as provided above. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)
- If you need additional information or assistance, please contact:

Connecticut Records:	Out-of-State Records:
Department of Emergency Services and Public Protection	Agency of Record
State Police Bureau of Identification (SPBI)	OR
1111 Country Club Road	FBI CJIS Division-Summary Request
Middletown, CT 06457	1000 Custer Hollow Road
860-685-8480	Clarksburg, West Virginia 26306

³ Written notification includes electronic notification, but excludes oral notification.

⁴ See 28 CFR 50.12(b).

⁵ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

Federal Bureau of Investigation
United States Department of Justice
Privacy Act Statement

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Social Security Account Number (SSAN). Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

Additional Information: The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any systems(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).