

**Special Darien Board of Education**

**Policy Committee Meeting**

**Friday, September 18, 2020**

**8:30 a.m.**

**Darien Public Schools' Administrative Offices**

**35 Leroy Avenue**

**Board of Education Meeting Room**

**AGENDA**

1. **Policy C-19 “ POLICY CONCERNING TEMPORARY POLICIES AND REGULATIONS RELATED TO THE COVID-19 PANDEMIC”**
2. **Policy C-19-01 “POLICY CONCERNING USE OF FACE COVERINGS IN SCHOOL”**
3. **Policy 4000-C19 “FAMILIES FIRST CORONAVIRUS RESPONSE ACT LEAVE”**
4. **Revisions to Policy 1075 C-19 “Green Cleaning Programs”**
5. **Revisions to Policy 9310 C-19 “Meeting Conduct”**
6. **Public Comment\***
7. **Adjournment**

**Due to the current COVID-19 regulations and restrictions pertaining to public indoor gatherings, the Board of Education meeting will be available to the public via Zoom.**

**Those members of the community wishing to view only, should do so through the Darien**

**Youtube link: <https://www.youtube.com/channel/UCUnnvYKBFbFrTWQRuoB6OZA>**

**Those members of the community wishing to participate in public comment should join the meeting via Zoom:**

**<https://darienps.zoom.us/j/92957740449>**

**In order to reduce audio interference, members of the community are requested not to simultaneously view by Youtube while participating on Zoom.**

# Memorandum

To: Policy Committee

From: Michael Burke  
Marge Cion

Date: September 18, 2020

Re: New Policies C-19, C-19-01 and 4000-C19, Temporary Revision to Policies 1075-C19 and 9310-C19

Shipman and Goodwin has provided its clients with a list of model policies that they suggest be adopted by Boards of Education in response to the COVID-19 pandemic. At this meeting, we are asking the Committee to consider three new policies and revisions to two current policies.

We are requesting that the Committee recommend the adoption of Temporary Policy C-19, "Policy Concerning the Temporary Policies and Regulations Related to the COVID-19 Pandemic," which authorizes the temporary amendment and addition of specific policies and administrative regulations. The Policy also provides that the new and amended policies will expire after June 30, 2021, unless the Board or Administration (as appropriate) shortens or extends the term of the policy or amendment. Policy C-19 also provides that the temporary policy or regulation will control in cases where there is a conflict between an existing policy or regulation and the new COVID-related policies.

In accordance with Addendum 11 of Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together dated August 31, 2020, Shipman and Goodwin has developed a model policy concerning the use of face coverings in school. We are asking the Committee to recommend the adoption of Temporary Policy C-19-01, "Policy Concerning the Use of Face Coverings in School," which also includes protocols to implement the policy as well as a medical exemption form for use by students seeking an exemption from the requirement to wear a face covering.

We are also requesting that the Committee recommend the adoption of Temporary Policy 4000 C-19, which reflects the provisions of the Families First Coronavirus Relief Act ("FFCRA"). FFCRA provides for additional paid sick leave for certain COVID-related events and provides for enhanced leave under the Family and Medical Leave Act for employees who are unable to work due to school closure or lack of adequate childcare. This policy reflects the language of FFCRA, which is currently set to sunset on December 31, 2020.

Policy 1075 C-19 reflects a revision to our current green cleaning policy to clarify that current law permits school districts to use any "disinfectant, disinfecting

cleaner, sanitizer or antimicrobial product” approved by federal law to clean school buildings in addition to the those previously approved for the District’s green cleaning program.

Finally, we are requesting that the Committee recommend the adoption of revisions to Policy 9310-C19, “Meeting Conduct,” to allow the flexibility to conduct public meetings electronically and to allow Board members who participate electronically to be counted for purposes of a quorum. The Policy also allows for comments from the public to be received electronically.

At the next meeting of the Policy Committee on October 23, 2020, we will ask the Committee to consider revisions to the following Board policies:

- Policy 1200 - Use of School Facilities
- Policy 1225 - Visitors
- Policy 1250 – Volunteers, Student Interns and Other Non-Employees
- Policy 5130 - Student Attendance and Truancy
- Policy 5340 – Physical Examinations and Screenings
- Policy 5220 – Student Discipline
- Policy 5395 - Transportation

We will also ask the Committee to consider new policies relating to health and safety protocols and the use of private technology by students.

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## Series C-19 COVID-19 Policies and Regulations

### **POLICY CONCERNING TEMPORARY POLICIES AND REGULATIONS RELATED TO THE COVID-19 PANDEMIC (NEW)**

The Darien Board of Education (the “Board”) recognizes that the COVID-19 pandemic (the “COVID-19 Pandemic”) has prompted changes in laws, rules, and guidance affecting Board policy and school district operation, and requiring the Board and the administration of the Darien Public Schools (the “Administration”) to implement certain changes consistent with such laws, rules, and guidance. The Board further recognizes that the circumstances surrounding the COVID-19 Pandemic are continually changing, and that the Board and the Administration must be prepared to adapt and evolve as appropriate and/or required. In all circumstances, the Board prioritizes safeguarding the health and safety of students and staff while continuing to educate students in accordance with state law.

In light of these circumstances, it is the policy of the Board to provide for temporary amendments to certain existing Board policies and administrative regulations, and to enact or authorize Board policies and administrative regulations on new topics, to the extent appropriate and/or required by applicable laws, rules, and guidance regarding the COVID-19 Pandemic (the “COVID-19 Policies and Regulations”). Such amendments and additions are guided by the need to (1) safeguard the health and safety of students and staff while continuing to educate students in accordance with state law; (2) adhere to all applicable laws, rules, and guidance; and (3) preserve flexibility for the Board and the Administration to account for further changes related to the COVID-19 Pandemic.

All COVID-19 Policies and Regulations shall be identified as such in the header of the Policy or Regulation with an indication that such policy or regulation is part of Series C19 (COVID-19 Policies and Regulations). COVID-19 Policies and Regulations that are amendments to existing policies or regulations shall have the identifier “C19” added after the applicable series number. In addition, all amendments to existing Board policies and administrative regulations shall be identified as such through the use of yellow highlighting and either bolded italicized text (for additions) or strikethrough text (for deletions). All Board policies and administrative regulations on new topics shall be identified as such in the title of the Policy or Regulation with the notation, “(NEW).” To the extent any conflict exists between a COVID-19 Policy and Regulation and an existing Board policy or administrative regulation, the COVID-19 Policy and Regulation shall control during any period in which the COVID-19 Policy and Regulation is in effect.

The COVID-19 Policies and Regulations shall remain in effect up to and including June 30, 2021, unless otherwise noted in the individual policy or unless the Board or the

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Administration (as appropriate) shortens or extends the term of any COVID-19 Policy and Regulation through appropriate Board or administrative action. Absent any further Board or administrative action (as appropriate), effective July 1, 2021, the COVID-19 Policies and Regulations shall be repealed automatically and the Board's policies and administrative regulations in effect prior to the enactment of the COVID-19 Policies and Regulations shall be reinstated.

The Board and/or the Administration (as appropriate) shall provide for further amendments to existing Board policies and administrative regulations, further additions to Board policies and administrative regulations, and revisions to any previously adopted COVID-19 Policies and Regulations to the extent appropriate, required, and/or warranted. In addition, the Board and the Administration shall have the authority to follow all applicable laws, rules, and guidance to the extent any such laws, rules, and guidance are not incorporated into any existing Board policy and/or administrative regulation. To the extent any conflict exists between any such laws, rules, and/or guidance and an existing Board policy or administrative regulation, the law, rule, and/or guidance shall control during any period in which the Board and the Administration exercise their authority to follow such law, rule, and/or guidance.

## **Legal References:**

Connecticut General Statutes § 10-221

Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together, Connecticut State Department of Education (June 29, 2020)

ADOPTED: \_\_\_\_\_

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## Series C-19

### COVID-19-01 Policies and Regulations

#### **POLICY CONCERNING USE OF FACE COVERINGS IN SCHOOL (NEW)**

The Darien Board of Education (the “Board”) recognizes the importance of protecting the health and safety of students, staff, and the community during the COVID-19 pandemic. As such, and in accordance with requirements and guidelines issued by the Connecticut State Department of Education (“SDE”), the Board requires that all individuals entering a school building, a Darien Public Schools (“District”) facility, or a District transportation vehicle wear an appropriate face covering. An appropriate face covering shall consist of a cloth mask or disposable procedure-style mask that completely covers the individual’s nose and mouth. Face coverings with valves are not permitted. Any individual who presents for entrance into a school building, District facility or District transportation vehicle who is not wearing an appropriate face covering shall be provided an appropriate face covering by the District.

Compliance with this policy shall be mandatory for all individuals while in a school building, District facility and/or District transportation vehicle, unless an applicable exception applies. Any individual who refuses to wear an appropriate face covering at all times while in a school building, District facility or District transportation vehicle shall be denied admission and/or required to leave the premises, unless an applicable exception applies. In addition, failure to comply with this policy may lead to disciplinary action for students and staff, and exclusion from school property for members of the community, in accordance with applicable laws, rules, regulations, and/or Board policies.

The Board authorizes the Superintendent or designee to develop administrative regulations and/or protocols to implement this policy. Such administrative regulations and/or protocols shall outline authorized exceptions to the requirement that all individuals wear an appropriate face covering in the school buildings, District facilities and District transportation vehicles and may identify additional face covering rules as related to the safe operation of the school community.

#### **Legal References:**

Connecticut General Statutes § 10-221

Adapt, Advance, Achieve: Connecticut’s Plan to Learn and Grow Together, Connecticut State Department of Education, as amended by Addendums 1-11 (June 29, 2020 through August 31, 2020).

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ADOPTED: \_\_\_\_\_

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## Series C-19 COVID-19-01 Policies and Regulations

### PROTOCOLS CONCERNING USE OF FACE COVERINGS IN SCHOOL (NEW)

In accordance with requirements and guidelines issued by the Connecticut State Department of Education (“SDE”), the Darien Public Schools (“District”) requires that all individuals entering a school building, a District facility, or a District transportation vehicle wear an appropriate face covering. An appropriate face covering shall consist of a cloth mask or disposable procedure-style mask that completely covers the individual’s nose and mouth. Face coverings with valves are not permitted. Any individual who presents for entrance into a school building, District facility or District transportation vehicle who is not wearing an appropriate face covering shall be provided an appropriate face covering by the District.

Compliance with these protocols shall be mandatory for all individuals while in a school building, District facility and/or District transportation vehicle, unless an applicable exception applies. Any individual who refuses to wear an appropriate face covering at all times while in a school building, District facility or District transportation vehicle shall be denied admission and/or required to leave the premises, unless an applicable exception applies. In addition, failure to comply with these protocols may lead to disciplinary action for students and staff, and exclusion from school property for members of the community, in accordance with applicable laws, rules, regulations, and/or Board policies.

Students and all individuals being transported on District transportation vehicles are required to wear appropriate face coverings (face coverings must be worn prior to boarding and while exiting the vehicle), in accordance with the District’s transportation protocols. Please see below for additional procedures for face covering exemption requirements. District employees traveling alone in a District transportation vehicle are not required to wear a face covering.

Students, staff and all individuals inside school buildings and District facilities are required to wear appropriate face coverings except if: (i) the individual cannot wear the face covering because the individual has difficulty breathing, is unconscious, or incapacitated; (ii) the individual cannot remove the face covering without assistance; (iii) the individual has a documented medical reason making it unsafe to wear a mask; (iv) the student is in preschool; or (v) the individual has a disability that causes the individual to be unable to wear a face covering.

Face coverings may only be removed within the school building for the following reasons: (i) eating/drinking; (ii) on school grounds with appropriate social distancing implemented; and (iii) educational or medical activities requiring removal of masks

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(speech and language, evaluations, etc.) ONLY under circumstances when the school has implemented appropriate and District-approved mitigating measures (such as gowns, face shields, additional social distancing, physical barriers for District employees and/or students).

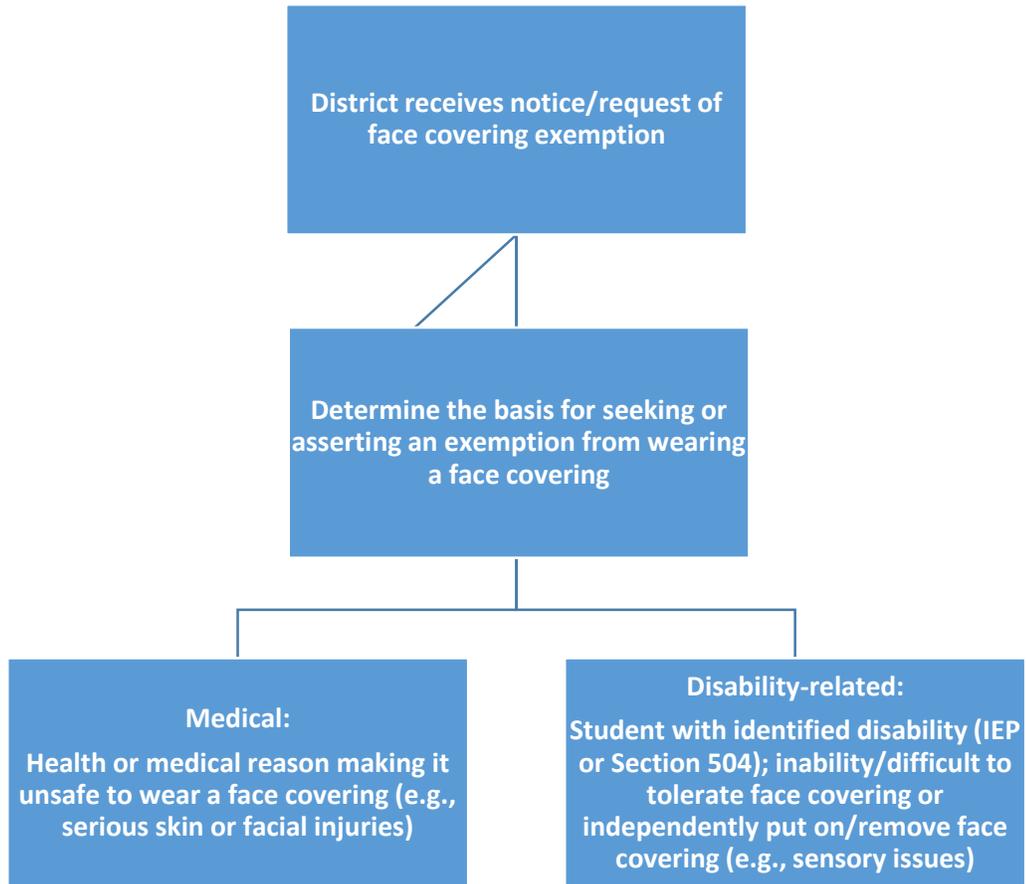
- If a student claims a medical or disability-related exemption from wearing a face covering, the District shall follow the Decision Tree - Face Covering Exemptions in these Protocols. If the District determines the request is based on medical need, the parent or guardian and the **student's treating physician** must complete the Face Covering Exemption Request Form. If the District determines the request is based on disability (skill deficit), the District shall promptly convene a Planning and Placement Team ("PPT") Meeting or Section 504 Team meeting as appropriate to discuss and consider necessary programming revisions, accommodations, modifications, etc.
- If a staff member claims a medical or disability-related exemption from wearing a face covering, the District shall comply with all applicable laws, rules, regulations, and requirements regarding the evaluation of, and response to, any such claim.
- Students shall be offered face-covering breaks during the school day as determined appropriate by the Administration. A face-covering break consists of the student removing the face covering from the student's own nose and mouth for a short period of time.

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## Decision-Making Tree - Face Covering Exemptions



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## SAMPLE

### DARIEN PUBLIC SCHOOLS

35 Leroy Avenue  
Darien, CT 06820

### FACE COVERING

### MEDICAL/HEALTH EXEMPTION FORM

*COVID-19 is a highly contagious virus that spreads by respiratory droplets released when individuals talk, cough or sneeze. Many individuals infected with COVID-19 are asymptomatic and contagious. Federal and state public health agencies, including the United States Centers for Disease Control and Prevention (CDC), recommend that individuals wear a face covering to limit the spread of COVID-19.*

*The Connecticut State Department of Education and Darien Public Schools require ALL students, beginning in kindergarten, to wear face coverings during the school day. Any student seeking a medical exemption to the face covering requirement must have the student's treating physician complete the below Medical/Health Exemption Form. As noted below, Darien Public Schools will consult with the student's treating physician to determine what reasonable accommodations, if any, would allow the student to wear a face covering during the school day. In light of the significant public health and safety requirements, the Darien Public Schools require that any request for medical exemption be completed and submitted to Alicia Casucci, the Director of Nursing Services at [acasucci@darienps.org](mailto:acasucci@darienps.org).*

*Students submitting requests for medical exemption are subject to COVID-19 containment strategies pending the completion of the exemption review process. COVID-19 containment strategies may include assignment to home-based remote learning to mitigate the possibility of infection to the student or others in the physical school building.*

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s): \_\_\_\_\_

(if different from child)

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Contact Information for Treating Physician

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

THE DARIEN PUBLIC SCHOOLS RESERVES THE RIGHT TO DENY MASK EXEMPTION REQUESTS WITHOUT SUFFICIENT INFORMATION TO DETERMINE THE HEALTH-RELATED NECESSITY OF SUCH REQUEST.

I HEREBY CONSENT TO SCHOOL OFFICIALS OF THE DARIEN PUBLIC SCHOOLS CONSULTING WITH THE ABOVE-NAMED TREATING PHYSICIAN IN CONNECTION WITH THE REQUEST FOR A MEDICAL EXEMPTION FROM WEARING A FACE COVERING DURING THE COVID-19 PANDEMIC. I UNDERSTAND THAT MY CHILD'S TREATING PHYSICIAN IS AUTHORIZED TO EXCHANGE HEALTH/MEDICAL AND EDUCATIONAL INFORMATION RELATED TO THE FACE COVERING MEDICAL EXEMPTION REQUEST SUBMITTED ON BEHALF OF MY CHILD, \_\_\_\_\_ [NAME OF STUDENT], WITH THE DARIEN PUBLIC SCHOOLS . I UNDERSTAND THAT THE PURPOSE OF THE EXCHANGE OF SUCH INFORMATION IS TO DETERMINE WHETHER A MEDICAL EXEMPTION IS NECESSARY AND/OR WHETHER THERE ARE ANY REASONABLE ACCOMMODATIONS THAT SHOULD BE CONSIDERED IN CONNECTION WITH THE FACE COVERING EXEMPTION REQUEST. I UNDERSTAND THAT THIS AUTHORIZATION WILL EXPIRE ON JUNE 30, 2021, UNLESS I REVOKE THIS AUTHORIZATION AT AN EARLER TIME BY SUBMITTING WRITTEN NOTICE OF THE WITHDRAWAL OF CONSENT. I ACKNOWLEDGE THAT HEALTH/MEDICAL RECORDS,

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ONCE SHARED WITH THE DARIEN PUBLIC SCHOOLS, WILL BE EDUCATION RECORDS UNDER FEDERAL EDUCATION RECORD LAWS (FERPA) AND MAY NOT BE PROTECTED BY THE HIPAA PRIVACY RULE. I ALSO UNDERSTAND THAT REFUSAL TO CONSENT TO THE EXCHANGE OF INFORMATION DESCRIBED ABOVE WILL NOT AFFECT ACCESS TO HEALTHCARE.

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PRINT NAME  
PARENT/GUARDIAN

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DATE

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SIGNATURE  
PARENT/GUARDIAN

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**The section below must be completed by the student's treating physician to verify a health or medical reason that prohibits the student from wearing a face covering in the school building and/or on school grounds or to identify possible accommodations for the student to wear a face covering within the school building or on school grounds. Upon completion, this form must be provided by the treating physician directly to the Darien Public Schools, care of Alicia Casucci at 80 High School Lane, Darien, CT 06820 or [acasucci@darienps.org](mailto:acasucci@darienps.org).**

**The treating physician MUST consult with school health supervisory personnel prior to completing this form.** The contact information for the school health supervisory personnel for this matter (COVID-19 Liaison at Darien Public Schools) is:

Alicia Casucci  
Director of Nursing Services  
80 High School Lane  
Darien, CT, 06820  
(203) 655-3981 Ext. 2304

### Medical Verification

Yes    No

I have consulted with school health supervisory personnel regarding the student's ability to wear a face covering due to a verified medical or health reason.

After consultation with school health supervisory personnel, I have determined that reasonable accommodations would permit the student to wear a face covering for parts or all of the school day.

If yes, to the above question:

I have determined that the following reasonable accommodations would permit the student to wear a face covering during the school day (examples include, without limitation, face covering breaks at specified intervals, use of face shield when a face covering is contraindicated, use of bandana or looser fitting face covering):

After consultation with school health supervisory personnel, I have determined that the student cannot wear a face covering during the entire school day due to a verified medical or health reason.

The student has been diagnosed with the following medical condition(s) that prevent the student from wearing a face covering at all times during the school day:

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**\* Documentation supporting the above diagnosis MUST be submitted to the Darien Public Schools along with this Medical Verification Form.**

By signing below, I verify that the above information is accurate to the best of my professional knowledge.

\_\_\_\_\_  
Signature of Treating Physician

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Treating Physician

\_\_\_\_\_  
CT License No.

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**Series 4000-C19**  
**Personnel**

**FAMILIES FIRST CORONAVIRUS RESPONSE ACT LEAVE (NEW)**

**STATEMENT OF POLICY**

In light of the global pandemic, and pursuant to the recently passed Families First Coronavirus Response Act (“FFCRA”), the Darien Board of Education (the “Board”) is amending its policy on FMLA and adopting a sick leave policy as explained below. These amendments relate to the Emergency Paid Sick Leave Act (“EPSLA”) and the Emergency Family and Medical Leave Expansion Act (“EFMLEA”), and are effective from April 1, 2020 through December 31, 2020, or until further notice from the Board.

**EPSLA & EFMLEA LEAVES**

**Qualifying Reasons for EPSLA and EFMLEA Leaves**

Under the FFCRA, an employee qualifies for leave under the EPSLA if the employee is unable to work (or unable to telework) because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms *and* is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Under the FFCRA, an employee qualifies for EFMLEA leave if the employee is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19. The first two (2) weeks of EFMLEA leave are unpaid, while the remaining ten (10) weeks are paid as set forth below.

## Duration of EPSLA and EFMLEA Leaves

***For Qualifying Reasons (1)-(4) and (6):*** A full-time employee (individual working forty (40) hours per week) is eligible for eighty (80) hours of EPSLA leave. A part-time employee is eligible for the number of hours of EPSLA leave that the employee works on average over a two (2) week period.

***For Qualifying Reason (5):*** A full-time employee (individual working forty (40) hours per week) is eligible for an aggregate total of up to twelve (12) weeks of EFMLEA leave, so long as the childcare need exists for the duration of leave. A part-time employee is eligible for such leave for the number of hours that the employee is normally scheduled to work over that period. Employees may use their EPSLA leave concurrently with the first two (2) weeks of unpaid EFMLEA leave.

## Calculation of Pay for of EPSLA and EFMLEA Leaves

***For EPSLA Leave Reasons (1), (2), or (3):*** Employees taking leave are entitled to pay at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate.

***For EPSLA Leave Reasons (4) or (6):*** Employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate.

***For EPSLA leave reason (5) and EFMLEA leave:*** Employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate. While the first two (2) weeks of EFMLEA leave is unpaid, an employee may use paid EPSLA leave to receive compensation during that period. If the employee opts *not* to use EPSLA leave for this purpose, the employee would be eligible to receive \$200 per day and \$10,000 in the aggregate for weeks 3 through 12 of EFMLEA leave.

## Determination of Eligibility Under a Qualifying Reason

Determination of an employee's eligibility for leave, including intermittent leave, will be made on a case-by-case basis and in accordance with the FFCRA, implementing regulations, and additional guidance provided by the United States Department of Labor.

## EPSLA & EFMLEA COORDINATION WITH OTHER LEAVE

### Sequence of Available Leaves

An employee may, but is not required to, use EPSLA leave during the first two (2) weeks of the unpaid portion of the EFMLEA leave period.

## EPSLA Leave Adds to Existing Leave Benefits

EPSLA leave is in addition to other accrued leave provided pursuant to the relevant collective bargaining agreement or Board policy.

## Effect of Use of Prior Federal FMLA Qualifying Leave on Eligibility for EFMLEA Leave

An employee's eligibility for EFMLEA leave depends on how much FMLA leave the employee has already taken during the twelve (12) months immediately preceding the start of EFMLEA. Any employee employed by the Board for at least thirty (30) days may take a total of 12 workweeks for EFMLEA leave during the applicable period. If an eligible employee has taken some, but not all, of twelve (12) workweeks under the federal FMLA during the 12-month period immediately preceding a request for EFMLEA, the employee may take the remaining portion of leave available. If the eligible employee has already taken twelve (12) workweeks of federal FMLA leave during this 12-month period, the employee may not take additional EFMLEA leave.

## **REQUIRED DOCUMENTATION FOR EPSLA, EFMLEA, AND FMLA LEAVES**

### EPSLA Leave

- All employees seeking EPSLA leave must provide the following:
  - Employee's name;
  - Date(s) for which leave is requested;
  - Qualifying reason for leave; and
  - A statement that the employee is unable to work because of the qualified reason for leave. This statement may be oral or written.
  
- In addition, employees must provide the following depending on the reason for taking EPSLA leave:
  - If an employee is taking EPSLA leave due to a quarantine or isolation order, the employee must identify the governmental entity that issued the order.
  - If an employee is taking EPSLA leave because a health care provider advised the employee to self-quarantine, the employee must identify the health care provider.
  - If an employee is taking EPSLA leave to care for a child whose school or place of care is closed, the employee must identify the name of the child being cared for, the name of the school or childcare provider that is closed or unavailable, and represent that no one else will be taking care of the child.

EFMLEA Leave

- If an employee is taking EFMLEA leave to care for a child whose school or place of care is closed, the employee must identify the name of the child being cared for, the name of the school or childcare provider that is closed or unavailable, and represent that no one else will be taking care of the child.

Other FMLA Qualifying Leave

All existing certification requirements under the federal FMLA remain in effect if an employee is taking leave for one of the existing qualifying reasons under the federal FMLA. For example, if an employee is taking leave beyond the two (2) weeks of EPSLA leave because the employee's medical condition for COVID-19-related reasons rises to the level of a serious health condition, the employee must continue to provide medical certifications under the federal FMLA as required by the Board.

Legal References:

Families First Coronavirus Response Act, Pub. L. 116-127 §§3102, 5102, 134 Stat. 178 (2020).

Paid Leave Under the Families First Coronavirus Response Act, 29 CFR § 826 (2020).

ADOPTED: \_\_\_\_\_

**DARIEN PUBLIC SCHOOLS**  
**Darien, Connecticut**

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**SERIES 1000: COMMUNITY/BOARD OPERATION**  
**POLICY 1075 C-19**

**GREEN CLEANING PROGRAMS**

It is the policy of the Darien Board of Education to implement a green cleaning program in which the Board procures and properly uses environmentally preferable cleaning products in school buildings and facilities.

The Darien Board of Education shall provide the staff of each school and, upon request, the parents and guardians of each child enrolled in each school with a written statement of the school district's green cleaning program. Such notice shall include (1) the types and names of environmentally preferable cleaning products being applied in schools, (2) the location of the application of such cleaning products in the school buildings and facilities, (3) the schedule of when such cleaning products are applied in the school buildings and facilities, (4) the statement, "No parent, guardian, teacher or staff member may bring into the school facility any consumer product which is intended to clean, deodorize, sanitize or disinfect.", and (5) the name of the school administrator, or a designee, who may be contacted for further information. Such notice shall be provided to the parents or guardians of any child who transfers to a school during the school year and to staff hired during the school year.

Pursuant to subsection (a)(2)(A) of section 10-231g of the Connecticut General Statutes, any disinfectant, disinfecting cleaner, sanitizer or any other antimicrobial product approved by federal law may be used by the Darien Board of Education.

The Darien Board of Education shall make such notice, as well as the report submitted to the Department of Education pursuant to subsection (a) of section 10-220 of the general statutes (i.e. required report on condition of facilities, action taken to implement the Board's long-term school building program, indoor air quality and green cleaning program), available on its web site and the web site of each school under such board's jurisdiction. If no such web site exists, the board shall make such notice otherwise publicly available.

Legal References:

Connecticut General Statutes:  
§10-220(a)  
§10-231g

APPROVED BY THE BOARD OF EDUCATION: January 27, 2015  
REVISED:

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**Darien Public Schools**  
**Darien, Connecticut**

Series 9300

Board Meetings Policy 9310 C-19

**MEETING CONDUCT**

1. Meeting Conduct

- A. Meetings of the Board of Education shall be conducted by the Chairperson in a manner consistent with the provisions of the Freedom of Information Act, ~~and the adopted bylaws of the Board,~~ and any applicable laws, rules, executive orders, and/or public health advisories pertaining to the COVID-19 pandemic.
- B. All Board meetings shall commence at, or as close as practicable to, the stated time, provided there is a quorum.
- C. All regular and special Board meetings shall be guided by an agenda which will have been prepared and delivered in advance to all Board members and other designated persons.
- D. Except as otherwise provided by law, by regulation of the State Department of Education, or by these bylaws, Robert's Rules of Order shall govern the proceedings of the Board, unless a majority of the Board present and voting shall vote otherwise.

2. Procedures for ~~Telephonic Participation~~ Participation by Electronic Equipment

- A. Board members may participate in meetings telephonically by means of electronic equipment (i.e., telephone, video conference) under the conditions set forth herein. When such conditions are met, any Board member participating telephonically by means of electronic equipment shall ~~not~~ be counted for the purpose of constituting a quorum. Conditions for participation are as follows:

- 1. The facility that is made available to the public that wishes to attend the meeting must be located where the greatest number of Board of Education members are located;
- 2. Any physical or demonstrable material that is used in the course of the proceedings must be present in the place where the public is located; and

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3. All those in attendance at the meeting, at whatever location, must be able to hear and identify all participants in the proceeding, including their individual remarks and votes.

B. When a Board member is participating in a meeting ~~telephonically~~ by means of electronic equipment, the Chairperson shall take the necessary steps to ensure that the three conditions enumerated above are met. In addition, the Chairperson shall take the necessary steps to ensure that a Board member participating ~~telephonically~~ by means of electronic equipment has adequate opportunity to express himself/herself in Board discussion, including the opportunity to take the floor and make motions.

~~B-C.~~ Notwithstanding any provisions to the contrary set forth in Sections 3.A and 3.B above, Board members may participate in meetings by means of electronic equipment (e.g., telephone, video conference) or any other remote platform as permitted by, and subject to any conditions set forth in, any applicable law, rule executive order and/or public health advisory related to the COVID-19 pandemic.

### 3. Public Comment

A. Board meetings are conducted for the purpose of carrying on the business of the schools, and therefore are not public meetings but are meetings held in public.

B. The Board may permit any individual or group to address the Board concerning any subject that lies within its jurisdiction, , during a portion of the meeting so designated for such purpose.

- (1) No disruptive conduct shall be permitted at any Board of Education meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.
- (2) All speakers must identify themselves by name and address.
- (3) Three (3) minutes may be allotted to each speaker.
- (4) A Board of Education member shall be appointed by the Chairperson prior to the meeting to act as timekeeper for the meeting if deemed necessary by the Chairperson.

D. ~~C.~~ Notwithstanding any provisions to the contrary set forth in Section 4.A above, or in any other bylaw of the Board, the Board may modify the procedures for, or eliminate public address if Board meetings are conducted remotely due to the COVID-19 pandemic. The Board authorizes the administration to develop procedures for public address during Board meetings that are conducted remotely.

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- 4. Broadcasting and Taping of Meetings
  - A. While the Board is mindful of the importance of full media coverage, it must be able to conduct its business with a minimum of distraction.
  - B. The media, including but not limited to reporters and cameras, shall be as inconspicuous as possible during meetings and shall handle their functions in such a manner as not to disturb the Board's proceedings.

Legal References:

Connecticut General Statutes

- 1-200 Definitions
- 1-206 Denial of access of public records or meeting. Notice. Appeal.
- 1-225 Meetings of government agencies to be public.
- 1-232 Conduct of meetings. (re: disturbances)

Freedom of Information Commission Advisory Opinion #41 (April 9, 1980)

ADOPTED: December 9, 2008

REVISED: November 26, 2019

REVISED: