

DARIEN PUBLIC SCHOOLS  
Darien, Connecticut  
Employee Handbook



March 2017

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## INTRODUCTION AND WELCOME

We are pleased to have you as a member of the staff of the Darien Public Schools. Whether you are an employee who works full or part-time, in an administrative, teaching, professional or support category, the skills and commitment you bring to your job make an important contribution to our goal of providing excellence in education to the children and families of Darien.

We recognize that new employees in particular are bound to have many questions relating to their specific position or responsibilities. You are encouraged to direct any specific inquiries you may have to your immediate supervisor or to contact Marge Cion, Director of Human Resources, [mcion@darienps.org](mailto:mcion@darienps.org) (203) 656-7406 or Diane Sandor, Human Resources Coordinator, [dsandor@darienps.org](mailto:dsandor@darienps.org) (203) 656-7415 for additional information or assistance.

The policies in this manual are not not all-inclusive. The Board of Education, at its discretion, may change, delete, suspend or discontinue any part or parts of the policies in this manual at any time without prior notice. Any such action will apply to existing as well as future employees. No statement or promise by a supervisor, manager, or department head may be interpreted as a change in policy nor will it constitute an agreement with an employee. The Employee Handbook is not a contract. Additionally, the handbook makes no guarantees of employment, compensation or benefits. Employees covered under collective bargaining agreements should consult those collective bargaining agreements for detailed information, including information regarding certain working conditions and benefits. Copies of the contracts are available on our website. [Click here](#).

Finally, some of the subjects described in this manual are summaries of the district's policies and the regulations related to those policies. The complete policies of the Board of Education are available on the Darien Public Schools website. For more detailed information please refer to the policies in their entirety. [Click here](#).

## EQUAL OPPORTUNITY EMPLOYER

The Darien Board of Education is an Equal Opportunity Employer, committed to equal employment opportunities for all. The Darien Public Schools 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. This policy applies to all terms and conditions of employment including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Questions or concerns about discrimination should be directed to Marjorie Cion, Director of Human Resources, [mcion@darienps.org](mailto:mcion@darienps.org), 203-656-7406, Board of Education Offices, 35 Leroy Avenue, Darien, CT 06820. Complaints concerning the Human Resources Office should be directed to Dan Brenner Ph.D. Superintendent of Schools, [dbrenner@darienps.org](mailto:dbrenner@darienps.org), 203-656-7412, Board of Education Offices, 35 Leroy Avenue, Darien, CT 06820.

### **AMERICANS WITH DISABILITIES POLICY STATEMENT**

The Darien Board of Education is committed to complying with all applicable provisions of the Americans with Disabilities Act (“ADA”). It is the Board’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the Board will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Board aware of his or her disability, provided that such accommodation does not constitute an undue hardship to the Board. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job must contact Marge Cion, Director of Human Resources (203-656-7406).

### **ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE**

The Darien Board of Education is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the Darien Board of Education expects that all relationships among all persons will be professional and free of bias, prejudice and harassment.

It is the policy of the Darien Board of Education to ensure equal employment opportunity without discrimination based on harassment on the basis of race, color, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital

status amnesty or status as a covered veteran. Darien Public Schools prohibits any such discrimination or harassment.

The Darien Board of Education encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the Darien Board of Education to promptly and thoroughly investigate such threats. The Darien Board of Education prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports. Please [click here](#) for the Board's policy concerning Sexual Harassment and for the detailed complaint procedure. The District's Title IX Coordinator is Marge Cion, Director of Human Resources (203) 656-7406, [mcion@darienps.org](mailto:mcion@darienps.org).

### **SMOKING IN THE WORKPLACE**

The Darien Board of Education prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes), and the use of tobacco products on school property or at any school-sponsored activity.

### **ALCOHOL AND DRUG FREE WORKPLACE**

Employees are prohibited from being under the influence of illegal drugs, controlled substances or alcohol while on school property or while conducting Board business on or off school property.

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.

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.

## MANDATED REPORTING

Conn. Gen. Stat. Section 17a-101 requires school employees who have reasonable cause to suspect or believe that a child has been abused or neglected, or placed in imminent risk of serious harm, to report such suspicions to the appropriate authority. In furtherance of this statute and its purpose, it is the policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, or imminent risk of serious harm in accordance with the Board's policy and related regulations, which can be viewed by [clicking here](#).

## SCHOOL CALENDAR

The school calendar is adopted by the Darien Board of Education approximately 15 to 18 months in advance of the school year to enable all staff members to plan school and personal events. The adopted school calendars can be found by [clicking here](#) and following the District Information tab.

The school calendar varies from its original adoption by the Board of Education because of snow days and other emergency events. ***Ten-month staff should avoid making plans for the end of the school year until the Darien Board of Education establishes the last day of school; by state law, this determination occurs at the first Board meeting in April.***

## BACKGROUND AND REFERENCE CHECKS

To ensure that individuals who are employed by the Darien Public Schools are well qualified and to ensure that the Darien Public Schools maintain a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a background check report that is acceptable to the Darien Board of Education. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by persons involved in the hiring process.

If information obtained in a background check would lead the Darien Board of Education to deny employment, a copy of the report will be provided to the applicant and the

applicant will have the opportunity to dispute the report's accuracy. Background checks include a criminal records check, although a criminal conviction does not automatically bar an applicant from employment.

## **PAYROLL INFORMATION**

**Payroll Schedule** - All Employees are paid on Fridays on a bi-weekly basis. Exceptions occur when the pay date falls on a holiday. The pay date schedule can be found on the District's website [www.darienps.org](http://www.darienps.org) under the Human Resources tab. Go to "Information for Employees" and then "Payroll."

**W4 Forms** - If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 for both State and Federal withholding must be submitted. Forms should be sent to Karen Smith at the Board of Education Offices. [Click here](#) to access those forms.

**Payroll Information Changes** – From time to time it may become necessary to change personal information on file in the payroll office (i.e. new address, addition or deletion in dependent coverage to medical benefits). [Click here](#) to access the appropriate forms. All changes must be made in writing; telephone messages will not be an accepted form of notification of any change that would affect an Employee's payroll information.

**Retirement Savings Plan 403(b) Tax Sheltered Annuity** - All full and part time Employees are eligible to participate in an Internal Revenue Service 403(b) Tax Sheltered Annuity Plan through voluntary payroll pre-taxed deductions. The current list of approved vendors are listed on our third party administrator's website. [Click here](#) for more information.

## **BENEFITS INFORMATION**

Benefit coverage varies from union to union. Please [click here](#) for specific information concerning the benefits available to you through your union contract.

**Employee Medical Benefits** – The District offers medical insurance to eligible employees through ConnectiCare and vision coverage to eligible employees through VSP (Vision Service Plan). The District's coverage consists of a high deductible health plan, combined with a contribution to a Health Savings Account (HSA) or a Health

Reimbursement Account (HRA) for eligible employees. Coverage details vary by bargaining unit.

**Employee Dental Benefits** – The District offers dental coverage to eligible employees through Delta Dental. Coverage details vary by bargaining unit.

**Employee Life Insurance Benefit** - The District provides life, accident and long term disability insurance coverage for eligible employees through Guardian. Coverage details vary by bargaining unit.

**Flexible Spending Accounts IRS Section 125** - The District provides Section 125 flexible spending and dependent care plans through Advanced Benefits Strategies, in accordance with IRS regulations. Coverage details vary by bargaining unit

**Employee Assistance Program** - Through the Employee Assistance Program the Darien Board of Education provides confidential access to professional counseling services. The EAP, available to all employees and their immediate family members, offers problem assistance, short-term counseling and referral to appropriate community and private services. This service is provided on behalf of the Darien Public Schools by ESI Employee Assistance Group.

The EAP is strictly confidential and is designed to safeguard an employee's privacy and rights. Contacts to and information given to the EAP counselor may be released to the Darien Public Schools **only** if requested by the employee in writing. There is no cost for an employee to consult with an EAP counselor. If further counseling is necessary the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by the District's health insurance plan. Costs that are not covered are the responsibility of the employee.

## **ATTIRE AND GROOMING**

It is important for all employees to project a professional image while at work by being appropriately attired. Employees are expected to be neat, clean and well groomed while on the job. It is suggested that all employees adhere to "business casual" as a minimum standard. The Darien Board of Education is confident that employees will use their best judgment regarding attire and appearance.

The Board of Education acknowledges that certain employees, such as custodians, maintenance workers, campus monitors and cafeteria workers are required to wear



uniforms. The Board also acknowledges that physical education teachers and coaches may wear athletic clothing.

## **INCLEMENT WEATHER**

Periodically, weather or other emergency conditions may necessitate that schools be closed. Such closings due to inclement weather or other emergencies are announced on radio, local television stations and the Darien Public Schools website. A computerized telephone calling chain operated through School Messenger is also maintained for communicating school closings due to inclement weather or other emergencies. School Messenger uses the contact information that is entered into Aspen, our student information system, so please be sure that your phone number and preferred email address are entered correctly.

## **EMAIL**

Use of the District's computer systems and electronic communications is governed by Board of Education policy. Computer and email access are provided by the Board of Education for business and education related purposes.

The administration may access email or monitor activity on the computer system or electronic devices accessing the computer systems at any time and for any reason or no reason. Typical examples include when there is reason to suspect inappropriate conduct or there is a problem with the computer systems needing correction. Further, the administration can access or monitor activity on the systems despite the use of passwords by individual users and can bypass such passwords at any time. In addition, review of emails, messages or information stored on the computer systems, which can be forensically retrieved, includes those messages and/or electronic data sent, posted and/or retrieved using social networking sites.

Incidental personal use of the computer systems may be permitted solely for the purpose of e-mail transmissions and access to the Internet on a limited, occasional basis. Such incidental personal use of the computer systems, however, is subject to the same rules as any work-related use and must not interfere in any manner with work responsibilities.

Users should not have any expectation of personal privacy in the use of the computer systems or other electronic devices that access the computer systems. Use of the computer systems represents an employee's acknowledgement that the employee has read and understands the Board policy and any applicable regulations in their entirety, including the provisions regarding monitoring and reviewing of computer activity. [Click here](#) to view the policy and related regulations.

## **SOCIAL MEDIA**

The Board of Education recognizes the importance and utility of social media for its employees. The Board acknowledges that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Board will resolve any conflict between this policy and applicable law in favor of the law.

Employees must refrain from social media use that:

- 1) interferes, disrupts or undermines the effective operation of the school district;
- 2) is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
- 3) creates a hostile work environment;
- 4) breaches confidentiality obligations of school district employees; or
- 5) violates the law, board policies and/or other school rules and regulations.

The Board of Education has developed certain guidelines for the use of district-sponsored social media activity. Absent an unrelated online relationship, employees should not “friend” a student or his/her parent or guardian or otherwise establish special relationships with selected students through personal online accounts. It is not appropriate for an employee to give students or parents access to personal postings unrelated to school.

For the complete policy of the Board of Education relating to the acceptable use of social media, [click here](#).

## **TIME OFF/LEAVES OF ABSENCE**

Provisions for the use of personal days, sick days, bereavement days and, in the case of 12 month employees, holidays and vacation days, are governed by the negotiated contracts for each of the Board’s eight bargaining units. Those contracts can be reviewed by [clicking here](#).

## **FAMILY MEDICAL LEAVE (FML)**

This federal law provides certain Employees with up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious illness or injury) of job-protected leave during any 12 month period. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the specific circumstances of

the leave. The law also provides group health benefits be maintained during the leave so long as the employee maintains his or her premium share during the unpaid portion of the leave.

To qualify for this leave, the employee must have worked for the Board of Education for at least 1250 hours during the 12 months immediately preceding the leave. Paraprofessionals will qualify for leave if they have worked 950 hours during the preceding 12 months.

To qualify as FMLA leave under this policy, the employee must be taking the leave for one of the following reasons:

- for the birth and care of the newborn child of an employee;
- for placement with the employee of a child for adoption or foster care and to care for the newly placed child;
- to care for spouse, child or parent with a serious health condition; or
- to take medical leave when the employee is unable to work because of a serious health condition. An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position. A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or as a condition that requires continuing care by a licensed health care provider.

For guidance on whether you qualify for leave under the Family and Medical Leave Act, please contact Marge Cion, Director of Human Resources at [mcion@darienps.org](mailto:mcion@darienps.org) or 203-656-7406. All requests for leaves must be made in writing to Ms. Cion.

## **WORK-RELATED INJURIES - WORKERS COMPENSATION**

The following procedures are to be followed when an Employee of the Darien Public Schools experiences a work-related injury:

1. If an emergency, seek medical treatment immediately.
2. Report the injury to a school nurse as soon as possible. The nurse will complete an ***Employee's First Report of Occupational Injury or Illness*** form and forward it to our Workers' Compensation carrier and the Central Office. If the injury occurs at a time when a school nurse is not on duty, report the injury to your Supervisor as soon as

possible and he/she will complete the form. If the injury is not reported in a timely fashion, your claim could be denied by our Workers' Compensation carrier.

3. If the injury causes you to miss work, a doctor's note stating such must be submitted to Kate Barbieri, Secretary to the Director of Finance, [kbarbieri@darienps.org](mailto:kbarbieri@darienps.org), extension 7465.

4. If you do miss work, you cannot return to work without a doctor's note or a return to work form stating that you can, in fact, return to work. Any work restrictions must be noted.

5. Employees absent for an extended period of time due to a work related injury will be required to provide the District with regular work status reports from their physician.

## **RESIGNATION AND RETIREMENT**

In the event that an employee resigns employment, he/she is expected to provide a minimum of thirty (30) days written notice to his/her supervisor and to the Director of Human Resources. Certain administrative employees have a greater notice requirement. Employees are encouraged to arrange an exit interview with the Director of Human Resources.

If an employee plans to retire, he/she should send written advance notification to his/her supervisor and the Director for Human Resources, and also directly contact the Board of the Retirement Plan in which he or she is enrolled well in advance of the anticipated date of retirement to ensure that any pension payments and insurance benefits due will be coordinated to avoid gaps in income or insurance coverage. Employees should contact Patty Renda, Assistant Director of Finance, (203) 656-7448, [prenda@darienps.org](mailto:prenda@darienps.org), for assistance with the financial aspects of resignations and retirements.

## **PERSONNEL FILES**

Employee files are maintained by the Human Resources Department and are considered confidential. Supervisors will only be granted access to files on a need-to-know basis.

Access to personnel files by current employees will be permitted. Requests must be in writing and be addressed to Diane Sandor, Human Resources Coordinator, [dsandor@darienps.org](mailto:dsandor@darienps.org). Personnel files must be reviewed in the Human Resources offices and in the presence of the Human Resources Coordinator. Copies of personnel

files will also be provided, free of charge, upon written request, to the Human Resources Coordinator.

## **BARGAINING UNITS**

Each Union or Association's Contract in its entirety is available on the District's website under the Human Resources tab. Each Employee is encouraged to read his/her contract. Should you have specific questions regarding your Contract, below are the names and e-mail addresses of the Presidents of each Union/Association -

### **Administrators**

|               |  |
|---------------|--|
| Andrew Byrne  | <a href="mailto:abyrne@darienps.org">abyrne@darienps.org</a>     |
| Paul Ribeiro  | <a href="mailto:pribeiro@darienps.org">pribeiro@darienps.org</a> |
| Kathy Schultz | <a href="mailto:kschultz@darienps.org">kschultz@darienps.org</a> |

### **Teachers**

|                |  |
|----------------|--|
| Joslyn Delancy | <a href="mailto:jdelancey@darienps.org">jdelancey@darienps.org</a> |
|----------------|--|

### **Paraprofessionals**

|              |  |
|--------------|--|
| Sue Lattin   | <a href="mailto:slattin@darienps.org">slattin@darienps.org</a> |
| Sandy Savage | <a href="mailto:ssavage@darienps.org">ssavage@darienps.org</a> |

### **Secretaries**

|                   |  |
|-------------------|--|
| Barbara Andrianus | <a href="mailto:bandrianus@darienps.org">bandrianus@darienps.org</a> |
| Cindy Fraioli     | <a href="mailto:cfraioli@darienps.org">cfraioli@darienps.org</a>     |

### **School Nurses**

|               |  |
|---------------|--|
| Cyndee Rogers | <a href="mailto:crogers@darienps.org">crogers@darienps.org</a> |
|---------------|--|

### **Maintenance Union**

|             |  |
|-------------|--|
| John Gruner | <a href="mailto:jgruner@darienps.org">jgruner@darienps.org</a> |
|-------------|--|

### **Custodial Union**

|               |  |
|---------------|--|
| Jeff Lombardo | <a href="mailto:jlombardo@darienps.org">jlombardo@darienps.org</a> |
|---------------|--|

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

FERPA is a federal law and associated regulations that provide that educational agencies and institutions that receive federal funds must provide students with access to their education records, an opportunity to seek to have the records amended, and some control over the disclosure of information from the records. Student records are confidential. Aside from a parent or eligible student, staff members, school employees and other school officials may access a student's educational records **only** if they have been determined by the school system to have a legitimate educational interest in accessing the information contained in such records. Disclosure of personally identifiable material to others will not be made without written authorization, except to comply with a judicial order or lawfully issued subpoena. In an emergency, such information may be disclosed if the information is necessary to protect the health or safety of the student or other individuals or as required by state and federal law.

As a new employee, you signed a confidentiality statement confirming your understanding of FERPA.

## **OSHA BLOODBORNE PATHOGENS TRAINING**

All Employees are required to have OSHA Bloodborne Pathogens Training on an annual basis. The training is generally provided as part of the professional development days at the opening of school.

## **HEPATITIS B**

The Darien Board of Education is committed to promoting a safe and healthful work environment for its staff. In pursuit of this goal and in accordance with the United States Department of Labor, Occupational Safety and Health Administration (OSHA) regulations dealing with "Safe Workplace" standards relating to exposure to Bloodborne Pathogens, the Darien Board of Education has created procedures for at risk personnel. The Darien Board of Education has established a written exposure control plan in accordance with the federal standards for dealing with potentially infectious materials in the workplace to protect employees from possible infection due to contact with Bloodborne Pathogens. Pursuant to these procedures, the school will take reasonably necessary actions to protect its employees from infectious disease and in particular H.I.V. and H.B.V. infection. The school will provide the training and protective equipment to those persons who are at risk by virtue of their job performance and may come in contact with infectious disease.

Furthermore, all Darien Board of Education personnel are offered the vaccine for the Hepatitis B Virus which is a life threatening Bloodborne pathogen. The vaccination will be done at no cost to personnel and is provided as a precaution for personal safety. All personnel must complete the Hepatitis B Vaccination Consent/Decline Form prior to beginning employment with the District.

[Click here](#) for the complete Darien Exposure Control Plan.

### **SAFE SCHOOL CLIMATE PLAN**

The Board of Education is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, teen dating violence, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed a Safe School Climate Plan, consistent with state law and Board Policy. This Plan represents a comprehensive approach to addressing bullying, cyberbullying and teen dating violence and sets forth the Board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying and teen dating violence.

### **ASBESTOS MANAGEMENT PLAN**

The Board of Education, in compliance with federal law, has developed an asbestos management plan, concerning the presence or suspected presence of asbestos-type materials within district school buildings, and required inspections and preventive measures related thereto. In accordance with federal law, members of the public, including parents, teachers, and other employees shall be permitted access to the asbestos management plan of the Darien Board of Education.

Upon request, the District shall permit members of the public, including parents, teachers, and other employees to inspect any asbestos management plan. The district shall grant access to such management plans within five working days after receiving a request from a member of the public. If you would like to review the plan for your building, please contact Mike Lynch, Director of Facilities, at 203-656-7418, [mlynch@darienps.org](mailto:mlynch@darienps.org).

### **PESTICIDE APPLICATION**

It is the policy of the Darien Board of Education to implement an integrated pest management plan to reduce the amounts of pesticides applied in any building, or the

grounds of any Darien public school, by using all available pest control techniques including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides. The decision to apply pesticide in any building, or the grounds of any Darien public school, is dependent on results of periodic monitoring for pest populations to determine if a pest problem exists that exceeds acceptable threshold levels. No application of pesticide shall be made in any building or the grounds of any Darien public school during regular school hours or during planned activities at any school except as provided by Connecticut statute or regulation. Staff members in any school may register for prior notice of pesticide application at their school. Each school shall maintain a registry of persons requesting such notice and shall provide notice to registered individuals in accordance with applicable Connecticut statutory and regulatory provisions. The Superintendent may direct that an emergency application of a lawn care pesticide be made without prior notice to staff members in the event of a threat to human health, subject to applicable Connecticut statutory and regulatory provisions. There shall be no application of any lawn care pesticide on the grounds of any school with students in grade eight (8) or lower, except on an emergency basis, subject to applicable Connecticut statutory and regulatory provisions.

### **GREEN CLEANING PRODUCTS**

The Darien Board of Education has implemented 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 has compiled a written statement of the school district's green cleaning program. [Click here](#) to view that statement. [Click here](#) for a list of green cleaning products used in the schools. For more information, contact Mike Lynch, Director of Facilities at [mlynch@darienps.org](mailto:mlynch@darienps.org) or at extension 7418.

***No staff member may bring into the school facility any consumer product which is intended to clean, deodorize, sanitize or disinfect.***

### **COMPLAINT RESOLUTION PROCEDURES**

The State of Connecticut has adopted procedures for resolving complaints alleging a violation of certain federal laws and regulations. The State's resolution process is set forth below.

Complaint Resolution Procedure  
Elementary and Secondary Education Act  
34 Code of Federal Regulations (CFR) Part 299(10)(a)



## I. Filing of Complaint

- A. Violation of Law: A written complaint may be filed by an organization or individual with the Connecticut Commissioner of Education alleging that the state educational agency (SEA) or an agency or consortium of agencies is violating a federal statute or regulation that applies to the following applicable programs:
1. Part A of Title I (Improving Basic Programs Operated by Local Educational Agencies).
  2. Part B, Subpart 1 of Title I (Reading First).
  3. Part B, Subpart 3 of Title I (Even Start Family Literacy Programs).
  4. Part D of Title I (Children and Youth Who Are Neglected, Delinquent, or At Risk of Dropping Out).
  5. Part A of Title II (Teacher and Principal Training and Recruiting Fund).
  6. Part D of Title II (Enhancing Education Through Technology).
  7. Part A of Title III (English Language Acquisition, Language Enhancement, and Academic Achievement Act).
  8. Part B, Subpart 4 of Title III (Emergency Immigrant Education Program).
  9. Part A of Title IV (Safe and Drug-Free Schools and Communities).
  10. Part A of Title V (Innovative Programs).
- B. Review of an Appeal: A written complaint may be filed by an individual with the Connecticut Commissioner of Education appealing the decision of an agency or consortium of agencies based on prior written complaint presented by an individual to such agency or consortium of agencies.
- C. Content of Complaint: The complaint shall be in writing, signed by the complainant and contain the following:
1. A statement that the SEA or an agency or consortium of agencies has violated a requirement of federal statutes or regulation regarding the applicable program, or in the case of an appeal, a statement of aggrievement with the decision rendered by the agency or consortium of agencies based on a prior written complaint.
  2. A clear and concise description of the facts on which the statement is based and the specific alleged violation or aggrievement.
  3. A description of prior efforts to resolve the complaint, including information demonstrating that the SEA, agency or consortium of agencies has taken action adverse to the complaint or has refused or failed to take action within a reasonable period of time.
  4. Complainant's and respondent's name, address and telephone number.

5. Other materials or documents containing information which support or clarify the statement.

II. Review of Complaint

- A. Analysis: Within three business days of the receipt of the complaint, the Commissioner shall assign a review official. Within five business days of the assignment, the review official shall determine whether the complaint has been properly filed in accordance with Section I. If necessary, the review official shall interview the complainant.
- B. Dismissal of Complaint: The review official may dismiss the complaint in writing stating an explanation for such action. The grounds for dismissal shall include, but not limited to, the following:
  1. Failure to file a proper complaint pursuant to Section I.
  2. The allegations fail to state a bona fide violation of federal statute or regulations by the SEA or an agency or consortium of agencies.
  3. The allegations fail to state a bona fide aggrievement with the decision rendered by an agency or consortium of agencies based on prior written complaint.
  4. The allegations were not caused by the actions or failure to act by the SEA, agency or consortium of agencies.

III. Notification of Complaint and Investigation: If a complaint is not dismissed, the review official shall forward the complaint to the respondent immediately along with a copy of the Complaint Resolution Procedures.

IV. Response to Complaint: Within 10 business days of the receipt of the complaint from the review official, the respondent shall file with the Commissioner a written response to the complaint.

A. Content of Response: The response shall address each and every allegation of the complaint and shall list the respondent's name, address and telephone number.

B. Interview: The review official or the respondent may request an interview to discuss the response and to resolve the dispute informally.

V. Complaint Investigation: Upon completion of Section IV or the failure of the respondent to file a response, the review official shall conduct an investigation. All parties may be duly notified that an investigation has begun. At any time during the investigation, the review official shall attempt to resolve the dispute informally. Within 60 calendar days of the receipt of the complaint, an investigation of the complaint shall be completed and a written report shall be mailed to both parties. Information shall be gathered in a timely manner, while minimizing any inconvenience or disruption to the complainant or respondent.

Concerning a review of an appeal of the decision of an agency or consortium of agencies, the review official may elect to disregard the procedures contained in this section using in lieu thereof the following abbreviated procedure.

1. Review all of the appropriate records and determine whether the decision of the agency or consortium of agencies shall be affirmed, reversed or modified.
  2. Draft a letter of review of an appeal addressing, but not limited to, the issue in dispute, the facts found, the affirmation, reversal or modification of the lower decision and recommendation for improved practices, policies or procedures.
- B. Data Collection: The complainant and respondent shall provide the review official with copies of all relevant records requested in writing. Telephone interviews of the complainant, respondent and others with knowledge of the allegations may be conducted. Pursuant to 34 CFR 99-35(a) the review official, acting on behalf of the SEA, is authorized to have access to education records in connection with an evaluation of federal or state-supported education programs or for the enforcement of or compliance with federal legal requirements which relate to those programs.
- C. Independent On-Site Investigation: The review official may conduct an on-site visit to investigate the complaint if the official deems it necessary. Any on-site visit shall be coordinated with the respondent.
- D. Complaint Investigation Report: The Complaint Investigation Report shall be completed by the review official and mailed to the parties within 60 calendar days of the receipt of the complaint by the SEA. The Commissioner may grant an extension for the completion of the report on written request of the review official or respondent if exceptional circumstances exist with respect to the particular complaint. Such extension shall be in writing and shall be mailed to the parties. The report shall contain the following contents:
1. Summary of all investigation activities including, but not limited to, date of receipt of complaint, allegations, parties interviewed, documents received and dates of on-site visits.
  2. Specific allegation of the complaint, the findings of fact, conclusions and final decisions rendered regarding each allegation, including citation to applicable federal statute or regulation.
  3. Specific corrective action plan that resolves the complaint or ensures future compliance of the respondent regarding the violation of federal statute or regulation.

4. Recommendations for improved practices, policies or procedures shall be offered when no violation of federal statute or regulation is found.
- E. Corrective Action Plan: If the Complaint Investigation Report finds that the respondent is violating federal statute or regulations, the respondent shall be requested to submit a corrective action plan within a specified period of time as determined by the review official. Respondent may request technical assistance from the SEA in order to prepare a plan to achieve compliance.
- 45 VI. Review of Final Decision The complainant may file a written request with the Secretary of the U.S. Department of Education to review the final decision of the SEA. All local educational agencies shall disseminate information about the complaint procedures to teachers, staff, parents and appropriate private school officials or representatives.