

## **WATERBURY BOARD OF EDUCATION**

### *MINUTES ~ SHERIFF CALL MEETING*

Tuesday, December 1, 2009 at 7:30 p.m.

Waterbury Arts Magnet School, 16 South Elm Street, Waterbury, Connecticut

**PRESENT:** Mayor Jarjura, Commissioners D'Angelo, Flaherty-Merritt, Harvey, Hayes, Morales, O'Leary, Stango, Sweeney, Theriault, and White.

**ALSO PRESENT:** Superintendent Snead, Assistant Superintendents Cullinan and Sequeira, Chief Operating Officer Paul Guidone, Attorney Maurice Mosley, and Education Liaison Mary Ann Marold.

### **MEETING CALLED TO ORDER**

Mayor Jarjura called the Sheriff Call Meeting to order at 8:44 p.m. Superintendent Snead led everyone in the Pledge of Allegiance to the Flag.

MAYOR: Before we call the roll of members I'm going to ask that the Board of Education elect members please rise, Coleen Flaherty-Merritt, Karen Harvey, Jose Morales, Charles Stango, and Ann Sweeney. And I'm also announcing at this time that I am replacing, I received a resignation from Commissioner Stephen Laccone and I'm replacing him with Neil O'Leary who is just finishing an unexpired term and I'll ask him also to stand. I'll ask all of you to please raise your right hands.

The Mayor proceeded to administer the Oath of Office to the aforementioned individuals.

MAYOR: For those of you who don't know it, the Board of Education are elected to four year terms and we have staggered terms every two years when we come up for election so we have obviously five, many of them returning, obviously have been reelected and we have the five who are starting the second two years of their four year term. The one obviously I would say new addition and we welcome him here is Jose Morales who is a new face on the Board of Education.

The City Sheriff Steven Conway proceeded to read the Roll Call.

### **ROLL CALL**

SHERIFF: Mayor Jarjura.

MAYOR: Present

SHERIFF: Commissioner D'Angelo.

D'ANGELO: Present.

SHERIFF: Commissioner Flaherty-Merritt.

FLAHERTY-MERRITT: Present.

SHERIFF: Commissioner Harvey.

HARVEY: Here

SHERIFF: Commissioner Hayes.

HAYES: Here.

SHERIFF: Commissioner Morales.

MORALES: Here.

SHERIFF: Commissioner O'Leary.

O'LEARY: Here.

SHERIFF: Commissioner Stango.

STANGO: Here.

SHERIFF: Commissioner Sweeney.

SWEENEY: Here.

SHERIFF: Commissioner Theriault.

THERIAULT: Here.

SHERIFF: Commissioner White.

WHITE: Here.

SHERIFF: All present.

MAYOR: Thank you Mr. Sheriff. And to our City Clerk Mike Dalton, I'm sorry, I have two scripts over here so I think under one I usurped your role of giving the oath of office so I hope you don't mind. Moving onto my job, my main job here tonight, at this time I'm going to ask for nominations for the election of a Temporary President. Is anybody going to nominate a Temporary President?

HAYES: I'd like to place in nomination the name of a woman who served with us now for four years who really takes her role here seriously and all her responsibilities. I'm looking forward to service with her at least for two more years of mine; I'm looking forward to her serving for four more years on behalf of all of us, that is **Karen Harvey for Temporary President.**

MAYOR: Can I have a second on that please.

FLAHERTY-MERRITT: **Second.**

MAYOR: Motion has been made and seconded. Are there any other nominations for the position of Temporary Chair? Are there any other nominations, are there any other nominations. I would seek a motion to close nominations.

**Upon a motion by Commissioner Hayes and duly seconded by Commissioner D'Angelo, it was voted unanimously to close nominations for Temporary President.**

MAYOR: Motion has been made and seconded. All of those in favor of closing nominations for Temporary Chair please say aye – any opposed? The ayes have it. At this time now I will call upon Karen Harvey as our Temporary President to take over the proceedings.

HARVEY: Thank you Mr. Mayor. It is indeed an honor to serve as Temporary President, and Commissioners, at this time; we are here to elect a Permanent President for the Board of Education. I will now open up the floor to accept nominations.

O'LEARY: **I would like to place in nomination the name of Commissioner Patrick Hayes** who has demonstrated the utmost commitment to this Board and leadership as well as compassion to lead us through this next term as President.

HARVEY: Thank you.

WHITE: **Second.**

HARVEY: All those in favor of accepting the nomination. Any other nominations, are there any other nominations? Motion to close nominations.

**Upon a motion by Commissioner D'Angelo and duly seconded by Commissioner Flaherty-Merritt, it was voted unanimously to close nominations for President.**

HARVEY: All those in favor, opposed. We will now have a roll call - Madam Clerk.

CLERK: Commissioner D'Angelo.

D'ANGELO: Yes.

CLERK: Commissioner Flaherty-Merritt.

FLAHERTY-MERRITT: Yes.

CLERK: Commissioner Harvey.

HARVEY: Yes.

CLERK: Commissioner Hayes.

HAYES: Yes.

CLERK: Commissioner Morales.

MORALES: Yes.

CLERK: Commissioner O'Leary

O'LEARY: Yes.

CLERK: Commissioner Stango.

STANGO: Yes.

CLERK: Commissioner Sweeney.

SWEENEY: Yes.

CLERK: Commissioner Theriault.

THERIAULT: Yes.

CLERK: Commissioner White.

WHITE: Yes.

CLERK: Mayor Jarjura.

MAYOR: Yes, it doesn't matter, I only vote if there's a tie.

HAYES: I guess at this time I'll assume the role.

HARVEY: Let me announce you Mr. President. It is my honor to announce President of our Board of Education Pat Hayes.

HAYES: I'll make it brief. I'd like to thank those of you who decided to stay. I know we got some friends and family here. We even got some elected officials. I'd like to thank in particular former Alderman, State Representative Larry Butler and State Senator Sam Caligiuri, thank you both for staying with us. I want to thank all my fellow members for allowing me to continue in this position. As the Mayor stated earlier we have a number of challenges in front of us but I feel strongly that we can do this together. I'd like to welcome Mr. Morales and welcome back and look forward to working with Commissioner O'Leary. It's been a brief time Commissioner but I really appreciate the dedication you've shown and I look forward again to serving with you over these two years and I thank you for your kind words in your nomination. At this point I will now ask for nominations of Vice President.

FLAHERTY-MERRITT: Mr. President, Members of the Board of Education, it is my honor to **nominate Mary S. White for position of Vice President to the Board of Education**. For the past 15 years since I was still in high school she has given her time to this Board of Education always putting her heart and soul and the children first and I'd like to see her continue in that role.

D'ANGELO: **Second.**

HAYES: Motion has been made and seconded. Are there any other nominations? Are there any other nominations? Are there any other nominations? Motion to close nominations.

**Upon a motion by Commissioner D'Angelo and duly seconded by Commissioner O'Leary, it was voted to close nominations for Vice President.**

HAYES: Motion made and seconded. We'll now call a roll call vote for the election of Vice President Mary White.

CLERK: Commissioner D'Angelo.

D'ANGELO: Yes.

CLERK: Commissioner Flaherty-Merritt.

FLAHERTY-MERRITT: Yes.

CLERK: Commissioner Harvey.

HARVEY: Yes.

CLERK: Commissioner Morales.

MORALES: Yes.

CLERK: Commissioner O'Leary.

O'LEARY: Yes.

CLERK: Commissioner Stango.

STANGO: Yes.

CLERK: Commissioner Sweeney.

SWEENEY: Yes.

CLERK: Commissioner Theriault.

THERIAULT: Yes.

CLERK: Commissioner White.

WHITE: Yes.

CLERK: President Hayes.

HAYES: Yes.

WHITE: All of you thank you very much. Coleen – even though you had to bring the age difference into it, that's okay, thank you very much. And I guess because we've had two unanimous votes this means that the next two years are going to be a shoe in, everything's going to be hunky dory, she says.

HAYES: Just bring the passion, that's all. Congratulations Mary.

**Upon a motion by Commissioner O’Leary and duly seconded by Commissioner D’Angelo, it was voted unanimously to approve the By-laws of the Board of Education, as follows:**

### ***Bylaws of the Board***

#### **Organization**

a) The Board of Education shall consist of the Mayor and ten elected members. Six members shall constitute a quorum. The Mayor is the Chairman Ex-Officio of the Board. The members of the Board shall elect, by majority vote, a President and Vice-President.

b) The organizational meeting of the Board shall be held at such time as the Mayor may direct or on December 1<sup>st</sup> of each odd numbered year. The meeting shall be called to order by the Chairman. Before acting, the members shall be duly sworn to the faithful performance of the duties of their office as prescribed by law. The Board shall proceed to elect by roll call by a majority of its members, present and absent, a President and Vice President.

#### **Public Meetings**

a) All meetings of the Board of Education shall be open to the public with the exception of executive sessions (cf. 9320 – Meetings)

b) All meetings of the Board shall be held at its office or at any other place designated by a majority vote of the Board.

c) The Board shall hold its regular meetings on the Monday before the first and third Thursday of each month, except in July and August, when meetings shall be held only on the Monday before the first Thursday. The President of the Board shall have the discretion to reschedule meetings which under the above formula would otherwise fall on a holiday.

d) All meetings shall be held at 6:30 p.m. or at any other time designated by the majority vote of the Board. Committee meetings shall be held at 5:30 p.m., unless otherwise designated by the Chairman.

e) Special meetings may be called and held whenever requested in writing by any three members. The written request shall contain a description of the matters to be considered, and shall be sent to the President of the Board with a copy to the Clerk of the Board. No business shall be transacted at such special meeting other than that specified in the call.

f) Citizens are encouraged to submit prepared written statements to the Commissioners. Comments by an individual shall be limited to a maximum of three minutes. Commissioners believe that this will permit wider participation while also expediting the business of the meeting.

g) Commissioners may respond to the concerns and/or comments of public speakers only with the permission of the Chair and **without debate**.

h) Smoking will not be permitted in any room in which a meeting of the Board of Education is being conducted (cf. 1331 – Smoking in School Facilities).

i) During meetings of the Board of Education, all cellphones or other electronic communication devices shall be turned off or changed to a silence mode.

### **Executive Sessions**

The public may be excluded from meetings of the Board of Education which are declared to be executive sessions. Executive sessions may be held upon a two-thirds vote of the members present and voting taken at a public meeting for only one or more of the following reasons, and may not be held for any other reason:

1. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting.

2. Strategy and negotiations with respect to pending claims and litigation.

3. Matters concerning security strategy or the deployment of security personnel, or devices affecting public security.

4. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.

5. Discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-19 of the Connecticut General Statutes.

### **Construction of the Agenda**

The Superintendent in cooperation with the President of the Board of Education shall prepare an agenda for each meeting. Any member of the Board of Education may call the Superintendent to request an item be placed on the agenda. Deadline for requests is 48 hours prior to the legally required public posting of the agenda. Finalization of the agenda lies with the Board President.

### **Posting of the Agenda**

At least 24 hours prior to the time of the meeting, the agenda shall be posted in the Office of the Board of Education and in the Office of City Clerk and shall be filed in the Superintendent's Office.

### **Duties of the Chairman**

a) The Chairman shall call the Board to order at the **appointed hour**, or as soon as a quorum is present. It shall be the duty of the Chairman to assure that all proceedings are in compliance with the laws enacted by the General Assembly, these rules and regulations and, otherwise, parliamentary usage.

b) In the absence of the Chairman, the Board President shall preside at all Board meetings.

### **Order of Business**

a) Business shall proceed in the following order, unless the Board otherwise directs:

1. Silent Prayer
2. Pledge Allegiance to the Flag
3. Minutes of previous meeting
4. Communications
5. Public addresses the Board
6. Superintendent's Report
7. President's Comments
8. Consent Calendar
9. Committee reports
10. Unfinished business of preceding meeting only
11. Other unfinished, new, and miscellaneous business
12. Adjournment

b) The yeas and nays shall be taken and recorded by the Clerk of the Board whenever called for by any member of the Board.

### **Standing Committees**

a) The President shall appoint the following standing committees, each consisting of a minimum of three members to serve two calendar years or less, the member first named to be chairman, who will have the power of electing a vice-chairman:

- |                    |                        |
|--------------------|------------------------|
| 1. Building        | 8. Rules & Regulations |
| 2. Finance         | 9. School Activities   |
| 3. Food Service    | 10. School Personnel   |
| 4. Grants          | 11. Schoolhouses       |
| 5. Grievances      | 12. Curriculum         |
| 6. Health & Safety | 13. Transportation     |
| 7. Legislative     |                        |

At least one member of each committee shall be a member of the minority party.

b) The President shall call committees together when requested to do so by the respective Chairman, but in case the Chairman refuses or neglects, then, at the request of the remaining members of the Committee, he shall call a meeting of the Committee, and a majority of the Committee shall constitute a quorum.



c) Every report shall be signed by a majority of the Committee. A minority report in writing may be presented.

d) **All Committee actions are subject to the approval of the Board.**

### **Committee on Rules and Regulations**

The Committee shall review all new, revised, or recommended deletion(s) of Rules and Regulations, as referred by the Superintendent of Schools, pertaining to operation and functions of the School District. Said Committee shall report to the Committee of the Whole prior to Board action. The Committee shall ensure alignment of Rules and Regulations to Policy as well as Local, State, or Federal Enactments.

### **Committee on Curriculum**

a) All proposals to add to or change the course of study or the textbooks used in the school system shall be referred to and reported upon by this Committee prior to the action by the Board. In reporting upon any such proposals, the Committee shall give due consideration to the recommendations of the Superintendent of Schools and the consultative groups acting under the provisions of School Board Policy.

b) All requisitions for books, supplies and the like shall be presented to this Committee and/or its duly appointed representatives for approval.

c) Proposals for special regulations or changes to regulations regarding instruction in the school system shall be submitted to the Committee for transmittal to the Board.

### **Committee on School Personnel**

a) The Committee on School Personnel shall act as an advisory body to the Superintendent in the appointment and transfer of teachers and in all other matters concerning the teaching and administrative and supervisory corps.

b) The Committee shall conduct studies from time to time, as may appear necessary, regarding the number of teaching and supervisory personnel required to achieve the goals of the system and the salaries and other benefits required to obtain and retain professional personnel of a high caliber. Such studies shall include consultation with the Superintendent and other interested standing committees. The Committee shall report its findings and recommendations to the Superintendent for such use as he may require and for transmittal to the Board.

c) The Committee shall develop methods by which teachers' performance shall be evaluated to determine whether such performance meets the standards developed by the Board so as to entitle the teacher to advancement on the salary schedule if not at the maximum of the applicable schedule.

d) The Committee shall also develop methods by which the performance of supervisors and administrators shall be evaluated to determine whether such performance meets the standards established by the Board for the administrative or supervisory position to which they are assigned.

e) The Committee shall be responsible for reporting to the Board the names of those teachers, supervisors and/or administrators who should no longer be employed by the Board on the ground that they have failed to meet the standards established by the Board for their particular position, and should not be advanced to the next step in the applicable salary schedule because of their failure to meet the standards developed by the Board.

### **Committee on Schoolhouses**

a) Subject to Board approval, the Committee on Schoolhouses shall have general authority for the maintenance and operation of all buildings. The Committee shall coordinate the Board's operation of school buildings and other state and local authorities having an interest in the same, such as the Fire Department, the Health Department, the Plumbing Inspector, and the State Board of Education.

b) The Committee shall supervise the appointment of all employees not otherwise provided for in these Rules and Regulations, including such extra or part-time help as may be necessary, all in conformity with the Charter of the City of Waterbury, if applicable.

### **Committee on Building**

a) The Committee on Building shall report to the Board upon the desirability of constructing new buildings or enlarging pre-existing facilities. When so instructed by the Board, the Committee shall procure plans and specifications for additions or new facilities and submit them to the Board for its approval.

### **Committee on Finance**

The Committee on Finance shall serve the Superintendent in an advisory capacity in conjunction with the preparation of the annual education budget and the Superintendent's presentation of the budget to the Board of Finance.

### **Committee on School Activities**

a) The Committee on School Activities shall present to the Board for its approval all requests for permission to use school buildings for non-academic purposes.

b) Financial reports of all school entertainment's and athletic events shall be reported to the Department of Education's Chief Financial Officer in writing within thirty days of the event and said Officer may control the disposition of the same, provided, that the Athletic Association of each high school may submit an annual financial report at the end of the school year in June, in lieu of monthly reports.

### **Committee on Transportation**

The Committee on Transportation shall exercise overall supervision of the school bus program. It shall consult with the administrative personnel who are assigned the responsibility of operating the program. The Committee shall conduct periodic studies of the effectiveness of the program and shall submit reports, recommendations, and proposals to the Board for its approval.

### **Committee on Grievances**

- a) The Committee on Grievances shall assist the Board in the Board's determination of grievances. All grievances shall be submitted to the Committee. The Committee, in conjunction with the President of the Board, shall schedule and hold the necessary hearings to comply with any collective bargaining agreement in effect between the Board and duly authorized representative of its employees or a group of its employees.
- b) The Clerk shall be responsible for the preparation and distribution of grievance forms.
- c) Committee members are expected to be present during all grievance hearings.

### **Committee on Food Service**

The Committee on Food Service shall be responsible for seeing that the lunch program is running as efficiently as possible, both monetarily and nutritionally, and that it meets State and Federal mandates in regard to the nutrition of the children in the Waterbury Public Schools.

### **Committee on Grants**

The Committee on Grants shall be responsible for reviewing all grants and grant-funded contracts or agreements submitted for Board of Education approval for submission to the State and/or other agency.

### **Employees**

The Board may employ or appoint a Superintendent of Schools, a Clerk, an Inspector of School Buildings, and such other employees as may be required. Employees shall be appointed and employed in conformance with the Civil Service Rules and Regulations of the City of Waterbury.

### **Conflict of Interest**

The Board desires its members not only to adhere to all laws regarding conflict of interest, but to be continually aware of situations that have the appearance of conflict of interest and to avoid actions that might embarrass themselves or the Board.

Two areas of Board operations must be guarded with particular care in order that there is no real or seeming conflict of interest. These are purchasing and hiring of new personnel. Therefore:

1. No member of the Board shall have any direct pecuniary interest in a contract with the school district, nor shall he/she furnish directly any labor, equipment, or supplies to the district. It is not the intent of this bylaw to prevent the district from contracting with corporations or businesses because a Board member is an employee of the firm. However, in such instances the member may be expected to declare his/her association with the firm and will refrain from debating or voting on the question.
2. If a member of the immediate family of a board member specifically parent/guardian, spouse, child, or grandchild is being considered for employment, that member shall disqualify him/herself from participation in discussion or vote.

3. The Board shall not give preferential treatment to companies in which town officials or paid town employees, have a major financial interest or to companies by which they are employed.

4. No Board member shall use his or her position to influence an employment or contractual decision other than those routinely made by the Board itself.

### **Code of Ethics**

As a guide to performing their duties, Board members should:

1. Be an advocate of high quality free public education for all Connecticut children.
2. As an agent of the state, uphold and enforce all laws, rules, regulations and court orders pertaining to public schools, and bring about any needed change only through legal and ethical means.
3. Help create public schools which meet the individual educational needs of all children regardless of their ability, race, creed, sex, physical condition, or social standing.
4. Work to help the community to understand the importance of proper support for public education, whether it be in providing adequate finances, optimum facilities, staffing and resources, or better educational programs for children.
5. Become informed about the nature, value, and direction of contemporary education and support needed change in the schools.
6. Serve as a communications link between the community and the schools, working to ensure that the community is fully and accurately informed about the schools, and that the school staff understands the aspirations and desires of the community.
7. Recognize that the Board member's responsibility is not to "run the schools," but to see that they are well-run through effective policies.
8. Confine Board action to policy-making, planning, and appraisal, and consult with those who will be affected by the Board's actions while the Superintendent shall implement the Board's policies.
9. Arrive at conclusions after fully discussing the issue at an open meeting, and abide by the principle of majority rule.
10. Recognize that the legal authority rests only with the Board assembled in a meeting, and will make no personal promises nor take any private action that may compromise the Board.

11. Acknowledge that the Board represents the entire school community, and will refuse to surrender independent judgment to special interests or partisan political groups. Never use the position on the Board for personal gain.
12. Hold confidential all matters pertaining to the schools that, if disclosed, might needlessly injure individuals or the schools.
13. Ensure that all school business transactions be open and ethical.
14. Ensure that the best personnel available are appointed to all positions in the district.
15. Refer all complaints through the proper "chain of command" within the system, and act on such complaints at public meetings only when administrative solutions fail.

The success of every school system depends on an effective working relationship between the Board of Education and the Superintendent of Schools. This code incorporates those standards and responsibilities most critical to productive board and superintendent relations.

#### **Electronic Mail Communications (E-mail)**

The Board of Education believes that Board members electronically connected to other Board members is an efficient and convenient way to communicate. The main goal of electronic mail (e-mail) is to expedite the passage of information. E-mail gives Board members quick access to one another. Communication among Board members via e-mail should conform to the same standards as other forms of communication (i.e., committee meetings, etc.) as directed by the Freedom of Information Act. When used properly, e-mail is an effective communications tool and can provide a formal record.

Guidelines for Board E-Mail Usage: The Freedom of Information Act mandates that all meetings of public bodies such as school Boards be open to the public. It is the policy of the Board of Education that E-mail shall not be used in such a manner as to deprive the public of the rights given to it under the Freedom of Information Act. For this purpose, this bylaw sets forth guidelines for the uses intended to be made of E-mail by Board members when communicating with other Board members.

1. E-mail, like other written forms of communication relating to the conduct of the public business is subject to the Freedom of Information Act and subject to disclosure.
2. Board members shall not use e-mail as a substitute for deliberations at public Board meetings, and/or shall not discuss policy matters or vote informally on any issues.
3. E-mail should be used to pass along factual information.
4. Security of e-mail communication cannot be assured. Board members shall not reveal their passwords to others in the network or to anyone outside of it. If any Board member has reason to believe a password has been lost or stolen, or that e-

mail is being accessed by someone without authorization, he/she shall notify the Superintendent, who will notify the district's technology specialist.

5. Personnel issues and other sensitive subjects should never be discussed on-line. The confidentiality of employee data, student data, and other sensitive subjects must always be maintained.

Any usage contrary to the aforementioned shall be reported immediately to the Superintendent and may result in the suspension and/or revocation of system access.

Accessing E-Mail: In an effort to encourage all Board members to access E-mail, while maintaining public fiscal responsibility, the Board of Education will loan to any Board member needing access, a modem, computer (when surplus is available), and other hardware peripherals to be returned to the Board office upon leaving office. It will be the individual Board member's responsibility to provide the hook-up and pay all consumable expenses associated with E-mail usage. In the event a Board member elects not to access E-mail, a hard copy of all E-mail directed to "Board" will be placed in the Board packet delivered via courier, and will also be accessible in the Board of Education Office.

### **Anonymous Phone Calls and Letters (adopted 8/3/87)**

While the Board of Education is aware of its obligation and responsibility to be sensitive to the concerns of the public, the Board must draw the line when it comes to anonymous letters. The Board firmly believes in the citizen's right to complain and to question but just as it firmly believes in the person's responsibility to identify oneself.

Therefore, the Board of Education and each member individually will report any anonymous telephone call to the Superintendent of Schools and will forward to the Superintendent of Schools any anonymous letter. Such letters and calls will be ignored and/or destroyed unless the Board of Education believes that the contents deserve some consideration. The Superintendent of Schools, will, in such rare cases, investigate the allegation with discretion and privacy.

### **Affirmative Action Policy of the Waterbury Board of Education**

a) In compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 Rehabilitation Act of 1973, it is the policy of the Waterbury Department of Education not to discriminate on the basis of race, color, creed, national origin, sex or handicap of its educational programs, activities or employment policies and practices. (adopted 10/13/81)

b) The following Affirmative Action Policy was adopted by the Board of Education on May 14, 1990, as required by the State Department of Education:

#### CONNECTICUT STATE BOARD OF EDUCATION AFFIRMATIVE ACTION

#### POLICY STATEMENT

The Connecticut State Board of Education recognizes its responsibility to the principles of affirmative action and equal employment opportunity and is committed to ensuring that these principles are carried out by the Department of Education with conviction and effort. The Board further recognizes that the purpose of this nation's commitment to affirmative action is to overcome the present effects of past discrimination. Therefore, a detailed, result oriented program must be implemented in order to combat such discrimination and achieve affirmative action.

Equal employment opportunity means showing neutrality with regard to the race, color, sex, national origin, ancestry, religion, age, physical disability, mental retardation, marital status, present or past history of mental disorder or criminal record of employees and applicants (hereafter called protected groups) in an employment decision or context. Ensuring equal employment opportunity is essential; however, it is not enough in and of itself to guarantee the full and fair employment of minorities, women, and the handicapped. For this reason, affirmative action is necessary, in that it requires the Department to make every possible effort, going above and beyond the normal practice, in order to correct any imbalances in the work force.

This Policy Statement is based on both the spirit and the letter of the state and federal antidiscrimination laws, regulations and executive orders. An attachment is enclosed which provides a list of antidiscrimination statutes which mandate and regulate the development of our program.

In accordance with the attached legal requirements listed above, every member of the State Board of Education and the Department of Education will recognize and share in the responsibility to implement this policy in all aspects of the employment process including recruitment, selection, assignment, compensation, promotion and upgrading, training, educational assistance, transfer, discipline, termination, layoff and recall, and all other terms, conditions and privileges of employment. The Affirmative Action staff, monitors all activity undertaken in these areas and takes reasonable action in relation to any problems disclosed, such as recommending policies and procedures which will eliminate actual or potential problems, establishing goals and timetables or other appropriate employment tools which recognize the race, sex, or national origin of employees and applicants for employment.

On behalf of the State Board of Education, the Department of Education staff recognizes its obligation to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise discriminated against under any program because of his/her race, color, sex, marital status, religion, age, national origin, ancestry, handicap or past or present history of mental disorder or mental retardation. Additionally, we will not knowingly use the services of, patronize, nor otherwise deal with any business, contractor, subcontractor, or agency that engages in acts of unlawful discrimination. We are committed to recognizing the hiring difficulties experienced by the physically disabled and by many older persons. Program goals and timetables will be established to overcome the present effects of past discrimination, if any, to achieve the full and fair utilization of the physically disabled and older persons in the work force.

Finally, sexual harassment as another form of sex discrimination will not be tolerated in any workplace overseen by the State Board of Education. Sexual harassment is a violation of Section 703 of Title VII of the Civil Rights Act and Section 46a-60(8) of the

Connecticut General Statutes. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Sexual harassment shall constitute grounds for disciplinary action.

This Policy Statement establishes affirmative action and equal employment opportunity as immediate and necessary Department objectives.

### **Miscellaneous**

Any procedures or provisions not covered by the Charter in the performance of this Board shall be governed by "Robert's Rules of Order, Scott-Foresman Edition, Newly Revised".

HAYES: Motion is made and seconded. All in favor, opposed.

MAYOR: I did want, I forgot my remarks earlier, I wanted to thank the Police Department, Fire Department, Public Works Department, and all of the teachers and folks at the Board of Education who were tremendous in putting all of the parade together and everything else that was involved with that. And again I thank all of the citizens of Waterbury who allow us to occupy these seats that we do hold. But I did want to mention the Police Department, Fire Department, of course our Public Works folks, and the teachers in Education folks, what a tremendous job they did for all of us.

HAYES: You got a chance to see some of our students but you know what there's a lot of other good students out there. There's a lot of other things going on at our other schools. When you get the opportunity go out and support any kind of function that's going on with our students at any of our schools. Again, all of us as number one advocates, along with the Mayor, for the students in this City, please give them an opportunity, let them show you what they can do, you saw a little bit today but it's going on every day. It goes on, we have events every week. If you get a chance, please, attend some of those events and you'll feel proud of all of them as we do.

### ***ADJOURNMENT***

**Upon a motion by Commissioner Flaherty-Merritt and duly seconded by Commissioner D'Angelo it was voted unanimously to adjourn at 8:58 p.m.**

ATTEST: \_\_\_\_\_  
Carrie A. Swain, Clerk  
*Board of Education*