

WATERBURY PUBLIC SCHOOLS

Meeting Agenda

Group/Team:		BOE Policy & Legislation Committee		
Location:		Date of Meeting:	Start Time:	Finish Time:
Virtual Meeting via ZOOM 1-646-876-9923 Meeting ID: 946 5101 0975		Thursday February 25, 2021	5:30 p.m.	

Team Norms:

1. All meetings will start on time
2. All issues will be approached with a positive attitude
3. A specific agenda will be set for all meetings
4. All teams members will agree to stay on specific agenda topics
5. Decisions regarding future directions will be based upon actual data

Purpose of Meeting – Instructional Focus:

Agenda Items – (Items should reflect next steps from previous meeting.)

[illegible]

COMPARING GOV. PROPOSED ECS WITH ESTIMATED CURRENT LAW ENTITLEMENTS FOR FY 2021-22 AND FY 2022-23

Total	2,093,587,133	2,093,587,133	2,093,587,133	2,126,341,540	2,159,033,712	(98,200,986)
Town Name	FY 2020-21 Entitlement	FY 2021-22 Gov. Proposed	FY 2022-23 Gov. Proposed	FY 2021-22 Current Law ECS (Est.)	FY 2022-23 Current Law ECS (Est.)	Biennial Impact of Flat Funding ECS in FY 2021-22 and FY 2022-23
Andover	2,004,782	2,004,782	2,004,782	1,921,639	1,847,521	240,403
Ansonia	17,938,428	17,938,428	17,938,428	18,455,668	18,985,582	(1,564,394)
Ashford	3,459,062	3,459,062	3,459,062	3,361,893	3,273,919	282,311
Avon	584,016	584,016	584,016	551,721	520,198	96,113
Barkhamsted	1,494,242	1,494,242	1,494,242	1,468,764	1,429,870	89,850
Beacon Falls	3,946,560	3,946,560	3,946,560	3,923,957	3,882,468	86,695
Berlin	5,870,600	5,870,600	5,870,600	5,750,410	5,642,009	348,781
Bethany	1,764,574	1,764,574	1,764,574	1,696,389	1,632,536	200,223
Bethel	7,880,729	7,880,729	7,880,729	7,756,660	7,686,510	318,288
Bethlehem	1,128,527	1,128,527	1,128,527	1,101,045	1,070,832	85,177
Bloomfield	6,700,683	6,700,683	6,700,683	6,783,864	6,952,695	(335,193)
Bolton	2,683,216	2,683,216	2,683,216	2,637,484	2,578,986	149,963
Bozrah	1,190,095	1,190,095	1,190,095	1,172,116	1,152,678	55,396
Brantford	2,619,087	2,619,087	2,619,087	2,861,658	3,044,497	(667,981)
Bridgeport	187,414,378	187,414,378	187,414,378	189,952,052	192,062,469	(7,185,764)
Bridgewater	23,564	23,564	23,564	23,537	23,633	(42)
Bristol	47,424,566	47,424,566	47,424,566	48,113,195	48,942,975	(2,207,038)
Brookfield	962,317	962,317	962,317	867,262	773,823	283,549
Brooklyn	6,926,095	6,926,095	6,926,095	6,872,442	6,819,929	159,819
Burlington	3,923,648	3,923,648	3,923,648	3,815,305	3,706,318	325,674
Canaan	125,752	125,752	125,752	117,689	106,826	26,989
Canterbury	4,004,835	4,004,835	4,004,835	3,878,695	3,744,859	386,116
Canton	3,423,208	3,423,208	3,423,208	3,408,319	3,406,007	32,091
Chaplin	1,652,147	1,652,147	1,652,147	1,590,569	1,530,263	183,462
Cheshire	9,339,412	9,339,412	9,339,412	9,211,339	9,146,098	321,387
Chester	768,291	768,291	768,291	835,449	885,417	(184,284)
Clinton	5,192,084	5,192,084	5,192,084	4,976,117	4,730,456	677,595
Colchester	12,040,218	12,040,218	12,040,218	11,683,573	11,330,120	1,066,743
Colebrook	403,912	403,912	403,912	392,050	373,657	42,116

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Columbia	2,316,189	2,316,189	2,316,189	2,276,891	2,227,802	127,686
Cornwall	9,149	9,149	9,149	10,214	11,141	(3,056)
Coventry	7,952,911	7,952,911	7,952,911	7,736,996	7,543,535	625,291
Cromwell	4,977,403	4,977,403	4,977,403	5,084,390	5,199,593	(329,176)
Danbury	37,698,473	37,698,473	37,698,473	40,280,188	42,827,067	(7,710,309)
Darien	443,228	443,228	443,228	456,054	469,304	(38,902)
Deep River	1,662,870	1,662,870	1,662,870	1,651,965	1,642,052	31,723
Derby	8,840,423	8,840,423	8,840,423	9,286,666	9,662,576	(1,268,396)
Durham	3,165,733	3,165,733	3,165,733	3,008,408	2,853,054	470,003
Eastford	947,176	947,176	947,176	927,687	900,312	66,354
East Granby	1,434,092	1,434,092	1,434,092	1,410,433	1,393,900	63,851
East Haddam	3,555,957	3,555,957	3,555,957	3,513,897	3,484,471	113,546
East Hampton	6,902,775	6,902,775	6,902,775	6,772,691	6,639,107	393,752
East Hartford	54,387,012	54,387,012	54,387,012	56,326,545	58,291,625	(5,844,146)
East Haven	19,825,403	19,825,403	19,825,403	19,908,266	19,954,003	(211,464)
East Lyme	6,076,507	6,076,507	6,076,507	5,859,790	5,651,343	641,881
Easton	172,080	172,080	172,080	169,633	167,603	6,925
East Windsor	5,669,122	5,669,122	5,669,122	5,643,634	5,622,083	72,527
Ellington	9,946,889	9,946,889	9,946,889	10,046,555	10,137,822	(290,599)
Enfield	29,551,526	29,551,526	29,551,526	29,870,412	30,170,536	(937,896)
Essex	103,926	103,926	103,926	103,263	102,428	2,161
Fairfield	1,111,544	1,111,544	1,111,544	1,119,671	1,126,434	(23,016)
Farmington	843,467	843,467	843,467	789,190	736,332	161,412
Franklin	736,256	736,256	736,256	690,980	643,722	137,810
Glastonbury	5,379,255	5,379,255	5,379,255	5,063,808	4,787,107	907,596

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Goshen	80,162	80,162	80,162	79,012	78,185	3,127
Granby	5,278,314	5,278,314	5,278,314	5,184,557	5,104,143	267,929
Greenwich	378,649	378,649	378,649	479,201	578,524	(300,427)
Griswold	10,925,151	10,925,151	10,925,151	10,981,282	11,016,340	(147,320)
Groton	25,040,045	25,040,045	25,040,045	24,927,468	24,832,277	320,345
Guilford	1,766,084	1,766,084	1,766,084	1,564,530	1,365,241	602,398
Haddam	2,019,012	2,019,012	2,019,012	2,057,359	2,078,216	(97,552)
Hamden	29,931,677	29,931,677	29,931,677	31,005,424	32,129,849	(3,271,920)
Hampton	1,058,408	1,058,408	1,058,408	1,003,085	946,501	167,230
Hartford	209,104,777	209,104,777	209,104,777	213,092,924	216,318,928	(11,202,298)
Hartland	1,071,722	1,071,722	1,071,722	1,024,990	972,851	145,603
Harwinton	2,430,050	2,430,050	2,430,050	2,396,894	2,338,086	125,120
Hebron	5,997,693	5,997,693	5,997,693	5,776,481	5,568,109	650,796
Kent	27,594	27,594	27,594	28,671	29,481	(2,965)
Killingly	15,574,402	15,574,402	15,574,402	15,504,382	15,445,175	199,248
Killingworth	1,677,663	1,677,663	1,677,663	1,618,818	1,542,644	193,864
Lebanon	4,578,589	4,578,589	4,578,589	4,429,553	4,258,178	469,447
Ledyard	11,492,516	11,492,516	11,492,516	11,378,840	11,250,553	355,638
Lisbon	2,899,516	2,899,516	2,899,516	2,753,954	2,617,931	427,146
Litchfield	1,293,502	1,293,502	1,293,502	1,235,566	1,201,205	150,233
Lyme	60,216	60,216	60,216	59,275	58,370	2,787
Madison	395,466	395,466	395,466	384,272	372,338	34,322
Manchester	38,251,467	38,251,467	38,251,467	38,637,146	39,770,432	(1,904,645)
Mansfield	9,459,722	9,459,722	9,459,722	9,290,785	9,142,077	486,582
Marlborough	2,902,339	2,902,339	2,902,339	2,862,434	2,813,908	128,336

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Meriden	64,774,542	64,774,542	64,774,542	66,102,151	67,664,816	(4,217,883)
Middlebury	847,757	847,757	847,757	815,526	811,460	68,528
Middlefield	1,837,504	1,837,504	1,837,504	1,786,076	1,729,368	159,564
Middletown	21,551,965	21,551,965	21,551,965	22,228,536	22,965,250	(2,089,856)
Milford	9,673,235	9,673,235	9,673,235	9,474,185	9,255,488	616,797
Monroe	5,272,935	5,272,935	5,272,935	4,942,691	4,683,909	919,270
Montville	12,779,336	12,779,336	12,779,336	12,757,767	12,770,747	30,159
Morris	109,929	109,929	109,929	128,798	136,929	(45,870)
Naugatuck	32,037,303	32,037,303	32,037,303	32,503,598	33,085,000	(1,513,993)
New Britain	95,776,383	95,776,383	95,776,383	99,554,602	103,213,783	(11,215,619)
New Canaan	377,366	377,366	377,366	390,427	404,231	(39,926)
New Fairfield	3,481,120	3,481,120	3,481,120	3,349,386	3,178,942	433,912
New Hartford	2,913,010	2,913,010	2,913,010	2,857,453	2,798,793	169,774
New Haven	160,469,961	160,469,961	160,469,961	163,270,752	165,576,573	(7,907,402)
Newington	13,772,951	13,772,951	13,772,951	14,053,889	14,338,950	(846,938)
New London	28,628,974	28,628,974	28,628,974	29,869,475	30,980,428	(3,591,955)
New Milford	11,124,188	11,124,188	11,124,188	10,934,955	10,747,525	565,896
Newtown	4,495,691	4,495,691	4,495,691	4,398,715	4,333,305	259,361
Norfolk	25,940	25,940	25,940	26,598	26,779	(1,497)
North Branford	7,331,325	7,331,325	7,331,325	7,119,127	6,941,914	601,609
North Canaan	1,781,954	1,781,954	1,781,954	1,713,760	1,650,573	199,576
North Haven	3,851,360	3,851,360	3,851,360	3,829,072	3,806,999	66,649
North Stonington	2,584,204	2,584,204	2,584,204	2,544,701	2,484,582	139,126
Norwalk	12,590,479	12,590,479	12,590,479	13,010,103	13,499,079	(1,328,224)
Norwich	39,228,238	39,228,238	39,228,238	40,330,204	41,430,011	(3,303,738)

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Old Lyme	238,583	238,583	238,583	235,563	233,048	8,555
Old Saybrook	129,714	129,714	129,714	132,521	135,005	(8,097)
Orange	1,015,498	1,015,498	1,015,498	912,309	811,048	307,639
Oxford	3,677,011	3,677,011	3,677,011	3,507,922	3,320,788	525,312
Plainfield	14,990,047	14,990,047	14,990,047	14,754,072	14,584,520	641,501
Plainville	10,812,066	10,812,066	10,812,066	10,963,553	11,137,790	(477,212)
Plymouth	9,802,121	9,802,121	9,802,121	9,886,830	9,899,606	(182,194)
Pomfret	2,670,987	2,670,987	2,670,987	2,571,691	2,481,417	288,866
Portland	4,493,305	4,493,305	4,493,305	4,602,271	4,667,221	(282,882)
Preston	2,952,496	2,952,496	2,952,496	2,936,055	2,905,154	63,783
Prospect	4,862,123	4,862,123	4,862,123	4,730,710	4,622,496	371,039
Putnam	8,340,282	8,340,282	8,340,282	8,302,785	8,271,079	106,700
Redding	178,040	178,040	178,040	177,393	176,250	2,436
Ridgefield	568,700	568,700	568,700	566,787	564,107	6,506
Rocky Hill	5,010,814	5,010,814	5,010,814	5,196,728	5,465,326	(640,426)
Roxbury	36,047	36,047	36,047	37,561	38,592	(4,059)
Salem	2,525,078	2,525,078	2,525,078	2,410,213	2,299,284	340,659
Salisbury	19,530	19,530	19,530	23,222	26,787	(10,949)
Scotland	1,274,671	1,274,671	1,274,671	1,248,638	1,215,418	85,286
Seymour	10,423,086	10,423,086	10,423,086	10,435,578	10,526,557	(115,963)
Sharon	13,437	13,437	13,437	15,243	16,728	(5,097)
Shelton	6,641,832	6,641,832	6,641,832	7,016,505	7,340,401	(1,073,242)
Sherman	46,995	46,995	46,995	47,229	47,248	(487)
Simsbury	6,317,010	6,317,010	6,317,010	6,282,196	6,347,807	4,016
Somers	5,692,630	5,692,630	5,692,630	5,633,865	5,552,749	198,646

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Southbury	3,785,641	3,785,641	3,785,641	3,865,067	3,976,274	(270,059)
Southington	20,466,417	20,466,417	20,466,417	20,501,293	20,504,144	(72,602)
South Windsor	11,408,078	11,408,078	11,408,078	11,140,604	10,862,000	813,552
Sprague	2,668,094	2,668,094	2,668,094	2,776,070	2,814,324	(254,206)
Stafford	9,551,487	9,551,487	9,551,487	9,487,677	9,403,466	211,831
Stamford	13,590,585	13,590,585	13,590,585	14,566,316	15,635,868	(3,021,014)
Sterling	3,174,585	3,174,585	3,174,585	3,208,678	3,203,927	(63,435)
Stonington	1,073,011	1,073,011	1,073,011	954,034	836,111	355,877
Stratford	24,116,337	24,116,337	24,116,337	25,185,014	26,216,566	(3,168,906)
Suffield	6,148,151	6,148,151	6,148,151	6,124,817	6,086,979	84,506
Thomaston	5,481,226	5,481,226	5,481,226	5,424,168	5,377,948	160,335
Thompson	7,534,704	7,534,704	7,534,704	7,500,829	7,472,185	96,394
Tolland	9,105,528	9,105,528	9,105,528	8,794,128	8,462,047	954,881
Torrington	26,958,170	26,958,170	26,958,170	27,776,489	28,683,348	(2,543,496)
Trumbull	2,323,541	2,323,541	2,323,541	2,094,473	1,869,834	682,775
Union	211,728	211,728	211,728	211,686	208,173	3,597
Vernon	20,170,089	20,170,089	20,170,089	20,508,084	20,835,238	(1,003,144)
Voluntown	2,117,243	2,117,243	2,117,243	2,025,347	1,932,279	276,860
Wallingford	20,855,570	20,855,570	20,855,570	20,599,983	20,407,819	703,337
Warren	32,115	32,115	32,115	31,785	31,471	973
Washington	53,007	53,007	53,007	53,623	54,348	(1,957)
Waterbury	150,090,541	150,090,541	150,090,541	156,659,429	163,478,818	(19,957,165)
Waterford	326,444	326,444	326,444	328,004	329,152	(4,268)
Watertown	11,780,186	11,780,186	11,780,186	11,721,601	11,689,803	148,969
Westbrook	74,979	74,979	74,979	76,257	77,732	(4,031)

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West Hartford	21,880,498	21,880,498	21,880,498	22,160,798	22,460,241	(860,043)
West Haven	48,958,444	48,958,444	48,958,444	50,396,637	51,802,742	(4,282,491)
Weston	263,792	263,792	263,792	263,214	262,463	1,907
Westport	507,728	507,728	507,728	525,253	541,320	(51,117)
Wethersfield	10,885,177	10,885,177	10,885,177	11,557,264	12,174,887	(1,961,797)
Willington	3,456,594	3,456,594	3,456,594	3,400,971	3,348,840	163,376
Wilton	461,796	461,796	461,796	460,254	458,217	5,120
Winchester	8,024,957	8,024,957	8,024,957	7,988,878	7,958,371	102,666
Windham	28,962,979	28,962,979	28,962,979	29,882,464	30,769,183	(2,725,689)
Windsor	12,130,392	12,130,392	12,130,392	12,075,855	12,029,741	155,188
Windsor Locks	5,225,299	5,225,299	5,225,299	5,313,894	5,345,949	(209,245)
Wolcott	12,387,171	12,387,171	12,387,171	12,146,377	11,907,374	720,592
Woodbridge	471,575	471,575	471,575	432,835	394,853	115,463
Woodbury	1,539,859	1,539,859	1,539,859	1,653,064	1,761,703	(335,049)
Woodstock	4,990,532	4,990,532	4,990,532	4,902,345	4,808,467	270,252

TITLE IX NOTES

Currently, The BOE does not have a specific Title IX policy for students (only staff at policy 4000.1) even though one is required by law. The BOE does have Policy 5145.6, which states that the District will have a Title IX coordinator and states that there will be a complaint grievance process, as required under Title IX.

I am recommending that we draft a Policy 5145.44 (Student Title IX) and revise Policy 4000.1 (Staff Title IX Policy) so that these two policies are identical. Our current staff Policy uses the term “compliance officer” and not the term “coordinator,” which is the term used in the regulations. In addition, the current policy assigns the role of “compliance officer” to the Deputy Superintendent, a vacant position. I don’t think that we need to identify the Coordinator in the BOE Policy, but we do need to identify the Coordinator within the information that the District publishes regarding Title IX, including all materials on the District Website. In practice, the District Title IX Coordinator should not be a specific position, but whomever the Superintendent so designates. Currently, Lisa Dunn, the Senior HR Generalist in Human Capital serves as the District Title IX Coordinator.

The new OCR regulations require District’s to develop a Title IX complaint process that includes certain elements such as notice, grievance processing, investigation and appeal rights. Districts must adopt and publish a grievance process that serves to provide prompt and equitable resolutions of student and employee complaints under Title IX. This process must be posted on the district’s website.

BOE would need to approve the Title IX Policy. The guidelines and procedures, as well as the complaint grievance process could be working documents to effectuate the District’s Title IX policy.

The District website should include a link under both staff and student drop down menus for the Title IX with following links or further drop down options:

1. Title IX Complaint form;
2. Title IX Procedures and Guidelines Overview; and,
3. Title IX Complaint Grievance Process

These new web pages/links would need to be designed and built. I can provide content and direction, but I am not capable of the web buildout itself.

Personnel - Certified and Non-Certified

Students

Title IX

The Board of Education's policy is to maintain a learning and working environment free from any form of sex discrimination or sexual harassment. The Board agrees to comply with Title IX of the Education Amendments of 1972 and the Regulations as amended in the Final Rule promulgated pursuant thereto.

The Board, as required, shall respond whenever any employee has notice of sexual harassment, including allegations of sexual harassment. Title IX applies to persons in this District because its education programs or activities receive Federal financial assistance. This policy applies to all of the District's programs or activities, whether such programs or activities occur on or off campus.

The District's response shall be triggered by notice to a Title IX Coordinator, or to an official with authority to institute corrective measures on the recipient's behalf, which charges a school with actual knowledge.

Definitions

Sex discrimination for purposes of this Title IX policy occurs when an individual, because of his or her sex, is denied participation in or the benefits of any program or activity receiving federal financial assistance. It includes when the District, as an employer, refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to such individual's compensation, terms, conditions or privileges of employment on the basis of the individual's sex.

Sexual harassment for purposes of this Title IX policy includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

1. Any instance of *quid pro quo* harassment by a school's employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person's equal access to the District's educational programs or activities; or
3. Any instance of sexual assault (as defined in 20 U.S.C.1092 (f)(6)(A)(v)), dating violence (as defined in 34U.S.C. 12291(a)(10)), domestic violence (as defined in 34U.S.C.12291(a)(8)), or stalking, (as defined in 34 U.S.C. 12291(a)(30).

(This definition does not make sexual harassment dependent on the method by which the harassment is carried out.)

All information regarding the District's Title IX Procedures and Guidelines, grievance process, as well as the District's complaint form, are available on the District's website at insert specific address Link for Title IX resources.

(cf. 0521 – Nondiscrimination)

(cf. 0521.1 – Grievance Procedure for Section 504, Title IX, and Title VII)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 5131.911 – Bullying/Safe School Climate Plan)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Legal Reference: United States Constitution, Article XIV

Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).

Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, Effective 10/15/88.

Title IX of the Education Amendments of 1972, 20 USCS §1681, *et seq.*

Title IX of the Education Amendments of 1972, 34 CFR §106, *et seq.*

Title IX Final Rule, 34 CFR §106.45, *et seq.*, May 6, 2020

34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

The Clery Act, 20 U.S.C. §1092(f)

The Violence Against Women Act, 34 U.S.C. §12291(a)

Mentor Savings Bank, FSB v. Vinson 477 US.57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

Gebser v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

Connecticut General Statutes

[46a-60](#) Discriminatory employment practices prohibited.

Conn. Agencies Regs. §46a-54-200 through §46a-54-207

Constitution of the State of Connecticut, Article I, Section 20.

P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment

DRAFT
WATERBURY PUBLIC SCHOOLS
TITLE IX PROCEDURES AND GUIDELINES

Title IX states that:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." (20 U.S.C. §1681).

Title IX prohibits discrimination based on sex. Sexual harassment is one form of discrimination based on sex.

Definitions

Sex discrimination for purposes of this Title IX policy occurs when an individual, because of his or her sex, is denied participation in or the benefits of any program or activity receiving federal financial assistance. It includes when the District, as an employer, refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to such individual's compensation, terms, conditions or privileges of employment on the basis of the individual's sex.

Sexual harassment for purposes of this Title IX policy includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

1. Any instance of *quid pro quo* harassment by a school's employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person's equal access to the District's educational programs or activities; or
3. Any instance of sexual assault (as defined in 20 U.S.C.1092 (f)(6)(A)(v)), dating violence (as defined in 34U.S.C. 12291(a)(10)), domestic violence (as defined in 34U.S.C.12291(a)(8)), or stalking, (as defined in 34 U.S.C. 12291(a)(30).

The procedure and guidelines set forth herein are intended to establish a framework for addressing alleged complaints of conduct that fall under protections of Title IX, codified by reference at Policy Nos. 5146.44 and 4000.1 of the Waterbury Board of Education Policies. As such, there may be circumstances and facts, including but not limited to, age (victim and alleged perpetrator), the anonymity of victim or alleged conduct of a criminal nature, that may warrant modification of the guidelines and procedures described below. Accordingly, the Board reserves its right to do so.

Reporting Procedures/Formal Complaint

Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that would constitute sex discrimination or sexual harassment. Such report may be made in person, by mail (Attention:

Title IX Coordinator, Waterbury Public Schools, 236 Grand Street Waterbury, CT 06702), by telephone 203-574-8000, or by e-mail tixharassment@waterbury.k12.ct.us, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Such report may be made at any time, including during non-business hours, by using the Title IX Coordinator's listed telephone number, e-mail address or by mail to the office address.

Any third party as well as the alleged victim may report sexual harassment. This includes parents and guardians of students.

At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed.

The District Complaint Form can be accessed [here \(insert complaint form link\)](#). Current Link is here <https://www.waterbury.k12.ct.us/Content2/23122>, but there is no information apart from the complaint forms and even that is not easily accessible – a user has to conduct a search to come up with the form. That is likely insufficient.

The District's complaint grievance process can be accessed [here \(insert page link with complaint grievance process\)](#).

District/School's Mandatory Response Obligations

The District and its schools recognize its mandatory obligations to respond promptly to Title IX sexual harassment in a manner that is not deliberately indifferent, as defined. The following mandatory response obligations will be fulfilled:

1. Supportive measures shall be offered to the person alleged to be the victim ("complainant"). A respondent will not be disciplined without the District first following the Title IX grievance process, which includes investigating formal complaints of sexual harassment.
2. The Title IX Coordinator to discuss promptly with the complainant the availability of supportive measures, consider the complainant's wishes with respect to such measures, inform the complainant of the availability of such measures with or without filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
3. Follow a grievance procedure that complies with the Title IX Final Rule before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent.
4. The rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment and Fourteenth Amendment shall not be restricted when complying with Title IX.
5. Sexual harassment allegations in any formal complaint will be investigated. The formal complaint can be filed by a complainant or signed by the Title IX Coordinator.

6. The complainant's wishes regarding whether the District/school investigates shall be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

7. Compliance efforts, where applicable, to be coordinated with special education staff members.

If the allegations in a formal complaint do not meet the definition of sexual harassment contained within the Board's policies, or did not occur in the District's educational program or activity against a person in the United States, the District will, as required, dismiss such allegations for purposes of Title IX but may still address the allegations in any manner deemed appropriate by the District.

Notice of Allegation to the Parties

The District shall provide notice to the parties upon receipt of a formal complaint and on an ongoing basis if the District decides to include additional allegations during the course of the investigation.

The notice shall inform the parties of the allegations that potentially constitute sexual harassment as defined in this policy and include the identities of the parties involved in the incident, sufficient details about the allegations, including the identities of the parties if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

The written notice shall also include notice of the applicable grievance process, and advise the parties that they may have an advisor of their choice and that the parties may inspect and review evidence obtained in the investigation.

The notice shall also inform the parties of any provisions in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Grievance Process

The District, as required, will utilize a consistent, transparent grievance process for resolving formal complaints of sexual discrimination and/or sexual harassment. Such process, as detailed in the administrative regulation accompanying this policy, applies to all District schools equally.

A presumption that the respondent is not responsible for the alleged conduct shall be maintained until a determination is made regarding responsibility at the conclusion of the grievance process.

Investigations

Allegations contained in any formal complaint will be investigated. Written notice shall be sent to both the complainant(s) and respondent(s) of the allegations upon receipt of the formal complaint.

During the grievance process and when investigating:

1. The burden of gathering evidence and burden of proof remains with the District.
2. The parties will be provided equal opportunity to present fact and expert witnesses and evidence.
3. The ability of the parties to discuss the allegations or gather evidence shall not be restricted.
4. The parties shall have the same opportunity to select an advisor of their choice, who may be, but need not be, an attorney.
5. The District shall send written notice of any investigative interviews or meetings.
6. The District shall send the parties, and their advisors, evidence directly related to the allegations, electronically or hard copy, with at least 10 days for the parties to inspect, review and respond to the evidence.
7. The District shall send the parties, and their advisors, an investigative report, electronically or hard copy, that summarizes relevant information with at least 10 days for the parties to respond.
8. After the District has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision maker(s) shall afford each party an opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

Note: The final Title IX regulations specify that the decision-maker(s) in the investigation and adjudications of formal complaints cannot be the same person as the Title IX Coordinator or investigator(s).

The District shall dismiss allegations of sexual harassment that do not meet the definition contained in this policy or if such conduct did not occur in a District educational program or activity against a person in the United States. Such dismissal is for Title IX purposes.

The District, in its discretion, may dismiss a formal complaint or allegations therein if the Title IX Coordinator is informed by the complainant in writing to withdraw the formal complaint or allegations therein, if the respondent is no longer enrolled or employed by the District, or if specific circumstances prevent the District from gathering sufficient evidence to reach a determination.

The District shall give the parties written notice of a dismissal, mandatory or discretionary, and the reasons for such dismissal.

The District, in its discretion, may consolidate formal complaints where the allegations arise out of the same facts.

The privacy of an individual's medical, psychological, and similar treatment records will be protected. Such records will not be accessed by the District unless the party's voluntary, written consent is obtained. [The District cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other

recognized professional or para professional acting in their recognized capacity or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so.]

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, per the Title IX Final Rule, are considered irrelevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or offered to prove consent.

Standard of Evidence and Written Determination

The District's Grievance Process, as required by the Title IX Final Rule, shall state whether the standard of evidence to determine responsibility is the preponderance of evidence standard or the clear and convincing evidence standard. The District shall provide the same standard of evidence to all formal complaints of sexual harassment whether the respondent is a student or an employee, including a faculty member.

The Board has chosen to use as the District's standard of evidence the preponderance of evidence standard. *(previous existing standard) clear and convincing evidence standard. (a higher bar)*

The decision maker, who cannot be the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant.

Such written determination shall be sent simultaneously to the parties and include information about how to file an appeal.

Appeals

The District shall offer both parties an appeal from a determination regarding responsibility and from the District's dismissal of a formal complaint or any allegations therein, based on the following:

1. Procedural irregularity that affected the outcome of the matter;
2. Newly discovered evidence that could affect the outcome of the matter; and/or
3. Title IX personnel (Title IX Coordinator, investigator(s), or decision maker(s)) that had a conflict of interest or bias, that affected the outcome of the matter.
4. Additional reasons identified by the District and offered equally to both parties.

The District shall provide both parties a reasonable opportunity to submit a written statement in support of, or challenging the outcome. The appeal decision-maker shall issue simultaneously to the parties, a written decision describing the appeal result and the rationale for the result. *(The appeal decision-maker may not be the same person as the decision-maker(s) that reached the determination of responsibility or dismissal, the investigator(s) or the Title IX Coordinator.)*

Informal Resolution Process

The District may exercise the option to offer and to facilitate an informal resolution option, such as, but not limited to, mediation or restorative justice, provided both parties give voluntary, informed, written consent to attempt informal resolution.

The Board shall not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, the waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment. The District will not require the parties to participate in an informal resolution process and will not offer such process unless a formal complaint is filed.

At any time prior to agreeing to a resolution, the Board recognizes the right of any party to withdraw from the informal resolution process and to resume the grievance/investigative process with respect to the formal complaint.

The Board specifically prohibits the offering or facilitating of an informal resolution process to resolve any allegation that an employee sexually harassed a student.

Record Keeping

The District shall maintain for a period of seven years the records of each sexual harassment investigation, any disciplinary sanctions imposed on the respondent or remedies provided to the complainant; any appeal and the results of the appeal; informal resolution, if any, and the results of informal resolution; and the materials used to train coordinators, investigators, decision-makers and facilitators of informal resolution.

The District shall also create and maintain for a period of seven years records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, it shall be documented the basis or the conclusion reached and the measures taken to restore or preserve access to the District's educational program or activity. Reasons must be cited when supportive measures are not provided to a complainant.

Retaliation

The District shall maintain confidentiality regarding the identity of complainants, respondents, and witnesses, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), as required by law, or as necessary to carry out a Title IX proceeding.

The District expressly prohibits retaliation against any individual for exercising Title IX rights

No school or person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation or proceeding.

Complaints alleging retaliation may be filed according to the grievance procedures pertaining to sex discrimination.

The Board recognizes that the following does not constitute retaliation:

1. The exercise of rights protected under the First Amendment of the U.S. Constitution.

2. The charging of an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

The charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Training

The Board shall provide and/or make available training for any person designated as a Title IX coordinator, investigator, and decision maker and any person designated to facilitate an informal resolution process. Such training shall include:

- The definition of sexual harassment under the new Final Rule
- The scope of the District's education programs and activities;
- The manner in which to conduct an investigation and grievance process, including appeals, hearings and informal resolution process, as applicable;
- How to serve impartially, including the avoidance of prejudgment of the facts at issue, conflicts of interest, and bias;
- The promotion of impartial investigations and adjudications of sexual harassment;
- A presumption that the respondent is not responsible for the alleged conduct until a determination is made regarding responsibility at the conclusion of the grievance process;
- Description of the range or list of the possible remedies the district may provide a complainant and disciplinary sanctions that can be imposed on a respondent, following determinations of responsibility;
- The utilization of the preponderance of evidence standard or the clear and convincing evidence standard;
- Issues of relevance of questions and evidence; and
- The creation of the investigative report to fairly summarize relevant evidence.

The District shall, as required, retain its training materials for a period of seven years and to make such materials available on its website (or upon request if the district does not maintain a website).

DRAFT

WATERBURY PUBLIC SCHOOLS

TITLE IX SEXUAL HARASSMENT COMPLAINT GRIEVANCE PROCESS

CABE Policy P4000.1(d) – as a usable resource. 1st example provided by CABE – included as a PDF.

Personnel -- Certified/Non-Certified

Students

Title IX

Formal Title IX Sexual Harassment Complaint Grievance Process (continued)

7. Include reasonably prompt timeframes for conclusion of the grievance process.
8. Describe the range of possible disciplinary sanctions and remedies the District may implement following any determination of responsibility.
9. Base all decisions upon the preponderance of evidence standard.
10. Include the procedures and permissible bases for the Complainant and Respondent to appeal.
11. Describe the range of supportive measures available to Complainants and Respondents.
12. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Enforcement

Any District employee who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any District student who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies.

Note: This sample policy uses the preponderance of the evidence standard, not the clear and convincing evidence standard. Preponderance of evidence is a standard used in civil cases. It means "the greater weight of the evidence, not necessarily established by the greater number of witnesses testifying to a fact but by evidence that has the most convincing force." Clear and convincing is a higher standard, requiring more than preponderance of the evidence but less than proof beyond a reasonable doubt. It means "evidence indicating that the thing to be proved is highly probable or reasonably certain." Consult the board attorney regarding the appropriate standard for the district.

Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.

Personnel -- Certified/Non-Certified

Students

Title IX (continued)

Formal Title IX Sexual Harassment Complaint Grievance Process

When a *Formal Title IX Sexual Harassment Complaint* is filed, the Title IX Coordinator will appoint a qualified person to undertake the investigation. The Superintendent or designee shall implement procedures to ensure that all Formal Title IX Sexual Harassment Complaints are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45.23. The District's grievance process shall, at a minimum:

1. Treat Complainants and Respondents equitably by providing remedies to a Complainant where the Respondent is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a Respondent.
2. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
3. Require that any individual designated by the District as a Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process:
 - a. Not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent.
 - b. Receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.
4. Require that any individual designated by the District as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
5. Require that any individual designated by the District as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.
6. Include a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Personnel -- Certified/Non-Certified

Students

Title IX

Enforcement (continued)

This policy does not increase or diminish the ability of the District or the parties to exercise any other rights under existing law.

Retaliation Prohibited

The District prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Any person should report claims of retaliation.

Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

(cf. 0521 – Nondiscrimination)

(cf. 0521.1 – Grievance Procedure for Section 504, Title IX, and Title VII)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 5131.911 – Bullying/Safe School Climate Plan)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Legal Reference: United States Constitution, Article XIV

Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).

Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, Effective 10/15/88.

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Title IX of the Education Amendments of 1972, 34 CFR §106, *et seq.*

Title IX Final Rule, 34 CFR §106.45, *et seq.*, May 6, 2020

34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Personnel -- Certified/Non-Certified

Students

Title IX

Legal Reference: continued

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

The Clery Act, 20 U.S.C. §1092(f)

The Violence Against Women Act, 34 U.S.C. §12291(a)

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Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Conn. Agencies Regs. §46a-54-200 through §46a-54-207

Constitution of the State of Connecticut, Article I, Section 20.

P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment

Policy adopted:

cps 11/20

Suggestions from Liz Brown

Waterbury Board of Education By-Law Revisions

Powers, Purposes and Duties

Add new :

Review annually WPS strategic plan, mission, vision and core values to ensure fidelity to goals.

Conduct a Board self-evaluation yearly and make provisions for Board member professional development.

9010 (d)

Committee on Curriculum

The Committee shall report to the full Board annually on the status of access to curriculum for all students.

Committee on School Personnel

Add to existing language: “ 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 supervisory corps ***including status of minority hiring goals.***

Suggestions from Karen Harvey

RECOMMENDATIONS FROM COMMISSIONER HARVEY

9010B

Change any reference of “Chairmen” to “Chairperson.”

9010C

Orientation of new commissioners. shall be conducted in a timely manner and shall be monitored by the President of the Board.

9010 A3

1. Rename the Personnel Committee to the Human Capital Committee.
2. On the recommendation made by Commissioner Brown to include “minority teacher” hiring add minority teacher hiring, add “retention” to ensure diversity and equity in the Waterbury Public Schools.
3. Ensure that BOE Commissioners are invited (as a courtesy) to Level 2 interview process. The Human Capital Committee Chair will monitor to ensure this process to ensure that commissioners receive notification.
4. Remove the narrative regarding studies and include the committee may perform any other duties necessary to ensure an equitable and diverse staff.

CONDUCT

1. Commissioners shall wait to be recognized by the Chair before speaking. Commissioners shall not interrupt the person that has the floor and should be called “Out of order” when this occurs.
2. When participating in meetings which utilize an electronic meeting format such as ZOOM, Board members should refrain from using a picture as representation of being present at the meeting. Members should receive permission from the Chair when there are extenuating circumstances.

STANDING COMMITTEES

1. Commissioners who are not a member of a Standing Committee may submit suggestions to the chair prior to the meeting for consideration by the committee.

APPENDIX A

1. Making a motion:

A motion should be made using the following ending:

“Respectfully submitted and so moved.”

EXAMPLE:

The Board of the Whole recommends approval of a contract with The ABC Company in the amount of \$110.00.

“Respectfully submitted and so moved.”

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, Vice-President, and Secretary.
- b) The organizational meeting of the Board shall be held at such time as the Mayor may direct or on December 1st 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, Vice President, and Secretary.
- c) The Board may allow student representatives to the Board of Education consistent with Corporation Counsel's opinion of December 31, 2018 and Board policy.

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 third Thursday of each month. The President of the Board shall have the discretion to reschedule meetings under the above formula if conflicts arise.
- 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 five (5) 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.

Bylaws of the Board

9010(b)

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

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.

Bylaws of the Board

9010(c)

Duties of the President

- a) In the absence of the Chairman, the Board President shall preside at all Board meetings.
- b) The President shall appoint liaison positions as appropriate.
- c) The President shall appoint ad-hoc committees as needed.
- d) The President or his/her designee will conduct orientation/training for all new Board members.

Duties of the Vice President

In the absence of Chairman and the President, the Vice President shall preside at the Board meeting.

Duties of the Secretary

- a) Review and report minutes to the Board.
- b) In the absence of the Chairman, President, and Vice President, the Secretary shall preside at the Board meeting.

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 chairperson, who will appoint a vice-chairperson:
 - 1) The Committee on Policy and Legislation
 - 2) The Committee on Curriculum
 - 3) The Committee on School Personnel
 - 4) The Committee on Building and School Facilities
 - 6) The Committee on Finance
 - 7) The Committee on Grievances

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

Bylaws of the Board

9010(d)

- b) The President shall call committees together when requested to do so by the respective Chairperson, but in case the Chairperson 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.
- e) ~~Every report shall be signed by a majority of the Committee. A minority report in writing may be presented.~~
- d) c All Committee actions are subject to the approval of the Board. *All committee recommendations that bypass the Committee of the Whole workshop to the regular meeting for a vote must be placed on the agenda off consent and in the form and substance of the committee agenda. District staff should be available to provide background and answer questions. Committee chairs should be mindful of controversial or contentious matters which should be heard and debated at workshop.*
- e) d The Board will allow electronic participation of members of Standing Committees and Ad-hoc Committees in accordance with Board Policy #9005 "Electronic Participation".

Committee on Policy and Legislation

- a) The Committee on Policy and Legislation shall review all recommended additions, revisions or deletions of Policy, as referred by the Superintendent of Schools, pertaining to operation and functions of the School District. The Committee will maintain open communication with State and Federal officials regarding the district's needs and how they may be affected by proposed, pending, and/or enacted state and federal legislation.
- b) The Committee shall have general authority over the by-laws of the Board.
- c) The Committee will keep the Board abreast of any legislation that could impact the district.
- d) ~~The Committee shall report to the Committee of the Whole prior to Board action. Approval of the full Board is required for all communications of positions on legislative issues on the Board's behalf.~~
- e) The Committee shall ensure alignment of Policy to Local, State, and Federal Enactments.
- f) The Committee shall evaluate the effectiveness of current standing committees bi-annually in October of the even years.

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.
- d) Proposals for overnight field trips and/or to destinations outside the State of Connecticut 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 *hire*, appointment and transfer of *supervisors, high school and middle school assistant principals, and building principals*. ~~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~~

Bylaws of the Board

9010(d)

~~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/she may require and for transmittal to the Board.~~

- b) The chair of the Committee on Personnel, or his/her designee, attends interviews of applicants for the positions of supervisors, high school and middle school assistant principals, and building principals as a non-scoring observer at Level 1 or as designated in the SAW contract.
- c) The Committee will review all new job positions and new job specifications for recommendation to the board.

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9010(e)

- ~~e) — 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 Building and School Facilities-

- a) Subject to Board approval, the Committee on Building and School Facilities shall have general authority for the maintenance and operation of all buildings. The Committee 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 of its approval.
- b) The Committee shall coordinate the Board's operation of school buildings with 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.
- c) The Committee shall supervise the appointment of all employees not otherwise provided for in these Policies, including such extra or part-time help as may be necessary, all in conformity with the Charter of the City of Waterbury, if applicable.
- d) The Committee 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.
- e) The Committee shall present to the Board for its approval all requests for permission to use school buildings for all academic and/or non-academic purposes.

Committee on Finance

- a) 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 Aldermen.
- b) The Committee 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.

- c) The Committee 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.
- d) ~~Financial reports of all school entertainment and athletic events shall be reported to the Department of Education's Chief Operating 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 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.

Miscellaneous

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

Adopted December 1, 2017.
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