AGENDA – Wednesday, June 10, 2026

REGIONAL SCHOOL DISTRICT NO. 7
BOARD OF EDUCATION
6:00 p.m.
Newbury Library Media Center

Regional School District No. 7 Board of Education Mission Statement:

We believe the public education is an essential component of a free and democratic society. In a partnership of family, school, community, and local and state government, our mission is to enable all students to meet high standards, make productive choices in their personal lives, contribute to a diverse global society and act as responsible citizens.

1.0 CALL TO ORDER

2.0 PUBLIC PORTION

3.0 APPROVAL OF MINUTES

3.1 May 13, 2026, Regular Board of Education Meeting

4.0 REPORTS

4.1 Student Representatives Report - Mia Doyle, Amaya Washington
4.2 Principal's Report – R. Cornelius, G. Franklin
4.3 Superintendent's Report – S. LePage
4.4 Director of Finance and Operations – J. Gaskins
  a. Brief Presentation on Solar Project

5.0 OLD BUSINESS

5.1 Updates
5.2 BOE Goals

6.0 NEW BUSINESS

6.1 Discussion and Possible Action on Proposed 2026-2027 Calendar Changes- Review of Marking Period Quarters
6.2 Discussion and Possible Action on the RSD#7 Educational Assistants' Contractual Agreement
6.3 Discussion and Possible Action on the Solar Project Proposal
6.4 Approval of New Hire ~ HS English Teacher – Reegan Blore
6.5 Discussion and First Reading of Policies listed below:

a. Health Assessments and Immunizations	5141.3
b. Reporting of Child Neglect	5141.4/R5141.4
c Use of Physical Force	5144.1
d. Restraint and Seclusions Law In CT (Appendix)	5144.1 A
e. Protective Measures Procedures (Appendix)	5144.1 C
f. Protective Measure Report (Appendix)	5144.1 D
g Form #1 Physical Restraint Report Form	5144.1 Form #1
h. Form #2 Seclusion Report Form	5144.1 Form #2
i. Form #3 State Incident Report	5144.1 Form #3
j. Sexual Abuse Prevention & Education- Student Opt Out Form	5145.511
k. Title IX	U5145.44

7.0 CORRESPONDENCE

8.0 OPPORTUNITY FOR THE PUBLIC TO SPEAK ON AGENDA ITEMS

9.0 ADJOURNMENT

Enclosures: May 13, 2026 Regular BOE Meeting Minutes
2026-2027 RSD#7 School Calendar
New Hire ~ HS English Teacher ~ Reegan Blore
Discussion and First Reading of Policies listed below:

a. Health Assessments and Immunizations	5141.3
b. Reporting of Child Neglect	5141.4/R5141.4
c Use of Physical Force	5144.1
d. Restraint and Seclusions Law In CT (Appendix)	5144.1 A
e. Protective Measures Procedures (Appendix)	5144.1 C
f. Protective Measure Report (Appendix)	5144.1 D
g Form #1 Physical Restraint Report Form	5144.1 Form #1
h. Form #2 Seclusion Report Form	5144.1 Form #2
i. Form #3 State Incident Report	5144.1 Form #3
j. Sexual Abuse Prevention & Education- Student Opt Out Form	5145.511
k. Title IX	U5145.44

Next Meeting June 24, 2026, @ 2:00 p.m. – BOE Retreat/Workshop ~ At the Rooftop, Canton, CT
July 7, 2026 @ 6:00 p.m. – Special BOE Meeting ~ Newbury Library Media Center
July 8, 2026 @ 6:00 p.m. – Cancelled Meeting per 5.13.26 Motion
August 19, 2026 6:00 p.m. – Regular BOE Meeting ~ Newbury Library Media Center

NOTE: June 15, 2026, @ 7:00 p.m. – NWR7 Graduation~ The Warner Theatre

Members of the public are also welcome to submit comments through publicinput@nwr7.org. These emails will be included during the Public Comment portion of the meeting. Thank you.

REGIONAL SCHOOL DISTRICT NO. 7

Newbury Library Media Center
Board of Education Regular Meeting
May 13, 2026 – 6:00 p.m.
DRAFT

PRESENT: Chair Ms. Molly Sexton Read (B), Ms. Kim Crone (N), Ms. Terri Kenneson (C), Ms. Deb Bell (N), Vice-Chair Mr. Robert Jerram (NH), Ms. Lisa Fragale (C), Student Representative, Mia Doyle, Director of Finance & Operations, Mr. James Gaskins, High School Principal, Mr. Gary Franklin, Middle School Principal, Mr. Ryan Cornelius, and Superintendent Steven K. LePage.
Absent: Ms. Mimi Duran (B), Secretary / Treasurer, Mr. Noel Gauthier (NH), Student Representative Amaya Washington.

1.0 CALL TO ORDER

The meeting was called to order by Chair, Ms. Molly Sexton Read, at 6:03 pm.

2.0 PUBLIC PORTION

High School Principal, Mr. Gary Franklin, recognized the Class of 2026's top 10 students: David DeCerbo, Katelyn Harris, Parker Kristhoffer, Nela Leon, Brynja McGee, Emmalina Rivera, Jailyn Rosado, Aubrey Schubert, Mollie Spencer, and Olivia Widmer. An overview of each student's accomplishments, most memorable experiences at Northwestern, and future goals was shared by Principal Franklin, with students' family members present. This presentation was followed by a short reception.

3.0 APPROVAL OF MINUTES

- **3.1 MOTION** by Rob Jerram, seconded by Deb Bell, to **APPROVE** the April 20, 2026, Special Meeting Minutes as presented. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

- **3.2 MOTION** by Deb Bell, seconded by Rob Jerram, to **APPROVE** the May 4, 2026, District Budget Meeting minutes, as presented. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Bell, Ms. Crone. NAY: None. ABSTAIN: Ms. Kenneson and Ms. Fragale.

4.0 REPORTS

4.1 Student Representatives Report (Mia Doyle)

- **Academics:** AP exams are currently underway; students generally feel confident.

● **Athletics:** Spring sports are performing well. Softball held its Senior Night today. Berkshire League Championship track meet scheduled for Saturday.
● **Activities:** National Honor Society (NHS) held its final meeting and elected new officers. The Northwestern Band concert is scheduled for tomorrow (5/14/2026) at 7:00 PM.

4.2 Principal Cornelius' Report

● **Recognition:** Scholar Leader Banquet on Monday, honoring multiple students.

● **Orientation:** 7th Grade Parent Orientation is on Tuesday for incoming 6th-grade families.

● **Events:** 8th Grade Semi-formal is Thursday, May 21st, at Crystal Peak. School-wide trip to Boulder Ridge is June 4th.

● **Promotion/Awards:** 8th Grade Awards on June 12th; Promotion ceremony on June 16th.
● **Academics:** Finalizing state standards testing and makeups.

4.3 Superintendent LePage's Report

● **Communication:** "Highlander Highlights" newsletter had received 414 views since earlier that afternoon when it was released, and typically receives 700-800 views; however, it takes extensive time to write and edit. Exploring new social media formats to reduce the 20-30 hour production time.
● **Staffing Updates:**
    ○ **Director of Athletics/Student Affairs:** A.J. Bunel was selected unanimously following a multi-panel interview process.
    ○ **PE Teacher:** Cooper Fleming hired
    ○ **English Teacher:** Kara Tierney hired
    ○ **Ongoing Searches:** One English position remains open; Career Pathways/STEP coordinator search is in progress.
● ● **Grants & Finances:**
    ○ Received 19 "Kindness in Motion" grant applications.
    ○ The Bored of Ed benefit concert raised $2,500 for Kindness in Motion, Turkey Baskets, and Holiday Angels.
    ○ State Funding: Supplemental grants (ECS and "Dracula" grants) will provide additional funds to member towns (Barkhamsted ~$60k, Colebrook ~$16k, New Hartford ~$172k, Norfolk ~$2.2k).

4.4 Director of Finance and Operations Gaskins' Report

● **Budget:** Budget successfully passed. Noted low voter turnout despite the outcome.
● **Facility Assessment:** Kickoff meeting held; study to be conducted during the 4-day week following Memorial Day.
● **Fiscal Year Savings:** Realized approximately **$450,000** in savings/extra revenue from:

    - Staffing resignations and benefit savings ($63k).
    - Special Education technical services and tuition revenue ($73k+).
    - Specialized transportation ($125k).
    - Excess cost grant revenue ($31k) and Drip Grant ($60k).
- **Summer Projects:** Plan to use savings for **ADA-compliant bleachers** (approx. $300k), carpet replacement, epoxy flooring in athletics entrance and trainer's room, complete renovation of trainer's room, technology server replacement, and track maintenance.

5.0 OLD BUSINESS

- **5.1 Smoking Policy #5131.61:**

MOTION by Terri Kenneson, seconded by Kim Crone, to **RESCIND** Policy #5131.61. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

- **5.3 BOE Goals:** Ms. Sexton Read shared information about proceeds collected from the two raffles and water sales, thanked fellow members for their help, and said that between that event and the prior effort earlier in the year, the Dr. Judy Palmer Kindness Award was now funded for two more years.

6.0 NEW BUSINESS

- **6.1 Policy #5131-6 (Alcohol, Drugs, Tobacco):** Discussion on updating regulations.

MOTION by Lisa Fragale, seconded by Deb Bell, to **ADOPT** Policy #5131-6. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

- **6.2 – 6.4 Fiscal Authorizations:**

MOTION by Terri Kenneson, seconded by Kim Crone, to **AUTHORIZE** the Director of Finance and Operations and Superintendent to make End of Year adjustments and transfers within the 2025-2026 budget limits. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

MOTION by Terri Kenneson, seconded by Kim Crone, to **AUTHORIZE** the Director of Finance and Operations to borrow up to $500,000.00 in anticipation of receipts for upcoming school projects. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

MOTION by Kim Crone, seconded by Deb Bell, to **AUTHORIZE** the Superintendent to fill vacancies already approved by the Board of Education and to hire grant-funded positions for special purposes for the 2026-2027 school year. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

- **6.5 Bank Sweep Account:**

MOTION by Terri Kenneson, seconded by Lisa Fragale, to **APPROVE** the creation of RSD#7 Bank Sweep Account. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

- **6.6 – 6.7 Meeting Schedule:** Discussion to move the July 8 meeting to a Special Meeting on July 7, 2026.

MOTION by Kim Crone, seconded by Deb Bell, to **CANCEL** the July 8, 2026, Regular Board of Education meeting. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

MOTION by Terri Kenneson, seconded by Deb Bell, to **SCHEDULE** a Special Board of Education meeting on July 7, 2026, at 6:00 pm in the Newbury Library Media Center. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

MOTION by Terri Kenneson, seconded by Kim Crone, to **CANCEL** the May 27, 2026, Regular Board of Education meeting. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

- **6.8 – 6.10 New Hires:** Formal approval of Kara Tierney (English), Cooper Fleming (PE), and Aaron (A.J.) Bunel (Athletics).

MOTION by Terri Kenneson, seconded by Lisa Fragale, to **APPROVE** the hire of High School English Teacher, Kara Tierney. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

MOTION by Lisa Fragale, seconded by Kim Crone, to **APPROVE** the hire of High School PE/ Health Teacher, Cooper Fleming. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

MOTION by Terri Kenneson, seconded by Kim Crone, to **APPROVE** the hire of Director of Athletics and Student Affairs, Aaron (AJ) Bunel. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

7.0 CORRESPONDENCE

- **7.1 Resignation:** Mary Radziewicz (HS English).

MOTION by Kim Crone, seconded by Deb Bell, to **ACCEPT** the letter of resignation by High School English teacher, Mary Radziewicz. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None.

- **7.2 Facility Use:** Approval of Highlander Basketball Camp (July 13 - July 24).

MOTION by Deb Bell, seconded by Kim Crone, to **APPROVE** the Highlander Basketball Camp scheduled for July 13, 2026- July 24, 2026, utilizing the gymnasium. AYE: Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: Ms. Sexton Read.

8.0 PUBLIC COMMENT

None.

MOTION by Kim Crone, seconded by Terri Kenneson, to ADJOURN the meeting at 7:50 p.m. AYE: Ms. Sexton Read, Mr. Jerram, Ms. Kenneson, Ms. Bell, Ms. Crone, Ms. Fragale. NAY: None. ABSTAIN: None

REGIONAL SCHOOL DISTRICT NO. 7
2026-2027
CALENDAR

AUGUST (4)

S	M	T	W	T	F	S
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30	31					

SEPTEMBER (21)

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OCTOBER (20)

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NOVEMBER (17)

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29	30					

DECEMBER (17)

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JANUARY (19)

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FEBRUARY (18)

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MARCH (22)

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APRIL (17)

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MAY (20)

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JUNE (6)

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JULY

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Approved: 11/12/2025

Date	Event/Holiday
August 24- 25	Teacher In-Service
August 26	First Day of School
September 7	Labor Day
September 8	MS Open House
September 10	HS Open House
October 9	Teacher In-Service
October 12	Columbus Day
November 3	Teacher In-Service
November 9 & 10	Early Release - MS Conferences
November 25 - 27	Thanksgiving Break
December 23	Early Release
December 24 - January 1	Winter Recess
January 18	Martin Luther King, Jr. Day
February 12	Early Release
February 15 - 16	February Break
March 26	Good Friday
April 12- 16	April Recess
May 28	Early Release
May 31	Memorial Day
June 8	181st Day of School

Scheduled Early Release Dismissal Time: 12:05pm

Weather-Related Make Up Days:
The last day of school is scheduled for June 8, 2027.
Make up days due to school cancellations which cause Regional School District No. 7 schools to be closed will be scheduled as needed beginning with June 9, 2027.

REGIONAL SCHOOL DISTRICT NO. 7
NEW HIRE REPORT 2026- 2027 SY

REEGAN BLORE - 1.0 High School English Teacher - Grades 9-12

Replacing Mary Radziewicz, who has resigned the end of the 2026 SY
University of New Hampshire
BA in Science/Secondary Education in English- Western CT State University (2026)
Student Teaching: Region 1 and Bethel Public Schools
BA Step 1

Students

Health Assessments and Immunizations

The Board of Education recognizes the importance of periodic health assessments, including oral assessments, according to state health regulations.

To determine the health status of students, facilitate the removal of disabilities to learning, and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments, including oral health assessments. It is the policy of the Board of Education to ensure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206, as may be periodically amended.

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers. (**or:** The Superintendent shall designate the school nurse to receive reports of health assessments and immunizations from health care providers.)

Parents/Guardians wishing their children exempted or excused from health assessments must request such exemption from the Superintendent of Schools in writing. This request must be signed by the parent/guardian.

Parents/Guardians may present a medical exemption form developed by the Department of Public Health (DPH), posted on the DPH website, that their medical provider believes a required vaccination is medically contraindicated for their child based on the child's medical condition. The DPH form is to be signed by a physician, physician assistant, or advanced practice registered nurse.

Any child enrolled in kindergarten through twelfth grade on or before April 28, 2021, and whose parents/guardians had presented a religious exemption written request before April 28, 2021, will be permitted continued use of the exemption even if such child transfers to another school in Connecticut.

Any child enrolled in pre-school or pre-kindergarten on or before April 28, 2021, whose parents/guardians submitted the statement necessary for the religious exemption will have until September 1, 2022, to comply with Connecticut's required immunizations, or within fourteen days after transferring to a different public or private school program, whichever is later. The deadline for such pre-school or pre-K students to comply with the immunization requirements

can be altered if the school/District is provided with a written declaration from the child's physician, physician assistant, or advanced practice registered nurse recommending a different immunization schedule for the child.

It is the responsibility of the Principal to ensure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

Optional: The school nurse who is required to verify the immunization status for children enrolled in District schools, pre-K to grade 12, inclusive, pursuant to C.G.S. 10-204a, shall be provided with sufficient information on the children living within his/her jurisdiction and is listed on the Department of Public Health's registry of immunization status. The school nurse is authorized to determine which children in their jurisdiction are overdue for scheduled immunizations and provide outreach to help get them vaccinated.

Students born in high-risk countries and entering school in Connecticut for the first time should receive either the TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph.

Students not already known to have a positive test for tuberculosis should be tested if they meet any of the risk factors for TB infection, as described in the administrative regulations accompanying this policy.

No record of any student's medical assessment may be open to the public.

As required, the District will report, on a triennial basis, to the Department of Public Health and to the local Health Director the asthma data, pertaining to the total number of students per school and for the district, obtained through the required asthma assessments, including student demographics. Such a required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in either grade six or seven, and in either grade nine or ten. Such an asthma diagnosis shall be reported, whether or not it is recorded on the health assessment form, at the aforementioned intervals. The District, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

As required, the District will annually report to the Department of Public Health information required on the School Immunization Entry Survey.

The Superintendent of Schools shall give written notice to the parent/guardian of each student who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation that the student be examined by an appropriately licensed optometrist or ophthalmologist.

Note PA 18-168 requires boards of education to request that students have an oral health assessment before public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. 5111 - Admission)

(cf. 5141.31 - Physical Examinations for School Programs)

(cf. 5125 - Student Records)

(cf. 5135.11 - Health/Medical Records – HIPAA)

(cf. 5141 – Student Health Services)

Legal Reference: Connecticut General Statutes

10-204a Required immunizations (as amended by P.A. 15-174 and P.A. 15-242 and PA 21-6)

10-204c Immunity from liability

10-205 Appointment of school medical adviser

10-206 Health assessments (as amended by PA 17-146 and PA 18-168, and P.A. 21-121, Section 67)

10-207 Duties of medical advisors

10-206a Free health assessments(

10-208 Exemption from examination or treatment

10-208a Physical activity of student restricted; board to honor notice

10-209 Records not to be public. Provision of reports to school.

10-212 School nurses

10-214 Vision, audiometric, and postural screenings. When required. Notification of parents re defects; record of results. (as amended by PA 17-173)

Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4

Section 4 of PA 14-231

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.

P.L. 93-568; codified as 20 U.S.C. 1232g

42 U.S.C. 1320d-1320d-8 P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

PA 17-146 "An Act Concerning the Department of Public Health's Various Revisions to the Public Health Statutes," Section 5, effective 10/1/17

PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540

Policy adopted:

Students

Health Assessments and Immunizations

In accordance with Connecticut General Statutes 10-206, as amended, 10-204a, and 10-214, the following health assessment procedures are established for students in the district:

1) Proof of immunization shall be required prior to school entry. A "school-aged child" also includes any student enrolled in an adult education program that leads to a high school diploma. This immunization verification is mandatory for all new school entrants and must include complete documentation of those immunizations requiring a full series. A required immunization record includes:

a) For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6:

• 4 doses of DTP/DTaP vaccine (Diphtheria - Pertussis - Tetanus). At least one dose is required to be administered on or after the 4th birthday for children enrolled in school at kindergarten or above. Students who start the series at age 7 or older need a total of 3 doses.

(Pertussis immunization shall not be required after a student's sixth birthday),

• 3 doses of either trivalent oral polio vaccine (TOPV) or inactivated polio vaccine (IPV)with at least one dose of polio vaccine administered on or after the 4th birthday and before school entry. (This then usually results in 4 doses in total.)

• 2 doses of MMR vaccine (measles, mumps, and rubella). One dose at 1 year of age or after and a second dose, given at least twenty-eight (28) days after the first dose, prior to school entry in kindergarten through grade twelve (12) OR disease protection, confirmed in writing, by a physician, physician assistant or advanced practical registered nurse that the child has had a confirmed case of such disease based on specific blood testing conducted by a certified laboratory.

• 3 doses of Hepatitis B vaccine (HBV) or has had protection confirmed in writing by a physician, physician assistant, or advanced practice registered nurse based on specific blood testing by a certified laboratory.

• 1 dose of Hib (Hemophilus Influenza type b) given on or after the first birthday is required of all school children who enter school **prior to their fifth birthday** or had a laboratory confirmed infection at age 24 months or older, confirmed in writing by a physician, physician assistant, or advanced practice registered nurse. Children five and older do not need proof of Hib vaccination.

- Varicella (Chickenpox) Immunity

(i) 1 dose on or after the 1st birthday or must show proof of immunity to Varicella (chickenpox) for entry into licensed pre-school programs and kindergarten; or on or after August 1, 2011, for entry into kindergarten, two (2) doses shall be required, given at least three (3) months apart, the first dose on or after the 1st birthday.

(ii) Proof of immunity includes any of the following:

* Documentation of age-appropriate immunizations is considered to be one dose administered on or after the student's first birthday (if the student is less than 13 years old) or two doses administered at least 30 days apart for students whose initial vaccination is at thirteen years of age or older.

Note: The National Advisory Committees on Immunization Practices (ACIP) changed the recommendation for routine vaccination against chicken pox (Varicella) from a single dose for all children beginning at 12 months of age to two doses, with the second dose given just before school entry. The ACIP also recommends that all school-aged children, up to 18 years of age, who have only had a single dose of Varicella vaccine be vaccinated with a second dose.

* Serologic evidence of past infection, confirmed in writing by a physician, physician assistant, or advanced practice registered nurse based on specific blood testing by a certified laboratory, or

* Statement signed and dated by a physician, physician assistant, or advanced practice registered nurse indicating a child has already had varicella (chickenpox) based on diagnosis of varicella or verification of history of varicella. (Date of chickenpox illness not required)

(iii) All students are required to show proof of immunity (see above) to Varicella for entry into 7th grade.

Note: The Connecticut Department of Public Health has indicated that a school-aged child, 13 years of age or older, will only be considered fully immunized if he/she has had two doses of the Varicella vaccine given at least 4 weeks apart.

- Hepatitis A – Requirement for PK and K for children born on or after January 1, 2007, is enrolled in preschool or kindergarten on or after August 1, 2011.

(i) Two (2) doses of hepatitis A vaccine given at least six (6) months apart, the first dose given on or after the child's first birthday; or

(ii) Has had protection against hepatitis A confirmed in writing by a physician, physician assistant, or advanced practice registered nurse based on specific blood testing by a certified laboratory.

- Influenza Requirement for PK.

(i) Effective January 1, 2012, and each January 1 thereafter, children aged 24-59 months enrolled in preschool are required to receive at least one (1) dose of influenza vaccine between August 1 and December 31 of the preceding year.

(ii) Children aged 24-59 months who have not received vaccination against influenza previously must be given a second dose at least twenty-eight (28) days after the first dose.

- Pneumococcal Disease Requirement for PK and K

(i) All students born on or after January 1, 2007, enrolled in PK and K who are less than five (5) years of age must show proof of having received one (1) dose of pneumococcal conjugate vaccine on or after the student's first birthday.

(ii) An individual shall be considered adequately protected if currently aged five (5) years or older.

b) For entry into seventh (7^{th}) grade

All students in grades K-12 are required to show proof of 2 doses of measles, mumps, and rubella vaccine at least 28 days apart, with the first dose administered on or after the first (1^{st}) birthday, or laboratory confirmation of immunity confirmed in writing by a physician, physician assistant, or advanced practice registered nurse.

- Proof of having received 2 doses of measles-containing vaccine.

In those instances at entry to seventh grade, where an individual has not received a second dose of measles-containing vaccine, a second dose shall be given. If an individual has received no measles-containing vaccines, the second dose shall be given at least 4 weeks after the first. (Students entering 7^{th} grade must show proof of having received 2 doses of measles-containing vaccine)

- Proof of Varicella (Chickenpox) Immunity.

i) Two doses, given at least three (3) months apart, the first dose on or after the individual's first (1^{st}) birthday and before the individual's thirteenth (13^{th}) birthday, or two doses given at least twenty-eight (28) days apart if the first dose was given on or after the individual's thirteenth (13^{th}) birthday,

(ii) Serologic evidence of past infection, or

(iii) A statement signed and dated by a physician, physician assistant, or advanced practice registered nurse indicating that the child has already had varicella (chickenpox) based on family and/or medical history. (Date of chickenpox illness not required)

• Proof of at least three doses of Hepatitis B vaccine or show proof of serologic evidence of infection with Hepatitis B.

• Proof of Diphtheria-Pertussis-Tetanus Vaccination (Adolescent Tday Vaccine Requirement for Grade 7 Students)

(i) An individual eleven (11) years of age or older, enrolled in the seventh (7^{th}) grade, shall show proof of one (1) dose of diphtheria, tetanus, and pertussis containing vaccine. (Tdap booster) in addition to completion of the recommended primary diphtheria, tetanus, and pertussis containing vaccination series unless:

(ii) Such individual has a medical exemption for this dose confirmed in writing by a physician, physician assistant, or advanced practice registered nurse based on having last received diphtheria, tetanus, and pertussis-containing vaccine less than five (5) years earlier and no increased risk of pertussis according to the most recent standards of care for immunization in Connecticut (C.G.S. 19a-7f)

• Meningococcal Vaccine (MCV4) Required for Grade 7 Students

(i) One dose of meningococcal vaccine

NOTE: Students must show proof of 3 doses of Hepatitis B vaccine or serologic evidence of infection to enter eighth grade.

• Immunization requirements are satisfied if a student:

(i) presents verification of the above-mentioned required immunizations;

(ii) presents a certificate from a physician, physician assistant, advanced practice registered nurse, or a local health agency stating that initial immunizations have been administered to the child and additional immunizations are in process;

(iii) presents a certificate from a physician stating that in the opinion of the physician, immunization is medically contraindicated in accordance with the current recommendation of the National Centers for Disease Control and Prevention Advisory Committee on Immunization Practices because of the physical condition of the child;
(iv) enrolled in kindergarten through twelfth grade on or before April 28, 2021, and whose parents/guardians had presented a religious exemption written request before April 28, 2021, will be permitted continued use of the exemption even if such child transfers to another school in Connecticut.

Any child enrolled in pre-school or pre-kindergarten on or before April 28, 2021, whose parents/guardian submitted the statement necessary for the religious exemption will have until September 1, 2022, to comply with Connecticut's required immunizations, or within fourteen days after transferring to a different public or private school program, whichever is later. The deadline for such pre-school or pre-K students to comply with the immunization requirements can be altered if the school/District is provided with a written declaration from the child's physician, physician assistant, or advanced practice registered nurse recommending a different immunization schedule for the child.

(v) he/she has had a natural infection confirmed in writing by a physician, physician assistant, advanced practice registered nurse, or laboratory.

Health assessment and health screening requirements are waived if the parent, legal guardian of the student, or the student (if he or she is an emancipated minor or is eighteen years of age or older) notifies the school personnel in writing that the parent, guardian, or student objects on religious grounds. (CGS 10-204a)

Students failing to meet the above requirements shall not be allowed to attend school.

2) A physical examination including blood pressure, height, weight, hematocrit or hemoglobin, and a chronic disease assessment which shall include, but not be limited to, asthma and which must include public health related screening questions for parents to answer and other screening questions for providers and screenings for hearing, vision, speech, and gross dental shall be required for all new school enterers, and students in grade6 and grade 9 or 10. This health assessment must be completed either prior to school entry or 30 calendar days after the beginning of school for new school entrants. This assessment must be conducted within the school year for students in grades 6, 9, or 10. Parents of students in grades 6, 9, or 10 shall be notified, in writing, of the requirement of a health assessment and shall be offered an opportunity to be present at the time of assessment.

The assessment shall also include tests for tuberculosis, sickle cell anemia or Cooley's anemia, and tests for lead levels in the blood when the Board of Education, after consultation with the school medical advisor and the local health department, determines such tests are necessary.

A test for tuberculosis, as indicated above, is not mandatory, but should be performed if any of the following risk factors prevail:

1. birth in a high-risk country of the world (to include all countries in Africa, Asia, the former Soviet Union, Eastern Europe, Central and South America, Dominican Republic, and Haiti, see list of countries in Appendix B) and do not have a record of a TST (tuberculin skin test) or IGRA (interferon-gamma release assay) performed in the United States.

2. travel to a high-risk country, staying at least one week with substantial contact with the indigenous population since the previously required examination;

3. extensive contact with persons who have recently come to the United States from high-risk countries since the previously required examination;

4. contact with persons suspected to have tuberculosis; or

5. lives with anyone who has been in a homeless shelter, jail, or prison, uses illegal drugs, or has HIV infection.

The results of the risk assessment and testing, when done, should be recorded on the State of Connecticut Health Assessment Record (HAR-3) or directly in the student's Cumulative Health Record (CHR-1).

Health assessments completed within one calendar year of new school entry or grade 6, grade 9, or grade 10 will be accepted by the school system. Failure of students to satisfy the above-mentioned health assessment timeliness and/or requirements shall result in exclusion from school.

(*Note: As an alternative, a health assessment could be held in grades 7 and 10.)

The District shall annually report on a triennial basis beginning October 1, 2017, to the Department of Public Health and to the local Health Director the asthma data pertaining to the total number of students per school and in the district obtained through school assessments, including student demographics. Such a required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in either grade 6 or 7, and in grade 10. Such an asthma diagnosis shall be reported, whether or not it is recorded on the health assessment form at the aforementioned intervals.

3) Parents or guardians of students being excluded from school due to failure to meet health assessment requirements shall be given a thirty calendar day notice in writing, prior to any effective date of school exclusion. Failure to complete required health assessment components within this thirty-day grace period shall result in school exclusion. This exclusion shall be verified, in writing, by the Superintendent of Schools or his/her designee. Parents of excluded students may request an administrative hearing of a health assessment-related exclusion within five days of the final exclusion notice. An administrative hearing shall be conducted and a decision rendered within fifteen calendar days after receipt of the request. A subcommittee of the Board of Education shall conduct an administrative hearing and will consider written and/or oral testimony offered by parents and/or school officials.

4) Health screenings shall be required for all students according to the following schedule:

Vision Screening	Grades K, 1, 3, 4, 5
Audiometric Screening	Grades K, 1, 3, 4, 5
Postural Screening	Grades 5 and 7 for female students
	Grades 8 or 9 for male students

The school system shall provide these screenings to students at no cost to parents. Parents shall be provided an annual written notification of screenings to be conducted. Parents wishing to have these screenings conducted by their private physician shall be required to report screening results to the school nurse. The district shall provide a brief statement to parents/guardians of students not receiving the required vision, hearing, or postural screening explaining why the student did not receive such screening(s).

(Health assessments may be conducted by a licensed physician, advanced practice registered nurse, registered nurse, physician assistant, or by the School Medical Advisor.)

5) Parents of students failing to meet standards of screening or deemed in need of further testing shall be notified by the Superintendent of Schools. A written notice shall be given to the parent/guardian of each student who is found to have any defect or disease, and a recommendation for the student to be examined by a licensed optometrist or licensed ophthalmologist. A written statement shall also be provided to the parent/guardian of any student who did not receive the vision screening, with a brief statement explaining the reason.

Students eligible for free health assessments shall have them provided by the health services staff. Parents of these students choosing to have a health assessment conducted by medical personnel outside of the school system shall do so at no cost to the school system.

6) Health records shall be maintained in accordance with Policy #5125.

7) All candidates for all athletic teams shall be examined annually by the designated school physician at a time and place determined by the Director of Athletics and/or coach.

No candidate will be permitted to engage in either a practice or a contest unless this requirement has been met, and he or she has been declared medically fit for athletics.

An athlete need not be re-examined upon entering another sport unless the coach requests it.

If a student is injured, either in practice, a contest, or from an incident outside of school activities, at requires him or her to forego either a practice session of contest; that student will not be permitted to return to athletic activity until the school physician examines the student and pronounces him/her medically fit for athletics.

Oral Health Assessments

Parents are encouraged to have oral health assessments for their child(ren) prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. Such assessment may be conducted by a dentist, dental hygienist, physician, physician assistant (PA), or an advanced practice registered nurse (APRN), if he or she is trained in conducting such assessments as part of a DPH-approved training program. When conducted by a dentist, the oral assessment must include a dental examination. If another such provider conducts the assessment, it must include a visual screening and risk assessment.

Parent/guardian consent is required prior to the oral health assessment. The assessment is to be made in the presence of the parent/guardian or another school employee. The parent/guardian must receive prior written notice and have a reasonable opportunity to opt his/her child out of the assessment, be present at the assessment, or provide for the assessment themselves.

A child's public school enrollment, continued attendance shall not be denied for his/her failure to receive the oral health assessment.

The District may host a free oral health assessment event at which a qualified provider performs such oral health assessments. Parents/guardians will be given prior notice of such a free screening event, providing the parents/guardians the opportunity to opt their children out of the assessment event. If the parent/guardian does not do so, the child must receive an assessment free of charge. The child is prohibited by the legislation from receiving any dental treatment as part of the assessment event without the parent's/guardian's informed consent.

The results of an oral health assessment shall be recorded on forms supplied by the State Board of Education. The provider performing the assessment must completely fill out and sign the form. Recommendations by the provider shall be in writing. For any child who receives an oral health assessment, the results must be included in the child's cumulative health record.

school health personnel shall review the assessment results. If it is determined that a child needs further testing or treatment, the Superintendent shall give written notice to the child's parent/guardian and make reasonable efforts to ensure that further testing or treatment is provided. Such efforts include determining whether the parent/guardian obtained the necessary testing or treatment for the child and, if not, advising the parent or guardian on how to do so. The results of the further testing or treatment must be recorded on the assessment forms and reviewed by school health personnel.

As with other school health assessments, no records of oral health assessments may be open to public inspection; and each provider who conducts an assessment for a child seeking to enroll in a public school must provide the assessment results to the school district's designated representative and a representative of the child.

Legal Reference: Connecticut General Statutes

10-204a Required immunizations (as amended by P.A. 15-174 and P.A. 15-242, and P.A. 21-6)

10-204c Immunity from liability

10-205 Appointment of school medical adviser

10-206 Health assessments (as amended by June Special Session PA 01-4, PA 01-9, PA 05-272, PA 07-58, and PA 18-168)

10-206a Free health assessments

10-207 Duties of medical advisers

10-208 Exemption from examination or treatment

10-208a Physical activity of student restricted; board to honor notice

10-209 Records not to be public. Provision of reports to the school.

10-212 School nurses

10-214 Vision, audiometric, and postural screenings. When required. Notification of parents re defects; record of results, as amended by P.A. 17-173.

PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540

Regulation approved:

5141.4

Students

Reporting of Child Abuse, Neglect, and Sexual Assault

The Board of Education (Board) recognizes its legal and ethical obligations in the reporting of suspected child abuse, neglect, and sexual assault. Any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired. Mandated reporters include all school employees, specifically Superintendent, administrators, teachers, substitute teachers, guidance counselors, school counselors, paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers and licensed behavior analysts either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools. Such individual(s) who have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk of serious harm, or sexually assaulted by a school employee are required to report such abuse, neglect, or risk and/or sexual assault.

The Board shall annually distribute the mandated reporter policy electronically to all school employees and contractors employed by the Board of Education in regular contact with children. The Board shall annually distribute electronically to all school employees and relevant contractors. Board members, parents, and guardians of enrolled students, (1) guidelines on identifying and reporting child sexual abuse, starting in the 2022-23 school year, and (2) information on DCF's sexual abuse and assault awareness and prevention program.

A mandated reporter's suspicions may be based on factors including, but not limited to, observations, allegations, or facts shared by a child, victim, or third party. Suspicion or belief does not require certainty or probable cause.

The Board of Education policy requires all personnel who have reasonable cause to suspect or believe that a child, under the age of eighteen (18), except in the case of sexual assault by a school employee, has been abused, neglected, has had non-accidental physical injury, or injury which is at variance with the history given of such injury, is placed in imminent danger of serious harm or has been sexually abused by a school employee to report such cases in accordance with the law, Board policy and administrative regulations. The mandatory reporting requirement regarding the sexual assault of a student by a school employee applies based on the person's status as a student, rather than his or her age.

A mandated reporter shall make an oral report, by telephone or in person, to the Commissioner of Children and Families or a law enforcement agency as soon as possible, but not later than

twelve (12) hours after the mandated reporter has reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent risk of serious harm.

In addition, the mandated reporter shall inform the building principal or his/her designee that he/she will be making such a report. Not later than forty-eight hours after making the oral report, the mandated reporter shall file a written or electronic report with the Commissioner of Children and Families or his/her designee. (The Department of Children and Families has established a 24-hour Child Abuse and Neglect Hotline, "Careline" at 1-800-842-2288 for the purpose of making such oral reports.)

A mandated reporter may make the required oral report electronically in the manner prescribed by the Commissioner of Children and Families. An employee making an electronic report shall respond to any further inquiries from the Commissioner of Children and Families or a designee within twenty-four hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of further communication with the Commissioner or designee.

Online reports may be made to the Careline by mandated reporters if the report is non-emergent. A non-emergent situation is one in which a report is mandated, but the child is not at immediate risk. *(Note: Mandated reporters reporting electronically when they reasonably suspect that a child has been abused, neglected, or placed at risk of imminent harm in a "non-emergent" situation can do so without risk that they will be subject to a failure to report finding and subsequent penalties.)*

The oral and written reports shall include, if known: (1) the names and addresses of the child and his/her parents/guardians or other persons responsible for his/her care; (2) the child's age; (3) the child's gender; (4) the nature and extent of the child's injury or injuries, maltreatment or neglect; (5) the approximate date and time the injury or injuries, maltreatment or neglect occurred; (6) information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings; (7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; (8) the name of the person(s) suspected to be responsible for causing such injury or injuries, maltreatment or neglect; (9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; (10) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and (11) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child. (For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a District school, other than part of an adult education program.)

the report of abuse, neglect, or sexual assault involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

The Board recognizes that the Department of Children and Families is required to disclose records to the Superintendent of Schools in response to a mandated reporter's written or oral report of abuse or neglect, or if the Commissioner of Children and Families has a reasonable belief that a school employee abused or neglected a student. Not later than five (5) working days after an investigation of child abuse or neglect by a school employee has been completed, DCF is required to notify the school employee, the Superintendent, and the Commissioner of Education of the investigation's results. If DCF has reasonable cause and recommends that the employee be placed on DCF's Child Abuse and Neglect Registry, the Superintendent shall suspend such employee.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide to each employee in-service training regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. Each school employee is required to complete a refresher training program not later than three (3) years after completing the initial training program and shall thereafter retake such refresher training course at least once every three years.

The Principal of each school in the district shall annually certify to the Superintendent that each school employee working at such school has completed the required initial training and the refresher training.

State law prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect. The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

In accordance with the mandates of the law and consistent with its philosophy, the Board, in establishing this policy, directs the Superintendent of Schools to develop and formalize the necessary rules and regulations to comply fully with the intent of the law.

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed the required initial and refresher training related to mandated reporting of child abuse and neglect as required by law.

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages, most appropriate for the students enrolled in the school.

Mandated Report Preliminary Inquiries

• **Preliminary Inquiry (School Level)**: The school administration shall conduct a Preliminary Inquiry immediately upon receipt of a report or suspicion of abuse or neglect. The sole purpose of this inquiry is to gather enough information to determine if there is "reasonable cause to suspect" that a child has been abused or neglected, thereby triggering the mandatory reporting obligation.

- **Scope**: Limited to identifying the parties involved, confirming the timeline of the alleged incident, and ensuring the immediate safety of the student.
- **Actions**: May include a brief conversation with the student or the reporting staff member.
- **Limitation**: The Preliminary Inquiry shall not include a detailed forensic interview of the child, nor shall it be used to determine the ultimate truth of the allegations. Administrators must not "investigate" the incident in a way that could interfere with a future criminal or Department of Children and Families (DCF) investigation.

Formal Investigation

• A Formal Investigation is the comprehensive process conducted by DCF and/or Law Enforcement once a report has been filed.

- **Scope**: A systematic evaluation of the child's safety, the family environment, and the validity of the allegations.
- **Actions**: Forensic interviews, home visits, medical examinations, and the collection of physical evidence.
- **School Role**: The Board of Education and its employees shall cooperate fully with the formal investigation, but shall not conduct a parallel investigation unless specifically authorized by DCF or as part of a separate Title IX or personnel disciplinary process.

If the Preliminary Inquiry provides reasonable cause, the report must be made within 12 hours. The Preliminary Inquiry must never delay the report. If an administrator is unsure whether they have enough information, they are to make a report out of an abundance of caution.

Establishment of the Confidential Rapid Response Team

The Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect, or sexual abuse in any school.

Hiring Prohibitions

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Board of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5145.511 – Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

10-151 Teacher Tenure Act.

10-220a In-service training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations.

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal.

10-221s Investigations of child abuse and neglect. Disciplinary action.

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations.

17a-101 Protection of children from abuse. Mandated reporters. Educational and training program. Model mandated reporting policy.

17a-101a Report of abuse, neglect by or injury of a child or imminent risk of serious harm to the child. Penalty for failure to report. Notification of the Chief State's Attorney.

17a-101b Report by mandated reporters. Notification of the law enforcement agency when an allegation of sexual abuse or serious physical abuse is made. Notification of the person in charge of the institution, facility, or school when a staff member is suspected of abuse or neglect.

17a-101c Written or electronic report by mandated reporter.

17a-101d Contents of reports.

17a-101e Employer prohibited from discriminating or retaliating against employee who makes a good faith report or testifies re child abuse or neglect. Immunity from civil or criminal liability. False report of child abuse. Referral to the Office of the Chief State's Attorney. Penalty.

17a-101g Classification and evaluation of reports. Determination of abuse or neglect of a child. Investigation. Notice, entry of recommended finding. Referral to the local law enforcement authority. Home visit. Removal of a child in imminent risk of harm. Family assessment response program. Development of service plans and plans of care. Monitoring. Disclosure of information to community providers. Annual report.

17a-101i Abuse or neglect by school employees or staff members of a public or private institution or facility providing care for children. Notice. Adoption of policy. Employee training program.

17a-101o School employee failure or delay in reporting child abuse or neglect. Policy re delayed report by mandated reporters.

17a-106 Cooperation in relation to prevention, identification, and treatment of child abuse/neglect.

DCF Policy 22-1-3 Mandated Reporter's Failure to Report.

PA 22-87 An Act Concerning the Identification and Prevention of a Response to Adult Sexual Misconduct Against Children

Public Act 23-160 An Act Concerning Education Mandate Relief and Other Technical and Assorted Revisions to the Education and Early Childhood Education Statutes

Public Act 24-41 An Act Concerning the Expansion of the State's Paid Family and Medical Leave Program

Public Act 24-118 An Act Concerning the Protection of Consumers from Unfair Trade Practices and Regulation of Certain Consumer Protections

Policy adopted:

Students
Reporting of Child Abuse/Neglect or Sexual Assault

a. What Must Be Reported

A report must be made when any mandated reporter of the Board of Education, in his/her professional capacity, has reasonable cause to suspect or to believe that a child under the age of eighteen: *(Mandated reporters include all school employees and those contracted by board and have regular contact with children, the Superintendent, administrators, teachers, substitute teachers, guidance counselors, school counselors, licensed behavior analysts, school paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools.)*

1. Is in danger of being or has been abused;

2. Has had non-accidental physical injuries or physical injuries which are at variance with the history given for them, inflicted by a person responsible for the child's health, welfare, or care, or by a person given access to such child by a responsible person;

3. Has been neglected;

4. Has been sexually assaulted by a school employee; or

5. Has been placed in imminent risk of serious harm.

A mandated reporter's suspicions may be based on such factors, including but not limited to observations, allegations, and facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

Definitions

"**Abused**" means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

"**Neglected**" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally, or morally, or (c) is being permitted

to live under conditions, circumstances, or associations injurious to his well-being, or (d) has been abused.

"**School employee**" (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in an elementary, middle or high school; or (b) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Northwestern Regional School District No. 7, pursuant to a contract with the Board.

"**Contractor**" includes anyone contracted by the board to perform a service who has regular contact with children.

"**Sexual assault**" means, for mandatory reporting laws and this policy, a violation of Sections 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a of the Connecticut General Statutes.

"**Statutory mandated reporter**" means an individual by CGS Sec. 17a-101 to report suspected abuse and/or neglect of children or sexual assault by a school employee. The term "statutory mandated reporter" includes all school employees, as defined above.

"**Child Sexual Abuse Material**" replaces "Child Pornography" throughout the Connecticut Statutes (P.A. 24-118).

b. Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above.

1. When an employee of the Board of Education suspects or believes that a child has been abused, neglected, has been placed in imminent risk of serious harm, or sexually assaulted by a school employee, the following steps shall be taken:

(a) The employee shall immediately, upon having reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent danger of serious harm, or has had non-accidental physical injury or injury which is at variance with the history or such injury, or sexually assaulted by a school employee and not later than twelve (12) hours after having such a suspicion or belief, make an oral report by telephone or in person to the Commissioner of Children and Families or his/her designee or the local law enforcement agency. The Department of Children and Families has established a 24-hour Child Abuse and Neglect Hotline (Careline) at 1-800-842-2288 to accept such oral reports.

Online reports may be made to the Careline by mandated reporters if the report is non-emergent. A non-emergent situation is one in which a report is mandated, but the child is not at immediate risk. *(Note: Mandated reporters reporting electronically when they reasonably suspect that a child has been abused, neglected, or placed at risk of imminent harm in a "non-emergent" situation can do so without risk that they will be subject to a failure to report finding and subsequent penalties.)*

(b) The employee shall also immediately make an oral report to the Building Principal or his/her designee and/or the Superintendent or his/her designee. If the building principal is the alleged perpetrator of the abuse/neglect, then the employee shall notify the Superintendent or his/her designee directly.

(c) If a report prepared in accordance with Section (a) above concerns suspected abuse, neglect, or sexual assault by a school employee, the Superintendent or his/her designee shall immediately notify the child's parent or guardian that such a report has been made.

(d) Not later than 48 hours after making an oral report, the employee shall submit a written report to the Commissioner of Children and Families, or his/her representative, containing all the required information. The written reports should be submitted on the DCF-136 form or any other form designated for that purpose.

(e) The employee shall immediately submit a copy of the written report to the Principal and/or Superintendent or the Superintendent's designee.

(f) If a report prepared in accordance with Section (c) above concerns suspected abuse, neglect, or sexual assault by a school employee who possesses a certificate, permit, or authorization issued by the State Board of Education, the Superintendent shall submit a copy of the written report to the Commissioner of Education, or his/her representative.

c. Mandated Report Preliminary Inquiries

• **Preliminary Inquiry (School Level)**: The school administration shall conduct a Preliminary Inquiry immediately upon receipt of a report or suspicion of abuse or neglect. The sole purpose of this inquiry is to gather enough information to determine if there is "reasonable cause to suspect" that a child has been abused or neglected, thereby triggering the mandatory reporting obligation.

- **Scope**: Limited to identifying the parties involved, confirming the timeline of the alleged incident, and ensuring the immediate safety of the student.

- **Actions**: May include a brief conversation with the student or the reporting staff member.
- **Limitation**: The Preliminary Inquiry shall not include a detailed forensic interview of the child, nor shall it be used to determine the ultimate truth of the allegations. Administrators must not "investigate" the incident in a way that could interfere with a future criminal or Department of Children and Families (DCF) investigation.

Formal Investigation

• A Formal Investigation is the comprehensive process conducted by DCF and/or Law Enforcement once a report has been filed.

- **Scope**: A systematic evaluation of the child's safety, the family environment, and the validity of the allegations.
- **Actions**: Forensic interviews, home visits, medical examinations, and the collection of physical evidence.
- **School Role**: The Board of Education and its employees shall cooperate fully with the formal investigation, but shall not conduct a parallel investigation unless specifically authorized by DCF or as part of a separate Title IX or personnel disciplinary process.

If the Preliminary Inquiry provides reasonable cause, the report must be made within 12 hours. The Preliminary Inquiry must never delay the report. If an administrator is unsure whether they have enough information, they are to make a report out of an abundance of caution.

d. Contents of Reports

Any report made pursuant to this policy shall contain the following information, if known:

1. The names and addresses of the child and his/her parents or other persons responsible for his/her care;

2. The age of the child;

3. The gender of the child;

4. The nature and the extent of the child's injury or injuries, maltreatment, or neglect;

5. The approximate date and time the injury or injuries, maltreatment, or neglect occurred;

6. Information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings;

7. The circumstances in which the injury or injuries, maltreatment, or neglect came to be known to the reporter;

8. The name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment, or neglect;

9. The reasons such person or persons are suspected of causing such injury or injuries, maltreatment, or neglect;

10. Any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment, or neglect of a child; and

11. Whatever action, if any, was taken to treat, provide shelter, or otherwise assist the child.

For purposes of this section about the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a District school, other than part of an adult education program. The mandatory reporting requirement regarding the sexual assault of a student by a school employee applies based on the person's status as a student, rather than his or her age.

e. Investigation of the Report

If the suspected abuser is a school employee, the Superintendent or his/her designee shall thoroughly investigate the report, provided that such investigation does not interfere with or impede the investigation by the Department of Children and Families or by a law enforcement agency. In all other cases, DCF shall be responsible for conducting the investigation, with the Board's cooperation and collaboration, as appropriate. To the extent feasible, this investigation shall be coordinated with the Commissioner of Children and Families or the police to minimize the number of interviews of any child and to share information with other persons authorized to conduct investigations of child abuse and neglect. When investigating a report, the Superintendent or his/her designee shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child, to interview the child, except in those cases in which there is reason to believe that the parents or guardians or other persons responsible for the care of such child are the perpetrators or the alleged abusers.

The investigation shall include an opportunity for the suspected abuser to be heard regarding the allegations contained in the report. During an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or place the employee on administrative leave with pay pending the outcome of the investigation.

A person reporting child abuse, neglect, or sexual assault shall provide any person authorized to conduct an investigation into such claim with all information related to the investigation that is in the possession or control of the person reporting child abuse, neglect, or sexual assault, except as expressly prohibited by state or federal law.

1. **Evidence of Abuse by Certain School Employees**. After an investigation has been completed, if the Commissioner of Children and Families, based upon the results of such investigation, has reasonable cause to believe that a child has been abused, neglected or sexually assaulted by an employee who has been entrusted with the care of a child or has recommended that such employee be placed on the Department of Children and Families abuse and neglect registry, the Commissioner shall notify within five (5) working days after the completion of the investigation into child abuse, neglect or sexual assault by a school employee, the Superintendent, the school employee, and the Commissioner of Education of such finding and shall provide records, whether or not created by the Department of Children and Families, concerning such investigation to the Superintendent and the Commissioner of Education. The Superintendent shall suspend the employee, if not previously suspended, with pay and without diminution or termination of benefits, if DCF has reasonable cause that the employee abused or neglected a child and recommends the employee be placed on the DCF child abuse and neglect registry. Not later than 72 hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or his/her representative, of the reasons for the conditions of suspension. The Superintendent shall disclose records received from the Department of Children and Families to the Commissioner of Education and the Board of Education, or its attorney, for the purposes of review of employment status, certification, permit, or authorization. Any decision of the Superintendent concerning such suspension shall remain in effect until the Board of Education Acts, pursuant to the provisions of Connecticut General Statutes. The Commissioner of Education shall also be notified if such a certified person resigns from his/her employment in the District. Regardless of the outcome of any investigation by DCF and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action up to and including termination of employment in accordance with the provisions of any applicable statute, if the

Superintendent's investigation produces evidence that a child has been abused by a certified, permit or authorized school staff member.

If the contract of employment of a certified school employee holding a certificate, permit, or authorization issued by the State Board of Education is terminated as a result of an investigation into reports of child abuse and neglect, the Superintendent shall notify the Commissioner of Education, or his/her representative, within 72 hours of such termination.

2. **Evidence of Abuse by Other School Staff**. If the investigation by the Superintendent and/or Commissioner of Children and Families did produce evidence that a child has been abused by a non-certified school staff member, the Superintendent and/or the Board, as appropriate, may take disciplinary action up to and including termination of employment.

3. The District shall maintain records of allegations, investigations, and reports that a child has been abused or neglected by a school employee. Such records will be maintained in the District's Central Office. The records shall include any reports made to the Department of Children and Families. The State Department of Education is to have access to all such records.

4. The Board shall provide to the Commissioner of Children and Families, upon request for an investigation by the Commissioner of Children and Families of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept in District files. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character, and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of such board of education, and records of the personal misconduct of such teacher. *("Teacher" includes each certified professional employee below the rank of Superintendent employed by a Board of Education in a position requiring a certificate issued by the State Board of Education.)*

5. The Board of Education shall permit and give priority to any investigation conducted by the Commissioner of Children and Families or the appropriate local law enforcement agency, if a child has been abused or neglected. The Board shall conduct its own investigation and take any disciplinary action, in accordance with the provisions of section 17a-101i of the general statutes, as amended, upon notice from the Commissioner or the appropriate local law enforcement agency that the Board's investigation will not interfere with the investigation of the Commissioner or such local law enforcement agency.

6. The Department of Children and Families will review, at least annually, with the State Department of Education, all records and information relating to reports and investigations that a child has been abused and neglected by a school employee, in the Department of Children and Families' possession, to ensure that records and information are being shared properly.

f. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

g. Special Reporting Procedures Concerning Suspected Abuse or Neglect of Intellectually Disabled Persons

In addition to the reporting procedures set forth above, Connecticut General Statutes require that certain school personnel, including teachers, licensed nurses, psychologists, and social workers, report any suspected abuse or neglect of intellectually disabled persons over the age of 18. It is the policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to comply with the following procedures in connection with the suspected abuse or neglect, as defined below, of any intellectually disabled person over the age of 18.

1. **Definitions**. For the purposes of this policy:

"**Abuse**" means the willful infliction of physical pain or injury or willful deprivation by a caretaker of services which are necessary to the person's health or safety.

"**Neglect**" means a situation where an intellectually disabled person either is living alone or is not able to provide for him/herself the services which are necessary to maintain his/her physical and mental health, or is not receiving such necessary services from the caretaker.

2. **Reporting Procedures**. If an "employee" has reasonable cause to suspect that an intellectually disabled person has been abused or neglected, he/she shall, within five calendar days, make an oral report to the Director of the Office of Protection and Advocacy for Persons with Disabilities, to be followed by a written report within five additional calendar days, or shall immediately notify the Superintendent in order for the Superintendent to make such oral and written reports to the Office of Protection and Advocacy. If an employee reports to the Office of Protection and Advocacy, the employee shall immediately notify the Superintendent.

3. **Contents of Report**: Any such report shall contain the following information:

(a) The name and address of the allegedly abused or neglected person;

(b) A statement from the reporter indicating a belief that the person is intellectually disabled, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;

(c) Information concerning the nature and extent of the abuse or neglect; and

(d) Any additional information that the reporter believes would be helpful in investigating the report or in protecting the intellectually disabled person.

4. **Investigation of Report**. If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report following the procedures regarding the investigation of reports of child abuse set forth in paragraph e above.

If the investigation by the Superintendent and/or the Office of Protection and Advocacy produces evidence that an intellectually disabled person has been abused by a school employee, the Superintendent and/or the Board, as appropriate, may take disciplinary Action, up to and including termination of employment.

h. Disciplinary Action for Failure to Follow Policy

Any employee who fails to comply with this policy's requirements shall be subject to discipline, up to and including termination of employment.

i. Non-Discrimination Policy

The Board of Education shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith, makes a report pursuant to this policy or testifies or is about to testify in any proceeding involving abuse or neglect.

j. Training

All District employees are required to complete a training program pertaining to the accurate and prompt reporting of abuse and neglect, made available by the Commissioner of Children and Families. In addition, all employees must complete a refresher program at least once every three years.

The School Principal shall annually certify to the Superintendent that each school employee working at his/her school has completed the required initial training and the refresher training.

k. Foster Care

Upon the Board of Education's request, the Department of Children and Families shall provide the name, date of birth, and school of origin for each child in its custody who has been placed in foster care and is attending a District school.

Confidential Rapid Response Team

The District will establish, a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee; and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team consists of a local teacher, the Superintendent, a local police officer, and any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect, or sexual abuse in any school.

Hiring Prohibitions

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect; or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Board of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so; or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

Posting of DCF's "Careline"

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages, most appropriate for the students enrolled in the school.

(cf. 4112.5/4212.5 – Personnel Records)

(cf. 5145.511 – Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

10-151 Teacher Tenure Act.

10-220a In-service training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

17a-101 Protection of children from abuse. Mandated reporters. Educational and training program. Model mandated reporting policy. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15, and PA 18-17)

17a-101a Report of abuse, neglect by or injury of a child or imminent risk of serious harm to the child. Penalty for failure to report. Notification of the Chief State's Attorney. (as amended by PA 02-106, PA 11-93, and PA 15-205, PA 18-15, and PA 18-17)

17a-101b Report by mandated reporters. Notification of the law enforcement agency when an allegation of sexual abuse or serious physical abuse. Notification of the person in charge of the institution, facility, or school when a staff member is suspected of abuse or neglect.

17a-101c Written or electronic report by mandated reporter.

17a-101d Contents of reports

17a-101e Employer prohibited from discriminating or retaliating against employee who makes a good faith report or testifies re child abuse or neglect. Immunity from civil or criminal liability. False report of child abuse. Referral to the Office of the Chief State's Attorney. Penalty.

17a-101g Classification and evaluation of reports. Determination of abuse or neglect of a child. Investigation. Notice, entry of recommended finding. Referral to the local law enforcement authority. Home visit. Removal of a child in imminent risk of harm. Family assessment response program. Development of service plans and plans of care. Monitoring. Disclosure of information to community providers.

17a-101i Abuse or neglect by school employees or staff members of a public or private institution or facility providing care for children. Notice. Adoption of policy. Employee training program.

17a-101o School employee failure or delay in reporting child abuse or neglect. Policy re delayed report by mandated reporters.

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

DCF Policy 22-1-3 Mandated Reporter's Failure to Report

Public Act 23-160 An Act Concerning Education Mandate Relief and Other Technical and Assorted Revisions to the Education and Early Childhood Education Statutes

Public Act 24-41 An Act Concerning the Expansion of the State's Paid Family and Medical Leave Program

Public Act 24-118 An Act Concerning the Protection of Consumers from Unfair Trade Practices and Regulation of Certain Consumer Protections

Regulation approved:

5144.1

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

The Board of Education (Board) believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all staff members within the district. To the extent that staff actions comply with all applicable statutes and Board policy governing the use of physical force, including physical restraint of students and seclusion of students, staff members will have the full support of the Board of Education in their efforts to maintain a safe environment.

The Board recognizes that there are times when it becomes necessary for staff to use reasonable restraint or place a student in seclusion as an emergency intervention to protect a student from harming himself/herself or to protect others from harm.

Definitions

Life-threatening physical restraint means any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs, or head while the person is in the prone position.

A psychopharmacologic agent means any medication that affects the central nervous system, influencing thinking, emotion, or behavior.

Physical restraint means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs, or head, including, but not limited to, carrying or forcibly moving a person from one location to another. Excluded from this definition is briefly holding a person to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury or an exclusionary timeout.

School employee means a teacher, substitute teacher, school administrator, Superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school

paraprofessional, or coach employed by the Board of Education or working in a public elementary, middle or high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the board of education.

Seclusion means the involuntary confinement of a student in a room, from which the student is physically prevented from leaving. Seclusion does not include an exclusionary time-out.

Student means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional Board of Education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional Board of Education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.

Exclusionary time out means a temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or de-escalating such student's behavior.

Conditions Pertaining to the Use of Physical Restraint and/or Seclusion

A. School employees shall not use a life-threatening physical restraint on a student under any circumstances.

B. If any instance of physical restraint or seclusion of a student exceeds fifteen minutes, an administrator or his/her designee, or a school health or mental health personnel, or a board certified behavioral analyst, who has received training in the use of physical restraint and seclusion shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

C. No student shall be placed in seclusion unless:

a. The use of seclusion is for an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for

discipline or convenience and is not used as a substitute for a less restrictive alternative.

b. Such a student is continually monitored by a school employee during the period of such a student's seclusion. Any student voluntarily or involuntarily placed in seclusion or restrained shall be regularly evaluated by a school employee for indications of physical distress. The school employee conducting the evaluation shall enter each evaluation in the student's educational record. Monitor shall mean by direct observation or by observation using video monitoring within physical proximity sufficient to provide aid as may be required.

c. The area in which such a student is secluded is equipped with a window or other fixture allowing the student a clear line of sight beyond the area of seclusion.

d. Seclusion shall not be utilized as a planned intervention in a student's behavioral intervention plan, individualized education program, or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time.

D. School employees may not use a psychopharmacologic agent on a student without that student's consent except (1) as an emergency intervention to prevent immediate or imminent injury to the student or to others, or (2) as an integral part of the student's established medical or behavioral support or educational plan, as developed consistent with Section 17a-543 of the Connecticut General Statutes or, if no such plan has been developed, as part of a licensed practitioner's initial orders. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

E. If physical restraint or seclusion is used on a student four or more times within twenty school days:

a. An administrator, one or more of such student's teachers, the parent/guardian of such student, and, if any, a mental health professional shall convene for the purpose of:

i. Conducting or revising a behavioral assessment of the student;

ii. Creating or revising any applicable behavioral intervention plan; and

iii. Determining whether such a student may require special education.

b. If such student is a child requiring special education or is a child being evaluated for eligibility for special education and awaiting a determination, such student's planning and placement team shall convene for the purpose of (1) conducting or revising a behavioral assessment of the student, and (2) creating or revising any applicable

behavioral intervention plan, including, but not limited to, such student's individualized education plan.

F. The parent/guardian of a student who is placed in physical restraint or seclusion shall be notified not later than twenty-four hours after the student is placed in physical restraint or seclusion. A reasonable effort shall be made to provide such notification immediately after such physical restraint or seclusion is initiated.

G. School employees shall not use a physical restraint on a student or place a student in seclusion unless he/she has received training on the proper means for performing such physical restraint or seclusion.

H. The Board of Education, and each institution or facility operating under contract with the Board to provide special education for children, including any approved private special education program, shall:

a. Record each instance of the use of physical restraint or seclusion on a student;

b. Specify whether the use of seclusion was in accordance with an individualized education program;

c. Specify the nature of the emergency that necessitated the use of such physical restraint or seclusion; and

d. Include such information in an annual compilation on its use of such restraint and seclusion on students.

I. The Board and institutions or facilities operating under contract with the Board to provide special education for children, including any approved private special education program, shall provide such annual compilation to the Department of Education to examine incidents of physical restraint and seclusion in schools.

J. Any use of physical restraint or seclusion on a student shall be documented in the student's educational record. The documentation shall include:

a. The nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise; and

b. A detailed description of the nature of the restraint or seclusion, the duration of such restraint or seclusion, and the effect of such restraint or seclusion on the student's established educational plan.

K. Any incident of the use of restraint or seclusion that results in physical injury to a student shall be reported to the State Board of Education.

Required Training and Prevention Training Plan

Training shall be provided by the Board to the members of the crisis intervention team for each school in the district. The Board may provide such training to any teacher, administrator, school professional, or other school employee designated by the school principal and who has direct contact with students regarding physical restraint and seclusion of students. Such training shall be provided during the school year commencing July 1, 2017, and each school year thereafter, and shall include, but not be limited to:

1. An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. (Such overview is to be provided by the Department of Education commencing July 1, 2017, and annually thereafter, in a manner and form as prescribed by the Commissioner of Education.)

2. The creation of a plan by which the Board will provide training regarding the prevention of incidents requiring physical restraint or seclusion of students.

Such plan is to be implemented not later than July 1, 2018.

3. The Board will create a plan, to be implemented not later than July 1, 2018, requiring training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:

a. Verbal defusing and de-escalation;

b. Prevention strategies;

c. Various types of physical restraint and seclusion;

d. The differences between life-threatening physical restraint and other varying levels of physical restraint;

e. The differences between permissible physical restraint and pain compliance techniques; and

f. Monitoring methods to prevent harm to a student who is physically restrained or in seclusion, including training in the proper means of physically restraining or secluding a student.

g. Recording and reporting procedures on the use of physical restraint and seclusion.

Crisis Intervention Teams

For the school year commencing July 1, 2017, and each school year thereafter, the Board requires each school in the District to identify a crisis intervention team. Such team shall consist of any teacher, administrator, school professional, or other school employee designated by the school principal and who has direct contact with the student and is trained in the use of physical restraint and seclusion.

Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others.

Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion on an annual basis. The Board shall maintain a list of the members of the crisis intervention team for each student.

Not later than January 1, 2019, the Board establishes this portion of this policy regarding the use of an exclusionary time-out, as defined in this policy. This policy regarding exclusionary time-outs includes, but is not limited to, the following requirements:

1. Exclusionary time-outs are not to be used as a form of discipline;

2. At least one school employee remains with the student, or is immediately available to the student, such that the student and school employee can communicate verbally, throughout the exclusionary time out;

3. The space used for an exclusionary time out is clean, safe, sanitary, and appropriate for the purpose of calming such student or de-escalating such student's behavior;

4. The exclusionary time-out period terminates as soon as possible; and

5. If such student is a child requiring special education, as defined in C.G.S. 10-76a, or a child being evaluated for special education, pursuant to C.G.S. 10-76d, and awaiting a determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team shall convene as soon as is practicable to determine alternative interventions or strategies.

Dissemination of Policy

This policy and its procedures shall be made available on the District's website and in the Board's procedural manual. The policy shall be updated not later than sixty (60) days after the adoption or revision of regulations promulgated by the State Board of Education.

(cf. 4148/4248 - Employee Protection)

(cf. 5141.23 - Students with Special Health Care Needs)

(cf. 5144.2 - Use of Exclusionary Time Out Settings)

Legal Reference: Connecticut General Statutes

10-76b State supervision of special education programs and services.

10-76d Duties and powers of boards of education to provide special education programs and services.

10-236b Physical restraint and seclusion of students by school employees. (as amended by PA 17-220 and PA 18-51)

46a-150 Definitions. (as amended by PA 07-147 and PA 15-141)

46a-152 Physical restraint, seclusion, and use of psychopharmacologic agents are restricted. Monitoring and documentation required.

46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agencies to report serious injury or death to the Office of Protection and Advocacy for Persons with Disabilities and the Office of Child Advocate. (as amended by PA 12-88)

53a-18 Use of reasonable physical force or deadly physical force generally.

53a-19 Use of physical force in defense of person.

53a-20 Use of physical force in defense of premises.

53a-21 Use of physical force in defense of property.

PA 07-147 An Act Concerning Restraints and Seclusion in Public Schools.

PA 15-141 An Act Concerning Seclusion and Restraint in Schools.

State Board of Education Regulations Sections 10-76b-5 through 10-76b-11.

Policy adopted:

R5144.1

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

The Board of Education (Board) seeks to foster a safe and positive learning environment for all students. In compliance with the law, Board of Education employees will avoid using physical restraint or seclusion of students. However, physical restraint or seclusion of a student by trained school employees may be necessary in an emergency situation to maintain the student's safety, where harm to the student or others is immediate or imminent.

The following sets forth the procedures for compliance with the relevant Connecticut General Statutes and Regulations concerning the physical restraint and seclusion of students in the Northwestern Regional School District No. 7. The Board/Superintendent always mandates compliance with this regulation and the law. Violations of this regulation by a school employee or other individual working at the direction of, or under the supervision of the Board may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the Board's responsibility to maintain a safe school setting, in accordance with Connecticut General Statutes §10-220, or to supersede the justifiable use of reasonable physical force permitted under Connecticut General Statutes §53a-18(6).

I. Definitions

A. **Life-threatening physical restraint** means any physical restraint or hold of a person that (restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.

B. **Psychopharmacologic agent** means any medication that affects the central nervous system, influencing thinking, emotion or behavior.

C. **Physical restraint** means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. Excluded from this definition is briefly holding a person to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; helmets, mitts and similar devices used to prevent self-injury

when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury or an exclusionary time out.

D. **School employee** means a teacher, substitute teacher, school administrator, Superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the Board of Education or working in a public elementary, middle or high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the Board of Education.

E. **Seclusion** means the involuntary confinement of a student in a room where the student is physically prevented from leaving. Seclusion does not include an exclusionary time out, or any confinement of a student in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspensions.

F. **Student** means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional Board of Education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but does not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services. A special education student, ages 18 to 21 inclusive, in a transition program, is also covered by these regulations.

G. **Behavior Intervention:** Supports and other strategies developed by the Planning and Placement Team ("PPT") to address the behavior of a person at risk that impedes the learning of the person at risk or the learning of others.

H. **Exclusionary Time Out:** A temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting for the purpose of calming such student or de-escalating such student's behavior.

II. Procedures for Physical Restraint of Students

A. No school employee shall use a life-threatening physical restraint on a student.

B. No school employee shall use involuntary physical restraint on a student except as an emergency intervention to prevent immediate or imminent injury to the student or to others.

C. No school employee shall use physical restraint on a student unless the school employee has received training in accordance with state law and District training plans.

D. Physical restraint of a student shall never be used as a disciplinary measure, as a convenience, or instead of a less restrictive alternative.

E. School employees must explore all less restrictive alternatives prior to using physical restraint on a student.

F. School employees are barred from placing a student in physical restraint until they have received training in its proper use.

G. School employees must comply with all regulations promulgated by the Connecticut State Board of Education in their use of physical restraint.

H. Monitoring

1. A trained school employee must continually monitor any physically restrained student. The monitoring must be conducted by direct observation of the student or by video, provided the video monitoring occurs close enough for the monitor to assist if needed.

2. A trained school employee must regularly evaluate the person being restrained for signs of physical distress and record each evaluation in the student's educational record.

III. Procedures for Seclusion of Students

A. No school employee shall use involuntary seclusion on a student except as an emergency intervention to prevent immediate or imminent injury to the student or to others.

B. Use of Seclusion

1. A school employee may not use seclusion to discipline a student, because it is convenient or instead of a less restrictive alternative.

2. The area where the student is secluded must have a window or other fixture, allowing the student to see beyond the seclusion area clearly.

3. Any room used for seclusion must:

a. be of a size that is appropriate to the chronological and developmental age, size and behavior of the student;

b. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;

c. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;

d. be free of any object that poses a danger to the student who is being placed in the seclusion room;

e. conform to applicable building code requirements and have a door with a lock if that lock is equipped with a device that automatically disengages the lock in case of an emergency. Any latching or securing of the door, whether by mechanical means or by a provider or assistant holding the door in place to prevent the student from leaving the room, shall be able to be removed in the case of any emergency. The locking mechanism to be used shall be a device that shall be readily released by staff as soon as possible but in no case longer than within two minutes of the onset of an emergency and is connected to the fire alarm system so that the locking mechanism is released automatically when a fire alarm is sounded. An "emergency," for purposes of this subsection, includes but is not limited to the following:

i. the need to provide direct and immediate medical attention to the student;

ii. fire;

iii. the need to remove the student to a safe location during a building lockdown; or

iv. other critical situations that may require immediate removal of the student from seclusion to a safe location; and

f. Have an unbreakable observation window located in a wall or door to permit frequent visual monitoring of the person at risk and any provider or assistant in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room.

g. The monitoring of students in seclusion is to be done by direct observation from another room or by video, provided the video monitoring occurs close enough for the monitor to provide aid if needed.

h. Seclusion shall not be utilized as a planned intervention in a student's behavioral intervention plan, individualized education program (IEP) or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as periodically amended.

i. Any period of seclusion (1) shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment and (2) shall not exceed 15 minutes, except that this may be extended for additional periods of up to 30 minutes each if the Principal or his/her designee, school health or mental health professional, or board certified behavioral analyst trained in the use of restraint and seclusion determines that continued restraint or seclusion is necessary to prevent immediate or imminent injury to the student or others. Such authorization is to be placed in writing. Where transportation of the student is necessary, written authorization to continue using seclusion is not required if immediate or imminent injury to the person at risk or to others is a concern.

j. School employees must explore all less restrictive alternatives prior to using seclusion for a student as an emergency intervention.

k. School employees must comply with all regulations promulgated by the Connecticut State Board of Education in using seclusion for students.

l. School employees are barred from placing a student in seclusion until he/she has received training in its proper use in accordance with state law and/or District-training plans.

IV. Procedures for Exclusionary Time Out for Students

A. Exclusionary time outs are not to be used as a form of discipline.

B. At least one school employee shall remain with the student, or be immediately available to the student such that the student and school employee are able to communicate verbally, throughout the exclusionary time out.

C. The space used for an exclusionary time out must be clean, safe, sanitary and appropriate for the purpose of calming such student or deescalating such student's behavior.

D. The exclusionary time out period must terminate as soon as possible.

E. If the student is a child requiring special education, as defined in C.G.S. 10-76a, or a child being evaluated for special education, pursuant to C.G.S. 10-76d, and awaiting a determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team shall convene as soon as is practicable to determine alternative interventions or strategies.

V. Required Meetings

A. Students not Eligible for Special Education (and not being evaluated for eligibility for special education)

1. In the event that physical restraint or seclusion is used on a student four (4) or more times within twenty (20) school days, a team composed of an administrator, one or more of the student's teachers, a parent or guardian of the student, and, if any, a school mental health professional, shall convene to:

a. conduct or revise a behavioral assessment of the student;

b. create or revise any applicable behavior intervention plan; and

c. determine whether such student may require a referral for consideration for special education.

2. The requirement to convene this meeting shall not supersede the District's obligation to refer a student to a planning and placement team ("PPT") as may be required in accordance with federal and state law.

B. Students Eligible for Special Education (and students being evaluated for eligibility for special education)

In the event that physical restraint or seclusion is used on a student four (4) or more times within twenty (20) school days, the student's PPT shall convene to:

1. conduct or revise a functional behavioral assessment ("FBA");

2. create or revise any applicable behavior intervention plan ("BIP"), including but not limited to such student's individualized education program ("IEP"); and

3. review or revise the student's IEP as appropriate.

C. A District and/or school administrator(s) shall determine the school employee(s) responsible for reviewing the number of occurrences of the use of physical restraint or seclusion on a monthly basis to ensure that the appropriate meeting(s) has been convened following the fourth occurrence of physical restraint or seclusion in a twenty (20) day period.

VI. Use of Psychopharmacologic Agent

A. No school employee may use a psychopharmacologic agent on a student without that student's consent and the consent of the student's parent/guardian, except:

1. As an emergency intervention to prevent immediate or imminent injury to the student or to others; or

2. As an integral part of the student's established medical or behavioral support or educational plan, or, if no such plan has been developed, as part of a licensed practitioner's initial orders.

B. The use of psychopharmacologic agents, alone or in combination, may be used only in therapeutically appropriate doses and not as a substitute for other appropriate treatment.

C. Any administration of a psychopharmacologic agent must ONLY be done in accordance with applicable federal and state law and the Board of Education's Administration of Medication Policy. (5141.21)

VII. Training of School Employees

The Board will train the members of the crisis intervention team for each school in the district. The Board may also train any teacher, administrator, school paraprofessionals, and other school employees designated by the school principal who has direct contact with students. The training shall be provided during each school year.

The training will include, but not be limited to:

1. An overview of the relevant laws and regulations regarding using physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. Such overview shall be in a manner and form as prescribed by the State Department of Education.

2. The creation of a plan by which the Board will provide training and professional development regarding preventing incidents requiring physical restraint or seclusion of students.

3. The Board will create a plan to be implemented, requiring training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:

a. Verbal defusing or de-escalating;

b. Prevention strategies;

c. Various types of physical restraint and seclusion;

d. The differences between life-threatening physical restraint and other varying levels of physical restraint;

e. The differences between permissible physical restraint and pain compliance techniques;

f. Monitoring methods to prevent harm to a student who is physically restrained or in seclusion, including training in the proper means of physically restraining or secluding a student; and

g. Recording and reporting procedures on the use of physical restraint and seclusion.

VIII. Crisis Intervention Teams

Each school shall identify a crisis intervention team annually. Such team shall consist of any teacher, administrator, school paraprofessional, or other school employee designated by the school principal who has direct contact with students and is trained in the use of physical restraint and seclusion.

The Crisis Intervention Team will respond to any incident in which physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or others.

Each crisis intervention team member shall be recertified annually in the use of physical restraint and seclusion. The Board shall maintain a list of the crisis intervention team members for each school.

This policy and procedures are available on the District's website and in the Board's procedural manual. The policy shall be updated not later than sixty (60) days after adopting or revising regulations promulgated by the State Board of Education.

IX. Documentation and Communication

A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the standardized incident report form developed by the Connecticut State Department of Education for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the person at risk who was physically restrained or secluded. The information documents on the form must include the following:

1. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;

2. a detailed description of the nature of the restraint or seclusion;

3. the duration of the restraint or seclusion;

4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan; and

B. A school employee must notify the student's parent or guardian of each incident in which the student is physically restrained or placed in seclusion.

1. A reasonable attempt shall be made to notify the parent or guardian of the student on the day of, but no later than twenty-four (24) hours after, physical restraint or seclusion is used as an emergency intervention to prevent immediate or imminent injury to the student or others.

2. Notification may be made by telephone, e-mail, or other method, including, but not limited to, sending a note home with the student.

3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed standardized incident report of such action no later than two (2) business days after the emergency use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.

C. The Director of Special Education [or other responsible administrator], or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Board of;

D. The Director of Education relating to physical restraint and seclusion. Special Education [or other responsible administrator], or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the child's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.

E. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the child's behavioral support or education plan.

F. The Director of Special Education [or other responsible administrator], or his or her designee, must be notified of the following:

1. each use of physical restraint or seclusion on a special education student;

2. the nature of the emergency that necessitated its use;

3. if the physical restraint or seclusion resulted in physical injury to the student.

X. Responsibilities of the Director of Special Education [or other responsible administrator]

A. The Director of Special Education [or another responsible administrator], or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion, and whether instances of seclusion were conducted pursuant to IEPs.

B. The Director of Special Education [or other responsible administrator], or his or her designee, must report to the Connecticut State Department of Education any instance of physical restraint or seclusion that resulted in physical injury to the student.

Legal References: Connecticut General Statutes

10-76b State supervision of special education programs and services.

10-76b-5 through 10-76b-11 Use of Seclusion & Restraint in Public Schools.

10-236b Physical restraint and seclusion of students by school employees. (as amended by PA 17-220 and PA 18-51)

10-76d Duties and powers of the boards of education to provide special education programs and services.

10-220 Duties of boards of education.

46a-150-154 Physical Restraint, medication, and seclusion of persons receiving care, education, or supervision in an institution or facility.

46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agencies to report serious injury or death to the Office of Protection and Advocacy for Persons with Disabilities and to the Office of Child Advocate. (as amended by P.A. 12-88)

53a-18 Use of reasonable physical force.

P.A. 07-147 An Act Concerning Restraints and Seclusion in Public Schools.

P.A 15-141 An Act Concerning Seclusion and Restraint in Schools

Other Reference: Restraint and Seclusion: Resource Document, United States Department of Education, available at http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf.

Regulation approved:

5144.1 Appendix A

RESTRAINT AND SECLUSION LAWS IN CONNECTICUT

The following sets forth Connecticut law related to the physical restraint and seclusion of persons at risk, which can be found in Public Act 07-157, amending Connecticut General Statutes Sections 46a-150 through 46a-153, 10-76b, and 10-76d. The Northwestern Regional School District No. 7 Board of Education mandates compliance with these laws at all times.

I. The following definitions apply to these procedures:

- Life-threatening physical restraint means any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs, or head while the person is in the prone position.

- A psychopharmacologic agent means any medication that affects the central nervous system, influencing thinking, emotion, or behavior.

- School employee means a teacher, substitute teacher, school administrator, superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the board of education or working in a public elementary, middle of high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the board of education.

- Student means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional board of education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.

- Provider: A person who provides direct care or supervision of a person at risk.

- Assistant Provider or Assistant: A person assigned to provide, or who may be called upon in an emergency to provide, assistance or security to a provider or supervision of a person at risk.

- Person at Risk: A person receiving care or supervision in an institution or facility operated by, licensed or authorized to operate by, or operating pursuant to a contract with the Department of Public Health, Developmental Services, Children and Families, or Mental Health Addiction Services.

- Life-Threatening Physical Restraint: Any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means.

- Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs, or head, including, but not limited to, carrying or forcibly moving a person from one location to another. The term does not include: (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; (E) helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan and is the least restrictive means available to prevent such self-injury or an exclusionary time out.

- Seclusion: The involuntary confinement of a person in a room from which the person is physically prevented from leaving. Seclusion does not include an exclusionary time-out.

- Exclusionary Time Out: The temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or de-escalating such student's behavior.

II. Procedures for Physical Restraint of Persons at Risk

No school employee, provider, or assistant shall, under any circumstance, use a life-threatening physical restraint on a person at risk.

No school employee, provider, or assistant shall use involuntary physical restraint on a person at risk EXCEPT as an emergency intervention to prevent immediate or imminent injury to the person at risk or to others.

Physical restraint of a student or person at risk shall never be used as a disciplinary measure or as a convenience.

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School employees, providers, and assistants must explore all less restrictive alternatives prior to using physical restraint for a person at risk.

School employees, providers, and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of physical restraint with a person at risk.

Monitoring

A school employee, provider, or assistant must continually monitor any student or person at risk who is physically restrained. The monitoring must be conducted by direct observation of the person at risk.

A school employee, provider, or assistant must regularly evaluate the person being restrained for signs of physical distress. The school employee, provider or assistant must record each evaluation in the educational record of the person being restrained.

Documentation and Communication

A school employee or provider must notify the parent or guardian of a person at risk of each incident that the person at risk is physically restrained.

The School/Administrator/Director of Special Education must be notified of the following:

a. each use of physical restraint;

b. the nature of the emergency that necessitated its use; AND

c. if the physical restraint resulted in physical injury.

After a physical restraint occurs, the following information must be documented in the educational file of the student who was physically restrained:

a. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;

b. a detailed description of the nature of the restraint;

c. the duration of the restraint; AND

d. the effect of the restraint on the person's established behavioral support or educational plan.

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III. Procedures for Seclusion of a Student

No school employee shall use involuntary seclusion on a student except as an emergency intervention to prevent immediate or imminent injury to the student or to others.

Seclusion of a student shall never be used as a disciplinary measure or as a convenience.

Seclusion shall not be utilized as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973.

School employees, providers and assistants must explore all less restrictive alternatives prior to using seclusion. An Individualized Education Program Team ("IEP Team") may not incorporate the use of seclusion into a child's IEP.

School employees, Providers and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of seclusion.

Monitoring

A school employee, provider or an assistant must frequently monitor any person at risk who is placed in seclusion. The monitoring must be conducted by direct observation of the person at risk.

A school employee, provider or an assistant must regularly evaluate the person in seclusion for signs of physical distress. The school employee, provider or assistant must record each evaluation in the educational record of the person who is in seclusion.

Documentation and Communication

A school employee, provider must notify the parent or guardian of a student of each incident that the student is placed in seclusion.

The Director of Special Education must be notified of the following:

a. each use of seclusion on a student;

b. the nature of the emergency that necessitated its use;

c. if the seclusion resulted in physical injury to the student.

After seclusion occurs, the following information must be documented in the educational file of the student who was placed in seclusion:

a. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;

b. a detailed description of the nature of the seclusion;

c. the duration of the seclusion; AND

d. the effect of the seclusion on the person's established behavioral support or educational plan.

IV. Exclusionary Time Out

Not later than January 1, 2019, the Board establishes the following requirements regarding exclusionary time-outs, which include, but need not be limited to the following:

1. Exclusionary time-outs are not to be used as a form of discipline.

2. at least one school employee remains with the student, or is immediately available to the student, such that the student and school employee are able to communicate verbally, throughout the exclusionary time out;

3. The space used for an exclusionary time out is clean, safe, sanitary, and appropriate for the purpose of calming such a student or de-escalating such a student's behavior;

4. the exclusionary time-out period terminates as soon as possible; and

5. If such a student is a child requiring special education, as defined in C.G.S. 10-76a, or a child being evaluated for special education, pursuant to C.G.S. 10-76d, and awaiting a determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team shall convene as soon as is practicable to determine alternative interventions or strategies.

V. Responsibilities of the Superintendent/Director of Special Education

The Superintendent/Director of Special Education, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District and the nature of each instance of physical restraint and seclusion.

The Superintendent/Director of Special Education, or his or her designee, shall report to the Connecticut State Department of Education any instance of physical restraint or seclusion that resulted in physical injury to the person at risk.

The Director of Special Education, or his or her designee, must, at each initial IEP Team meeting for a child, inform the child's parent, guardian, or surrogate parent, or the student if such Student

is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Board of Education relating to physical restraint and seclusion.

VI. Responsibilities of the Connecticut State Board of Education

The State Board of Education shall review the annual compilation of each local and regional board of education and shall produce an annual summary report identifying the frequency of use of physical restraint or seclusion on students and specifying whether the use of such seclusion was in accordance with an individualized education program (IEP) or whether the use of such physical restraint or such seclusion was an emergency. Such report shall be submitted on an annual basis as specified by the Department of Education.

The State Board of Education and the Commissioner, receiving a report of serious injury or death resulting from a physical restraint or seclusion, shall report the incident to the Director of the Office of Protection and Advocacy for Persons with Disabilities and, if appropriate, the Child Advocate of the Office of the Child Advocate.

The State Board of Education may regulate the use of physical restraint and seclusion of special education students in the public schools.

The State Board of Education shall adopt regulations concerning the use of physical restraint and seclusion in public schools.

APPENDIX APPROVED:

5144.1 Appendix C

Northwestern Regional School District No. 7

Protective Measures Procedures

Staff Training: A core group of educators within each school building has been trained in the principles and philosophy of Physical & Psychological Management Training. (PMT) These staff members are appropriately trained in de-escalation techniques as well as safe and effective protective measures.

Northwestern Regional School District No. 7 mandates that alternative strategies and techniques must be exhausted prior to implementation of a protective measure, including but not limited to:

- Planned Ignoring
- Environmental manipulation
- Contingency/Choices
- Physical Redirection

If a student is not able to regain self-control following all attempts by the staff to de-escalate the student's behavior and the safety of the student and/or the safety of others is in question, the following procedures should be enacted:

STEP 1:

Immediately notify the office:

The office will notify the appropriate team members and the principal and send them to the room or environment in question. The student should remain under constant supervision to ensure that he/she is safe. At least two TEAM members must be present during the intervention.

Pre-approved protective measures as indicated within the PMT training manual

Escort:	Protective Hold:
• Guide-a-long	• Limited Security Hold

• Lower Figure Four	• Full Security Hold
	• Seated Full Security Hold
	• Seated Full Security Hold (two-person)
	• Kneeling Full Security Hold
	• PMT Floor Control

Protective measures lasting longer than 5 minutes must be approved by an administrator or designee. Holds must be approved every additional 5 minutes up to 20 minutes. Protective measures are not to exceed 20 minutes.

STEP 2:

The administrator will notify the parent.

Northwestern Regional School District No. 7 may seek an individual waiver for students who present a high risk of frequent, dangerous behavior that may require the frequent use of protective measures. Parent(s)/guardian(s) may withdraw consent to such waiver at any time without penalty. Protective measures that result in serious injury to a student or program staff member must be reported as described above, regardless of any individual waiver.

STEP 3:

Complete Paperwork

- Protective Measures Documentation Form
    - To be completed before the close of the school day
- Protective Measures Report Form

- To be completed no later than the following school day

Reports of these incidents should be submitted to the principal no later than the following school day, with copies sent to the pupil services office.

The principal or his/her designee shall maintain an ongoing record of all reported instances of protective measures, which shall be made available for review by the Department of Education, upon request.

The following documentation regarding individual waiver of reporting requirements will be maintained on-site in the student's file and will be made available for inspection to the Department of Education upon request:

a. Informed written consent of parent(s)/guardian(s) to the waiver, which shall specify those reporting requirements listed above that the parent(s)/guardian(s) agree to waive; and

b. Specific information regarding when and how the parent(s)/guardian(s) will be informed regarding the administration of all protective measures to the individual student.

_____ Public Schools Protective Measures Documentation

Date:_____ Time:_____ Location:_____

Student:_____ Parent Notification:_____

Antecedents to the Incident:	**Alternatives to Protective Measure:**
Demand: _____	Ignoring:
Environmental: _____	Environmental Manipulation:
Denied Access: _____	Contingency: ____
See Attached: _____	Physical Redirection: ____
Describe Environment or Activity:	Severity of Behavior Prevents: ____
_____	Other:
_____	
_____	

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	Justification for Protective Measure _____ Safety of Student _____ Safety of Others

Protective Hold/Escort Utilized: Escort: _____Guide-a-long _____Lower Figure Four Protective Hold: _____Limited Security Hold (1) _____Full Security Hold (1) _____Seated Full Security Hold (1) _____Kneeling Full Security Hold (2) _____PMT Floor Control Staff Implementing Protective Hold: Staff 1 Signature: _____ Init: _____ Staff 2 Signature: _____ Init: _____ Staff 3 Signature: _____ Init: _____	**Immediate Notification:** Staff: _____ Time: _____ Admin: _____ _____ **5-min. Notification** Staff: _____ Time: _____ Admin: _____ _____ **20-min. Notification** Admin: _____ Total Duration: _____

Reason for Release: Student Specific Criteria: __ Unsafe Protective Hold: __ Physiological Factors: __	Monitoring: Staff_____ Skin Color ____ Breathing ____ Body Position ____	Reestablish Therapeutic Rapport: (follow-up actions)

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Supervisor Directive: __		

Classroom Teacher Review: _____
Date: _____

School Principal Review: _____
Date: _____

Special Education Administrator Review: _____
Date: _____

Nurse (if necessary) _____
Date: _____

APPENDIX C APPROVED:

Regional School District No. 7

5144.1 Appendix D

Northwestern Regional School District No. 7

Winsted, Connecticut

Protective Measure Report

Date:_____ Time (begin): _____ Time (end): _____

Name of Staff Person(s) Administering Protective measures:_____

Name of Observer(s):_____

Administrator Notified:_____

1. Description of the activity of all parties involved prior to the use of the protective measure.

2. The student's behavior which prompted the protective measure.

3. Describe the de-escalation efforts.

4. Justification of the protective measure and a description of the administration of the protective measure.

5. Other information and/or related information.

APPENDIX D APPROVED:

5144.1 Form 1

Northwestern Regional School District No. 7

Physical Restraint Report Form

Note: This report is required to be submitted to the Director of Special Education as soon as practicable after an incident involving physical restraint, but in no event later than 24 hours after the incident. Any use of physical restraint is to be documented in the child's educational record and, if appropriate, in the child's school health record.

Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs, or head. The term DOES NOT INCLUDE: (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; or (E) helmets, mitts and similar devices used to prevent self-injury when the device is part of an individualized education program pursuant to state special education statutes or an exclusionary time out.

STUDENT INFORMATION:

Name of Student: _____ Date of Restraint: _____

Date of Birth: _____ Age: _____ Gender: M/F _____ Grade Level: _____

Does the student currently receive special education services, or is the student being evaluated for eligibility for special education services? Yes:___ No: ___ School: _____

Date of this report: _____ Site of physical restraint: _____

This report prepared by: _____ Position: _____

Staff administering restraint:

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Staff monitoring restraint:

Name: _____ Title: _____

5144.1 Form 1

Name: _____ Title: _____

The administrator who was verbally informed following the restraint:

Name: _____ Title: _____

Reported by: _____ Title: _____

PRECIPITATING ACTIVITY:

Description of activity in which the restrained or other students were engaged immediately preceding the emergency use of physical restraint:

Description of the risk of immediate or imminent injury to the student restrained or others that required the use of physical restraint:

Description of other steps, including attempts at verbal de-escalation, to prevent the emergency necessitating use of restraint:

DESCRIPTION OF PHYSICAL RESTRAINT:

Justification for initiating physical restraint (check all that apply):

___ Non-Physical interventions were not effective

___ To protect student from immediate or imminent injury

___ To protect other student/staff from immediate or imminent injury

Type of Protective Hold Used:

___ Side by side parallel hold

___ Lifted and carried (full security hold)

___ Held in chair (reverse cradle transport)

___ Floor control

___ Other (describe)

Regular evaluation of the student being restrained for signs of physical distress:

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

5144.1 Form 1

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time restraint began:_____ Time restraint ended:_____

Total time (in minutes): _____

CESSATION OF RESTRAINT:

How restraint ended (check all that apply):

___ Determination by staff member that student was no longer a risk to himself/herself or others

___ Intervention by administrator(s) to facilitate de-escalation

___ Law enforcement personnel arrived

___ Staff sought in-house assistance

___ Community emergency personnel arrived

___ Other (describe):

Description of any injury to student and/or staff and any medical or first aid care provided:

Time medical staff checked injured person:_____

Medical staff actions:_____

Medical staff name: _____

An incident report was filed with the following school district official:

_____

Date:_____

FURTHER ACTION TO BE TAKEN: (Attach separate page if necessary)

The school will take the following actions (check all that apply)

___ Review incident with student to address behavior that precipitated the restraint

___ Debrief staff regarding incident

___ Consider whether follow-up is necessary for students who witnessed the incident

___ Further contact with parents (describe):

___ Convene Crisis Team Meeting

___ Convene PPT to review/revise behavior intervention plan and/or IEP

___ Convene PPT to discuss functional behavior assessment

PARENT/GUARDIAN NOTIFICATION (required for all restraints):

Parent who was verbally informed of this restraint:

Name: _____ Telephone Number: _____

Date: _____ Time: _____

Called by: _____ Title: _____

Notice mailed to Parent: Yes_____ No_____

Mailed by: _____ Title: _____

Reviewed by:_____ Date: _____

(Program Administrator/ Team Leader)

Reviewed by:_____ Date: _____

(Director of Special Education)

FOR DIRECTOR OR DESIGNEE USE ONLY

___ Reviewed physical restraint report

___ Reviewed behavior plan, if applicable

___ In considering the effect of the restraint on the student's established behavioral support of educational plan, I find the following:

_____

_____

_____

FORM APPROVED:

5144.1 Form 2

Public Schools

Seclusion Report Form

Note: This report is required to be submitted to the Director of Special Education as soon as practicable after an incident involving the seclusion of a student, but in no event later than 24 hours after the incident. Any use of seclusion is to be documented in the child's educational record, and, if appropriate, in the child's health record.

Seclusion: The confinement of a person in a room, whether alone or with supervision by a Board of Education employee, in a manner that prevents the person from leaving the room.

STUDENT INFORMATION:

Name of Student: _____ Date of seclusion: _____

Date of Birth: _____ Age: _____ Gender: M/F _____ Grade Level: _____

Does the student currently receive special education services or is the student being evaluated for eligibility for special education services? Yes: ___ No: ___ School:

Date of this report: _____ Site of seclusion: _____

This report prepared by: _____ Position: _____

Staff placing the student in seclusion:

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Staff monitoring seclusion:

Name: _____ Title: _____

5144.1 Form 2

Name: _____ Title:
_____

The administrator who was verbally informed following the seclusion:

Name: _____ Title:
_____

Reported by: _____ Title:
_____

PRECIPITATING ACTIVITY/DESCRIPTION OF SECLUSION:

Does the student's IEP include the use of seclusion? Yes ____ No ____

If No: Description of the risk of immediate or imminent injury to the student secluded or others that required use of seclusion.

If Yes or No: Description of other steps, including attempts at verbal de-escalation, to prevent the use of seclusion:

MONITORING OF SECLUSION

Regular evaluation of the student being secluded for signs of physical distress:

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time: _____ Evaluation:_____

Time seclusion began:_____ Time seclusion ended:_____

Total time (in minutes): _____

CESSATION OF SECLUSION:

How seclusion ended (check all that apply):

___ Determination by staff member that student was no longer a risk to himself/herself or others

___ Intervention by administrator(s) to facilitate de-escalation

___ Law enforcement personnel arrived

___ Staff sought in-house assistance

___ Community emergency personnel arrived

___ Termination per instruction in IEP/behavior plan

___ Other (describe):

Description of any injury to student and/or staff and any medical or first aid care provided:

Time medical staff checked injured person:

_____

Medical staff actions:

_____

Medical staff name:

_____

Incident report was filed with the following school district official:

_____

Date:_____

FURTHER ACTION TO BE TAKEN: (Attach separate page if necessary)

The school will take the following actions (check all that apply)

___ Review incident with student to address behavior that precipitated the seclusion

___ Debrief staff regarding incident

___ Consider whether follow-up is necessary for students who witnessed the incident

___ Further contact with parents (describe):

___ Convene Crisis Team Meeting

___ Convene PPT to review/revise behavior intervention plan and/or IEP

___ Convene PPT to discuss functional behavior assessment

PARENT/GUARDIAN NOTIFICATION (required for all seclusions):

Parent who was verbally informed of this seclusion:

Name: _____ Telephone Number: _____

Date: _____ Time: _____

Called by: _____ Title: _____

Notice mailed to Parent: Yes_____ No_____

Mailed by: _____ Title:_____

Reviewed by:_____ Date: _____
(Program Administrator/ Team Leader)

Reviewed by:_____ Date: _____
(Director of Special Education)

FOR DIRECTOR OR DESIGNEE USE ONLY

___ Reviewed seclusion report

___ Reviewed behavior plan, if applicable

___ In considering the effect of the seclusion on the student's established behavioral support of educational plan, I find the following:

_____

_____

_____

FORM APPROVED:

5144.1 Form 3

(STATE INCIDENT REPORTING FORM)

Report of Seclusion or Restraint

Incident Report

School District: _____School: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

Name and Title of Person Preparing the report:

_____

Incident: Seclusion _____ Restraint _____

Name of Student:_____ Student Disability: _____

Birth Date of Student: _____ Male/Female Race:_____

Describe the nature and use of seclusion: (Identify the emergency that necessitated the use of seclusion and how long the student was in seclusion. Was the use of seclusion included in the student's IEP?)

_____

_____

Describe the nature and use of restraint: (Identify the emergency that necessitated the use of restraint, time in restraint, and type of restraint used.)

_____

_____

Was the parent contacted within twenty-four hours of the use of seclusion or restraint as an emergency intervention to prevent immediate or imminent injury to the person or others?

Yes _____ No _____ If "No", did the parent receive a copy of the incident report no later than five days from the date of the incident? Yes _____ No_____

Was the student injured during the emergency use of restraint or seclusion?

Yes___ No ____ If "Yes", complete and attach a Report of Injury.

ED 636: Seclusion/Restraint Report

FORM APPROVED:

5145.511 Form

Northwestern Regional School District No. 7

Winsted, Connecticut

Sexual Abuse Prevention and Education Program

Student Program Opt-Out Form

Connecticut Law, Public Act 14-196, mandates that schools provide age-appropriate sexual abuse and assault awareness and prevention education in Kindergarten through Grade 12. The District will be utilizing instructional modules and developmentally appropriate educational material in each school and in all grades.

The age-appropriate materials for students may include skills in recognizing child sexual abuse and assault, boundary violations and unwanted forms of touching and contact, and ways offenders groom or desensitize victims and strategies to promote disclosure, reduce self-blame, and mobilize bystanders.

In addition, the instructions will include actions child victims may take to get help, intervention and counseling options for child victims, access to educational resources to help child victims succeed in school, and uniform procedures for reporting instances of child sexual abuse and assault to school staff.

The law allows students to opt out of the awareness program or any part of it if the student's parent or guardian so notifies the District in writing.

Please sign this form **ONLY** if you **DO NOT** want your child to participate in this program.

Child's Name: _____

Child's Grade: _____ Child's Teacher: _____

I DO NOT want my child, named above, to participate in the sexual abuse awareness and prevention program that will be conducted by the _____ School District.

Parent/Guardian Name (Please Print): _____

Parent/Guardian Signature: _____

Date: _____

This form must be received at school by _____

If a parent/guardian does not submit this opt-out form, the student will participate in the program.

Students who do not participate in this program will be provided opportunities for study and/or school work when the student would otherwise be participating in the program.

FORM APPROVED:

On January 9, 2025, a federal district court in Kentucky ruled that the 2024 Title IX Regulations "are invalid and must be set aside." In response, the U.S. Department of Education's Office for Civil Rights (OCR) issued guidance indicating, "Consistent with the court's order, the 2024 Title IX regulations are not effective in any jurisdiction." Districts are advised to discontinue the use of policies and regulations that follow the 2024 Title IX Regulations and resume using policies and regulations that were in place under the 2020 Regulations. In the absence of additional guidance from OCR, districts should consult with their legal teams to assist through this transition and perhaps future changes.

Students/Personnel - Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment In The Workplace

The Northwestern Regional School District No. 7 Board of Education (the "Board") prohibits any form of sex discrimination or sexual harassment in the Board's education programs and activities, whether by students, Board employees or third parties subject to substantial control by the Board. It is the policy of the Board to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex.

The Board does not discriminate on the basis of sex in the education programs or activities that it operates and the Board is required by Title IX of the Education Amendments of 1972 and its implementing regulations ("Title IX"), Title VII of the Civil Rights Act of 1964 ("Title VII"), and Connecticut law not to discriminate in such a manner. Discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of gender identity or sexual orientation. Any employee or student who engages in conduct prohibited by this Policy shall be subject to disciplinary action, up to and including termination or expulsion, respectively. Third parties who engage in conduct prohibited by this Policy shall be subject to other sanctions, which may include exclusion from Board property and/or activities. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

For conduct to violate Title IX, the conduct must have occurred in an education program or activity of the Board; the conduct must have occurred within the United States of America; and the complainant must be participating in or attempting to participate in the education program or activity of the Board. Conduct that does not meet these requirements still may constitute a violation of Title VII, Connecticut law, and/or another Board policy.

The Superintendent of Schools shall develop Administrative Regulations, which will include Grievance Procedures implementing this Policy and in accordance with Title IX, Title VII, and Connecticut law (the "Administrative Regulations").

Sex discrimination occurs when an employer refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to his or her compensation, terms, conditions, or privileges of employment on the basis of the individual's sex. Sex discrimination also occurs when a person, because of the person's sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

Sexual harassment under Title IX means conduct on the basis of sex that satisfies one or more of the following:

(1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo);

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education programs or activities; or

(3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Sexual harassment under Title VII and Connecticut law means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature 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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Reporting Sex Discrimination or Sexual Harassment

It is the policy of the Board to encourage victims of sex discrimination and/or sexual harassment to report such claims. Employees are encouraged to report complaints of sex discrimination and/or sexual harassment promptly in accordance with the appropriate process established in the Administrative Regulations. All complaints are to be responded to in a prompt and equitable manner.

Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties. Retaliation against any employee with a complaint about sex discrimination or sexual harassment is prohibited under this Policy and illegal under state and federal law.

Any Board employee with notice of sex discrimination and/or sexual harassment allegations shall immediately report such information to the building principal and/or the Title IX Coordinator, or if the employee does not work in a school building, to the Title IX Coordinator.

The Northwestern Regional School District No. 7 administration (the "Administration") shall provide training to Title IX Coordinator(s), investigators, decision-makers, and any person who facilitates an informal resolution process (as set forth in the Administrative Regulations), which training shall include, but need not be limited to, the definition of sex discrimination and sexual harassment, the scope of the Board's education program and activity, how to conduct an investigation and implement the grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The Administration shall make the training materials used to provide these trainings publicly available on the Board's website. The Administration shall also periodically provide training to all Board employees on the topic of sex discrimination and sexual harassment under Title IX, Title VII, and Connecticut law, which shall include when reports of sex discrimination and/or sexual harassment must be made. The Administration shall distribute this Policy and the Administrative Regulations to employees, union representatives, students, parents and legal guardians and make the Policy and the Administrative Regulations available on the Board's website to promote an environment free of sex discrimination and sexual harassment.

The Board's Title IX Coordinator is Mr. Gary Franklin, Northwestern High School Principal. Any individual may make a report of sex discrimination and/or sexual harassment to any Board employee or directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

OFFICE ADDRESS: 100 Battistoni Drive, Winsted, CT 06098
ELECTRONIC MAIL ADDRESS: gfranklin@nwr7.org
TELEPHONE NUMBER: (860) 379-1084

Any Board employee in receipt of allegations of sex discrimination or sexual harassment, or in receipt of a formal complaint, shall immediately forward such information to the Title IX

Coordinator. Board employees may also make a report of sexual harassment and/or sex discrimination to the U.S. Department of Education: Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone: 617-289-0111).

Employees may also make a report of sexual harassment and/or sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll Free Number: 1-800-477-5737).

Legal References: Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a).

Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990.

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

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

Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Conn. Gen. Stat. §46a-54 Commission powers Connecticut

Conn. Gen. Stat. §46a-60 Discriminatory employment practices prohibited.

Conn. Gen. Stat. §46a-81c Sexual orientation discrimination: Employment

Conn. Gen. Stat. §10-153 Discrimination on the basis of sex, gender identity or expression or marital status prohibited

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

Policy adopted:

cps reviewed: 1/2025

The grievance procedures in these regulations are legally required.

Students/Personnel - Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment In The Workplace

The Northwestern Regional School District No. 7 Board of Education (the "Board") prohibits any form of sex discrimination or sexual harassment in the Board's education programs and activities, whether by students, Board employees or third parties subject to substantial control by the Board. Discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of gender identity or sexual orientation.

Students, District employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students, District employees, and third parties. It is the policy of the Board to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex that has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.

Any employee or student who engages in conduct prohibited by the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) shall be subject to disciplinary action. Any third party who engages in conduct prohibited by the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) shall be subject to remedial measures, which may include exclusion from school property.

Sex discrimination occurs when a person, because of the person's sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

Sexual harassment under Title IX means conduct on the basis of sex that satisfies one or more of the following:

(1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo);

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education programs or activities; or

(3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30). These definitions can be found in Appendix A of these Administrative Regulations.

Sexual harassment under Title VII and Connecticut law means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature 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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Although not an exhaustive list, the following are other examples of conduct prohibited by the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel):

1. Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;

2. Unwelcome attention of a sexual nature, such as degrading, suggestive or lewd remarks or noises;

3. Dirty jokes, derogatory or pornographic posters, cartoons or drawings;

4. The threat or suggestion that continued employment advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment;

5. Circulating, showing, or exchanging emails, text messages, digital images or websites of a sexual nature;

6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel).

Notice of The Title IX Coordinator

The Board's Title IX Coordinator is Mr. Gary Franklin, Northwestern High School Principal. Any individual may make a report of sex discrimination and/or sexual harassment to any Board employee or directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

OFFICE ADDRESS: 100 Battistoni Drive, Winsted, CT 06098

ELECTRONIC MAIL ADDRESS: gfranklin@nwr7.org

TELEPHONE NUMBER: (860) 379-1084

Any District employee in receipt of allegations of sex discrimination or sexual harassment, or in receipt of a formal complaint, shall immediately forward such information to the Title IX Coordinator. The Title IX Coordinator manages the District's compliance with Title IX, Title VII and Connecticut law with respect to sexual harassment and/or sex discrimination and is an available resource to anyone seeking information or wishing to file a formal complaint of same. When a student, District employee, or other participant in the District's programs and activities feels that such person has been subjected to discrimination on the basis of sex in any District program or activity, including without limitation being subjected to sexual harassment, such person may contact the Title IX Coordinator or utilize the Title IX, Title VII and Connecticut law grievance systems set forth herein to bring concerns forward for the purpose of obtaining a prompt and equitable resolution.

Explanation of Complaint Process and Procedure

The federal regulations implementing Title IX require the adoption and publication of two separate grievance systems:

- a grievance process for complaints of sex discrimination involving allegations of sexual harassment; and
- grievance procedures for complaints of sex discrimination that are not sexual harassment.

Accordingly, the Administration will process any complaints of sex discrimination involving allegations of sexual harassment, as defined above, pursuant to the **grievance process** set forth in Section I of these regulations. The Administration will process any complaints of sex discrimination that are not sexual harassment pursuant to the **grievance procedures** set forth in Section II of these regulations.

The District will keep confidential the identity of any individual who has a made a report or complaint of sex discrimination, including any individual who has made a report or filed a

formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), or as required by law, or to carry out the purposes of these Administrative Regulations, including the conduct of any investigation, hearing, or judicial proceeding arising from these Administrative Regulations.

The obligation to comply with Title IX is not obviated or alleviated by the FERPA.

Section I. Grievance Process for Complaints of Sexual Harassment Under Title IX

A. Definitions

• **Bias** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) demonstrate actual bias, rather than the appearance of bias. Actual bias includes, but is not limited to, demonstrated personal animus against the respondent or the complainant and/or prejudgment of the facts at issue in the investigation.

• **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

• A **conflict of interest** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) have personal, financial and/or familial interests that affected the outcome of the investigation.

Consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person (also referred to hereafter as "affirmative consent").

For the purposes of an investigation conducted pursuant to these Administrative Regulations, the following principles shall be applied in determining whether consent for sexual activity was given and/or sustained:

A. Affirmative consent is the standard used in determining whether consent to engage in sexual activity was given by all persons who engaged in the sexual activity.

B. Affirmative consent may be revoked at any time during the sexual activity by any person engaged in the sexual activity.

C. It is the responsibility of each person engaging in sexual activity to ensure that the person has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity.

D. It shall not be a valid excuse to an alleged lack of affirmative consent that the respondent to the alleged violation believed that the complainant consented to the sexual activity:

(i) because the respondent was intoxicated or reckless or failed to take reasonable steps to ascertain whether the complainant affirmatively consented, or

(ii) if the respondent knew or should have known that the complainant was unable to consent because such individual was unconscious, asleep, unable to communicate due to a mental or physical condition, unable to consent due to the age of the individual or the age difference between the individual and the respondent, or incapacitated due to the influence of drugs, alcohol or medication.

E. The existence of a past or current dating or sexual relationship between the complainant and the respondent, in and of itself, shall not be determinative of a finding of consent.

- For purposes of investigations and complaints of sexual harassment, **education program or activity** includes locations, events, or circumstances over which the Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

- **Employee** means (A) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in a public elementary, middle or high school; or (B) any other individual who, in the performance of the individual's duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.

- **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment (as defined under Title IX) against a respondent and requesting that the Administration investigate the allegation of sexual harassment. A "document filed by a complainant" means a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

- **Respondent** means an individual who has been alleged to be the perpetrator of conduct that could constitute sexual harassment.

- **School days** means the days that school is in session as designated on the calendar posted on the Board's website. In its discretion, and when equitably applied and with proper notice to the parties, the District may consider business days during the

summer recess as "school days" if such designation facilitates the prompt resolution of the grievance process.

• **Supportive measures** mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, increased security and monitoring, and other similar measures.

B. Reporting Sexual Harassment

1. It is the express policy of the Board to encourage victims of sexual harassment to report such claims. Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sexual harassment or alleged sexual harassment against a person in the District's education program or activity, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, whether or not the complainant files a formal complaint, and will consider the complainant's wishes with respect to such measures. If the complainant has yet to file a formal complaint, the Title IX Coordinator will explain to the complainant the process for doing so.

2. The District will treat complainants and respondents equitably. A respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility will be made at the conclusion of the grievance process if a formal complaint is filed. Nothing in these Administrative Regulations shall preclude the District from placing an employee respondent on administrative leave during the pendency of the grievance process. Further, nothing in these Administrative Regulations shall limit or preclude the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. If a respondent is

removed on an emergency basis, the District shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

C. Formal Complaint and Grievance Process

1. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education programs or activity. A formal complaint may be signed by the Title IX Coordinator. If the formal complaint being filed is against the Title IX Coordinator, the formal complaint should be filed with the Superintendent. If the formal complaint being filed is against the Superintendent, the formal complaint should be filed with the Board Chair, who will then retain an independent investigator to investigate the matter.

2. The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. If possible, formal complaints should be filed within ten (10) school days of the alleged occurrence in order to facilitate the prompt and equitable resolution of such claims. The District will attempt to complete the formal grievance process within ninety (90) school days of receiving a formal complaint. This timeframe may be temporarily delayed or extended in accordance with Subsection G of this Section.

3. Upon receipt of a formal complaint, if the Title IX Coordinator has not already discussed the availability of supportive measures with the complainant, the Title IX Coordinator will promptly contact the complainant to discuss the availability of such measures and consider the complainant's wishes with respect to them. The Title IX Coordinator or designee may also contact the respondent, separately from the complainant, to discuss the availability of supportive measures for the respondent. The District will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide such supportive measures.

4. Within ten (10) school days of receiving a formal complaint, the District will provide the known parties with written notice of the allegations potentially constituting sexual harassment under Title IX and a copy of this grievance process. The written notice must also include the following:

i. The identities of the parties involved in the incident, if known;

ii. The conduct allegedly constituting sexual harassment as defined above;

iii. The date and the location of the alleged incident, if known;

iv. statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

v. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and

vi. A statement of any provision in the District's policies that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the written notice, the District must provide notice of the additional allegations to the parties whose identities are known.

5. The parties may have an advisor of their choice accompany them during any grievance proceeding at which the party's attendance is required. The District may, in its discretion, establish certain restrictions regarding the extent to which an advisor may participate in the proceedings. If any such restrictions are established, they will be applied equally to all parties.

6. The Title IX Coordinator will, as applicable, promptly commence an investigation of the formal complaint, designate a school administrator to promptly investigate the formal complaint, or dismiss the formal complaint in accordance with Subsection F of this Section. The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard (i.e., more likely than not). The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties.

7. The parties will be given an equal opportunity to discuss the allegations under investigation with the investigator(s) and are permitted to gather and present relevant evidence. This opportunity includes presenting witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The District will provide to a party whose participation is invited or expected (including a witness) written notice of the date, time, location, participants, and purpose of all hearings (if applicable), investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

8. Both parties will be given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) school days to submit a written response, which the investigator(s) will consider prior to completion of the investigative report, as described in Paragraph 9 of this Subsection.

9. The investigator(s) will create an investigative report that fairly summarizes relevant evidence. The investigator(s) will send the investigative report, in an electronic format or hard copy, to each party and to each party's advisor for their review and written response at least ten (10) school days prior to the time a determination regarding responsibility is made.

10. The Superintendent will appoint a decision-maker(s), who shall be a District employee or third-party contractor and who shall be someone other than the Title IX Coordinator or investigator(s). If the formal complaint filed is against the Superintendent, the Board Chair shall appoint the decision-maker, who shall be someone other than the Title IX Coordinator or investigator(s). The investigator(s) and the decision-maker(s) shall not discuss the investigation's facts and/or determination while the formal complaint is pending. The decision-maker(s) will afford each party the 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. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, 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 if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decisions to exclude a question as not relevant.

11. The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker must apply the preponderance of the evidence standard. The written determination will include: (1) identification of the allegations potentially constituting sexual harassment; (2) a description of the

procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (3) findings of fact supporting the determination; (4) conclusions regarding the application of the District's code of conduct to the facts; (5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District will impose on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and (6) the District's procedures and permissible bases for the complainant and respondent to appeal. If the respondent is found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel), the written determination shall indicate whether the respondent engaged in sexual harassment as defined by the Board's Policy and these Administrative Regulations. The written determination will be provided to both parties simultaneously.

12. Student respondents found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) may be subject to discipline up to and including expulsion. Employee respondents found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) may be subject to discipline up to and including termination of employment. Other respondents may be subject to exclusion from the District's programs, activities and/or property. In appropriate circumstances, the District may make a criminal referral. Remedies will be designed to restore or preserve equal access to the District's education programs or activities.

13. After receiving notification of the decision-maker(s)' decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent may avail themselves of the appeal process set forth in Section E of this Section.

D. Informal Resolution

At any time prior to reaching a determination regarding responsibility, but only after the filing of a formal complaint, the District may suggest to the parties the possibility of facilitating an informal resolution process, such as mediation, to resolve the formal complaint without the need for a full investigation and adjudication. If it is determined that an informal resolution may be appropriate, the Title IX Coordinator or designee will consult with the parties.

Prior to facilitating an informal resolution to a formal complaint, the Title IX Coordinator or designee will provide the parties with written notice disclosing the sexual harassment

allegations, the requirements of an informal resolution process, and any consequences from participating in the informal resolution process. Upon receipt of this document, complainants and respondents have five (5) school days to determine whether they consent to participation in the informal resolution. The District must obtain voluntary, written consent to the informal resolution process from both parties.

Prior to agreeing to any resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. If a satisfactory resolution is reached through this informal process, the matter will be considered resolved. If these efforts are unsuccessful, the formal grievance process will continue.

Nothing in this section precludes an employee from filing a complaint of retaliation for matters related to an informal resolution, nor does it preclude either party from filing complaints based on conduct that is alleged to occur following the District's facilitation of the informal resolution.

An informal resolution is not permitted to resolve allegations that an employee sexually harassed a student.

E. Appeal Process

After receiving notification of the decision-maker(s)' decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent have five (5) school days to submit a formal letter of appeal to the Title IX Coordinator specifying the grounds upon which the appeal is based. Upon receipt of an appeal, the Superintendent shall appoint a decision-maker(s) for the appeal, who shall be someone other than the Title IX Coordinator, investigator(s) or initial decision-maker(s).

Appeals will be appropriate only in the following circumstances:

- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- procedural irregularity that affected the outcome of the matter;
- the Title IX Coordinator, investigator(s), and/or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. A conflict of interest or bias does not exist solely because the Title IX Coordinator, investigators(s), and/or decision-maker(s) previously worked with or disciplined the complainant or respondent.

The District will provide the other party with written notice of such appeal. The appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the grievance process. The decision-maker(s) for the appeal will provide the appealing party's written statement to the other party. The other party will then have ten (10) school days to submit to the decision-maker for the appeal a written statement in support of, or challenging, the outcome of the grievance process. The decision-maker(s) for the appeal, in their discretion, will determine any additional necessary and appropriate procedures for the appeal.

After considering the parties' written statements, the decision-maker(s) for the appeal will provide a written decision. The decision-maker(s) for the appeal will attempt to issue the written decision within thirty (30) school days of receipt of all written statements from the parties. If it is found that one of the bases for appeal exists, the decision-maker(s) for the appeal will issue an appropriate remedy.

Supportive measures for either or both parties may be continued throughout the appeal process.

F. Dismissal of a Formal Complaint

The Title IX Coordinator shall dismiss any formal complaint that, under Title IX, 1) would not constitute sexual harassment as defined under Title IX even if proved, 2) did not occur in the District's education program or activity, or 3) did not occur against a person in the United States. Such dismissal does not preclude action under another Board policy.

The District may dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing a complainant notifies the Title IX Coordinator in writing that 1) the complainant would like to withdraw the formal complaint or any allegations therein; 2) the respondent is no longer enrolled or employed in the District; or 3) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the District will promptly and simultaneously send written notice of the dismissal and reason(s) therefore to each party. Either party can appeal from the District's dismissal of a formal complaint or any allegations therein using the appeals procedure.

In the event a formal complaint is dismissed prior to the issuance of a decision under Title IX, the Title IX Coordinator shall determine if the allegations of sexual harassment shall proceed through the grievance procedures identified in Section II of these Administrative Regulations for claims of sex discrimination for consideration as to whether the allegations constitute sexual harassment under Title VII or Connecticut law.

A dismissal pursuant to this section does not preclude action by the District under the Student Discipline policy, Code of Conduct for students/or and employees, or any other applicable rule, policy, and/or collective bargaining agreement.

G. Miscellaneous

1. Any timeframe set forth in these Administrative Regulations may be temporarily delayed or extended for good cause. Good cause may include, but is not limited to, considerations such as the absence or illness of a party, a party's advisor, or a witness; concurrent law enforcement activity; concurrent activity by the Department of Children and Families; or the need for language assistance or accommodation of disabilities. If any timeframe is altered on a showing of good cause, written notice will be provided to each party with the reasons for the action.

2. If a sexual harassment complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification (such as race, religion, color, national origin, age, or disability), the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District (e.g. Section 504 Coordinator, etc.), so as to ensure that any such investigation complies with the requirements of policies regarding non-discrimination.

3. If the sexual harassment complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a non-accidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.

4. Retaliation against any individual who complains pursuant to the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) and these Administrative Regulations is strictly prohibited. Neither the District nor any other 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 these Administrative Regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Administrative Regulations. The District will take actions designed to prevent retaliation. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.

5. The District will maintain for a period of seven (7) years records of:

i. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the Board's education program or activity;

ii. Any appeal and the result therefrom;

iii. Any informal resolution and the result therefrom; and

iv. All material used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The Board will make these training materials publicly available on its website.

If the District has actual knowledge of sexual harassment in an education program or activity of the Board, and for any report or formal complaint of sexual harassment, the District will create and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. The District will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Board's education program or activity. If the District does not provide a complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Section II. Grievance Procedures for Claims of Sex Discrimination (Other Than Sexual Harassment Under Title IX)

A. Definitions

- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sex discrimination.

- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination.

B. Reporting Sex Discrimination Other than Sexual Harassment under Title IX

It is the express policy of the Board to encourage victims of sex discrimination to report such claims. Any person may report sex discrimination (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sex discrimination or alleged sex discrimination against a person in the District's education program or activity, the Title IX Coordinator or designee will promptly notify the

complainant of the grievance process. The District will treat complainants and respondents equitably during the grievance process. Sexual harassment is a form of sex discrimination, and any incident of sexual harassment under Title IX, as defined above, shall be handled pursuant to Section I of these Administrative Regulations. Any allegations of sexual harassment under Title VII or Connecticut law, as defined above, shall be handled pursuant to this Section II of these Administrative Regulations.

C. Grievance Procedures

1. As soon as an employee feels that the employee has been subjected to sex discrimination other than sexual harassment as defined under Title IX (including, without limitation, sexual harassment under Title VII or Connecticut law), the employee should make a written complaint to the Title IX Coordinator or to the building principal, or designee. The employee will be provided a copy of the Board's Policy and Administrative Regulations and made aware of the employee's rights under this Policy and Administrative Regulations. Preferably, complaints should be filed within ten (10) school days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.

2. The complaint should state the:

i. Name of the complainant;

ii. Date of the complaint;

iii. Date(s) of the alleged discrimination;

iv. Name(s) of the discriminator(s);

v. Location where such discrimination occurred;

vi. Names of any witness(es) to the discrimination;

vii. Detailed statement of the circumstances constituting the alleged discrimination; and

viii. Remedy requested.

3. Any employee who makes an oral complaint of sex discrimination to any of the above-mentioned personnel will be provided a copy of these Administrative Regulations and will be requested to make a written complaint pursuant to the above procedure.

4. All complaints are to be forwarded immediately to the building principal or designee unless that individual is the subject of the complaint, in which case the

complaint should be forwarded directly to the Superintendent of Schools or designee. In addition, a copy of any complaint filed under this Policy shall be forwarded to the Title IX Coordinator. If the complaint being filed is against the Title IX Coordinator, the complaint should be filed with the Superintendent. If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will then retain an independent investigator to investigate the matter.

5. The Title IX Coordinator or designee shall investigate all complaints of sex discrimination against an employee, regardless of whether the conduct occurred on or off-school grounds. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information, and other extenuating circumstances. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.

6. Any employee who makes a complaint shall be notified of the District's intent to investigate the complaint. In the event the employee requests confidentiality or that an investigation not be conducted, the District will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the District not investigate the complaint. If the employee insists that this information not be shared with the alleged discriminator(s), the employee will be informed that the District's ability to investigate and/or take corrective action may be limited.

7. Upon receipt of a sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator to promptly investigate the complaint. The Title IX Coordinator or designee shall:

i. offer to meet with the complainant and respondent (if applicable) separately within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent (if applicable) believe have relevant information, and obtain any relevant documents the complainant and respondent may have;

ii. provide the complainant and respondent (if applicable) with a copy of the Board's sex discrimination policy and accompanying regulations;

iii. consider whether any interim measures may be appropriate to protect the complainant or respondent (if applicable), pending the outcome of the investigation;

iv. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;

v. consider whether alleged sex discrimination has created a hostile work environment, including consideration of the effects of off-campus conduct on the school;

vi. communicate the outcome of the investigation in writing to the complainant, to the respondent, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within ninety (90) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant and respondent (if applicable) shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will remedy the discrimination, adhering to the requirements of state and federal law; and

vii. when sex discrimination has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the discrimination, as deemed appropriate by the Superintendent or designee, and take steps to remedy the effects of the sex discrimination.

8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent will receive notice and interim measures may be implemented as necessary.

9. If the complainant or respondent (if applicable) is dissatisfied with the findings of the investigation, the complainant or respondent may file a written appeal within five (5) school days to the Title IX Coordinator, or, if the Title IX Coordinator conducted the investigation, to the Superintendent of Schools. The Title IX Coordinator or Superintendent shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sex discrimination. The Title IX Coordinator or Superintendent of Schools may determine if further action and/or investigation is warranted. After completing this review, the Title IX Coordinator or Superintendent of Schools shall

respond to the complainant and respondent (if applicable), in writing, within fifteen (15) school days following the receipt of the written request for review.

D. Miscellaneous

1. If a sex discrimination complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification (such as race, religion, color, national origin, age, or disability), the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District (e.g. Section 504 Coordinator, etc.), so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.

2. If the sex discrimination complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.

3. Retaliation against any individual who complains pursuant to the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) and these Administrative Regulations is strictly prohibited. Neither the District nor any other 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 these Administrative Regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Administrative Regulations. The District will take actions designed to prevent retaliation as a result of filing a complaint. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.

Section III. Further Reporting

At any time, a complainant alleging sex discrimination or sexual harassment may also file a complaint with the Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone (617) 289-0111).

Employees may also make a report of sexual harassment and/or sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll Free Number: 1-800-477-5737).

Copies of these Administrative Regulations will be distributed to all employees.

Regulation approved:

cps reviewed: 1-25

Appendix A

Sexual Assault: An offense classified as forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Rape - (Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Sodomy - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Sexual Assault with an Object - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Fondling - The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Incest - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

SAMPLE FORMAL COMPLAINT FORM (TITLE IX SEXUAL HARASSMENT)

Instructions for filling out this form: If you believe that you have been the victim of sexual harassment, please fill out this form, sign where indicated below, and submit it by hand delivery, electronic mail, or U.S. mail using the contact information listed for the Title IX Coordinator for Students at #5145.44 or the contact information listed for the Title IX Coordinator for Employees at #4000.1, or to the administrative assistant to the Superintendent of Schools..

This formal complaint form is intended for use by the alleged victim of Title IX sexual harassment (referred to in Title IX Regulations as the "complainant"). Under Title IX and the Family Educational Rights and Privacy Act (FERPA), a parent or legal guardian may sign a complaint form and otherwise act on behalf of a minor in the formal complaint process.

If you are not filling this form out as a parent or guardian and you intend to report sexual harassment against another person in the District's education program or activities, please report your concerns to the District's Title IX Coordinator so that the District can take further action. **Under federal law, only an alleged victim of sexual harassment who is currently participating or attempting to participate in the District's education program or activity (such as an enrolled student, an employee, or an applicant for employment or admission) has the right to use the formal complaint process to initiate an investigation**. The District will process all formal complaints in accordance with policy and grievance procedure 4000.1/5145.44.

Please print or type when completing this form:

Name of complainant: _____

Address: _____

Telephone number: _____

Email address: _____

Is the complainant participating in or attempting to participate in a District education program or activity? (See instructions.)

[ ] Yes

[ ] No

If you are a parent or guardian filling this form out on behalf of a minor complainant, please provide your contact information below.

Name: _____

Address: _____

Telephone number: _____

Email address: _____

You have the right to be represented by an advisor during the complaint process. The advisor may be, but does not have to be, an attorney. If you will be represented by an attorney or other advisor in presenting your complaint, please identify the person and provide the contact information below. If unknown at this time, you may provide this information at a later time.

Name: _____

Address: _____

Telephone number: _____

Email address: _____

Please list any additional individuals that you intend to bring with you to any meetings or interviews associated with this complaint and provide their contact information below. You may add additional pages or provide this information at a later time.

Name: _____

Address: _____

Telephone number: _____

Email address: _____

Please describe the facts and circumstances of the alleged sexual harassment causing this complaint. (Give specific, factual details. Attach additional sheets if necessary and indicate below how many additional pages will be attached to ensure complete receipt of your complaint.)

_____

_____

_____

_____

In a Title IX formal complaint process, the person who is alleged to have committed the sexual harassment is called the "respondent." Please provide the name(s) of the person or people you allege to be the respondent(s) responsible for the alleged sexual harassment. If applicable, please include the person's title or position:

When and where did the alleged sexual harassment occur? Please provide specific dates, times, and locations, if possible.

Please explain how the alleged sexual harassment has impacted you. This could include physical injuries as well as impacts on your ability to access or benefit from the District's education program or activities.

Please provide the names and contact information of anyone who may have witnessed the alleged conduct.

If you have reported these allegations to another person, please state to whom you reported the alleged sexual harassment and provide their contact information (if known).

Title IX does not require complainants to attempt to resolve complaints of sexual harassment informally before filing a formal complaint. Nonetheless, if you have reported these allegations to a District employee, please state when, to whom, and what response you received.

Please list below any evidence that you believe is relevant to your allegations. This could include audio or visual media, physical objects, online materials, text messages, voicemail messages, screen captures, emails, or any other item you are attaching or intend to make available for the purpose of this complaint. If known, please also identify any information in the District's possession that you believe to be relevant to your allegations and would like the District to review (such as emails or security camera footage).

Please provide any other information that would be helpful for the District in reviewing your allegations.

Please describe the outcome or remedy you seek for this complaint.

Please provide below your physical or digital signature.

Complainant name:

Signature of complainant:

If complainant is under 18, parent's name:

Signature of parent:

Date of filing:

If this formal complaint is being signed by the District's Title IX Coordinator instead of a complainant:

Title IX Coordinator Name:

Title IX Coordinator Signature:

Date of filing:

Notice to Complainant: This document is a legal record of the allegations of sexual harassment that you have reported to the District in order to request a formal investigation. Please keep a copy of this completed form and any supporting documentation for your records. Please also review your rights and responsibilities at 4000.1/5145.44 which is attached to this form and also available online at: **https://www.nwr7.com/board-of-ed** . Any questions or concerns that you may have during this process may be directed to the District's Title IX Coordinator.

If, after reviewing your complaint form, the Title IX Coordinator finds that the allegations are not appropriate for a Title IX sexual harassment formal complaint process but should be investigated by the District under a different policy or procedure, your formal complaint form will be forwarded to the appropriate District personnel in accordance with District policies. You have the right to appeal the dismissal of your formal complaint, as explained in Policy 4000.1/5145.44 and the District's Title IX formal complaint process.

The sample language below contains the minimum information that must be prominently displayed on the District's website to comply with Title IX regulations.

Sample Website Posting Regarding Title IX Compliance

The following information is provided in response to 34 C.F.R. Part 106.8 of the 2020 Title IX Regulations, mandating notice of a nondiscrimination policy and adoption and publication of grievance procedures that provide for the prompt and equitable resolution of student and employee complaints. In accordance with Title IX, the district does not, and is required not to, discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to employment. As a school district serving students in kindergarten through grade 12, the district is not subject to provisions in Title IX Regulations (Subpart C) prohibiting discrimination on the basis of sex in admissions and recruitment. However, the district does not discriminate on the basis of sex in admissions or transfer requests.

The district has designated and authorized the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, and gender-based harassment:

OFFICE ADDRESS: 100 Battistoni Drive, Winsted, CT 06098

ELECTRONIC MAIL ADDRESS: gfranklin@nwr7.org

TELEPHONE NUMBER: (860) 379-1084

Any individual may report sex discrimination, including sexual harassment, at any time, including during non-business hours, by mail, phone or email.

During district business hours, reports are made in person.

To view an electronic copy of the District's Title IX policies, please go to:
https://www.nwr7.com/board-of-ed

To obtain a copy of the District's Title IX policies, including the grievance process that complies with 34 C.F.R. §106.45(b) of the 2020 Title IX Regulations, please contact:

Upon receiving an allegation of sex-based harassment, the Title IX Coordinator will promptly respond in accordance with Board policies #4000.1 and #5145.44.

Inquiries about the application of Title IX may be referred to the District's Title IX Coordinator.

Title IX Training Materials

All materials used to train Title IX personnel are available for inspection upon request by contacting:

COMPLAINT FORM REGARDING SEXUAL HARASSMENT UNDER TITLE IX (PERSONNEL)

This complaint form should be used for complaints of sexual harassment as defined on page 1 of the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel)

Name of the complainant _____

Date of the complaint _____

Date of the alleged sexual harassment _____

Name or names of the sexual harasser(s) _____

_____

Location where such sexual harassment occurred _____

_____

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

_____

Detailed statement of the circumstances constituting the alleged sexual harassment

_____

_____

_____

Remedy requested_____

Signature of Complainant or Title IX Coordinator: _____

COMPLAINT FORM REGARDING SEX DISCRIMINATION (OTHER THAN SEXUAL HARASSMENT UNDER TITLE IX) (PERSONNEL)

This complaint form should be used for complaints of sex discrimination as defined on page 1 of the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel)

Name of the complainant _____

Date of the complaint _____

Date of the alleged sex discrimination _____

Name or names of the sex discriminator(s) _____

_____

Location where such sex discrimination occurred _____

_____

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

_____

Detailed statement of the circumstances constituting the alleged sex discrimination

_____

_____

_____

Remedy requested_____

Signature: _____

NOTICE OF SEXUAL HARASSMENT ALLEGATIONS UNDER TITLE IX

In accordance with the Board's Policy and Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel), a formal complaint of sexual harassment has been filed with the Title IX Coordinator.

Identities of the parties involved, if known:

_____ (Complainant(s))

_____ (Respondent(s))

The conduct allegedly constituting sexual harassment: _____

_____

_____

The date and the location of the alleged incident, if known: _____

_____

The Title IX Coordinator or designee will contact the parties regarding the next step in the grievance process. Questions can be directed to the Title IX Coordinator: Mr. Gary Franklin, Northwestern High School Principal

The respondent is presumed not responsible for the alleged conduct. A determination regarding responsibility is made at the conclusion of the grievance process.

All parties involved may have an advisor of their choice who may be, but is not required to be, an attorney. This advisor may inspect and review evidence as permitted by the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel).

Any employee who knowingly makes false statements or submits false information during this grievance process is subject to discipline, up to and including termination. Additionally, it is a violation of the Board's Student Discipline Policy to lie to school officials or otherwise engage in dishonest behavior, which includes knowingly making false statements or knowingly submitting false information during the grievance process. Any student who knowingly makes false statements or knowingly submits false information during this grievance process will be subject to sanctions pursuant to the Board's Student Discipline Policy.

A copy of the Board's Policy and Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) is included with this notice.

NOTICE OF INFORMAL RESOLUTION PROCESS FOR SEXUAL HARASSMENT COMPLAINTS UNDER TITLE IX

In accordance with the Board's Policy and Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel), a formal complaint of sexual harassment has been filed with the Title IX Coordinator. The Board has an informal resolution process to promptly and equitably resolve such complaints using mediation. This informal resolution process will only be utilized if both the Complainant and Respondent agree to do so.

The conduct allegedly constituting sexual harassment: _____

_____

_____

If both parties agree to the informal resolution process, it shall preclude the parties from resuming a formal complaint arising out of the same allegations. However, either party may withdraw from the informal resolution process at any time before agreeing to a resolution and resume the grievance process for formal complaints of sexual harassment.

If both parties agree to a resolution, that resolution is binding upon both parties and cannot be changed or appealed.

The District will maintain for a period of seven (7) years records of the informal resolution process and results therefrom.

_____

I voluntarily consent to the informal resolution process:

_____ _____

Complainant Date

_____ _____

Respondent Date

[To be posted in a conspicuous place readily available for viewing by employees and emailed to employees within three months of hire with the subject line "Sexual Harassment Policy" or words of similar import]

SEXUAL HARASSMENT IS ILLEGAL AND IS PROHIBITED BY THE CONNECTICUT DISCRIMINATION EMPLOYMENT PRACTICES ACT (Section 46a-60(a)(8) of the Connecticut General Statutes) AND TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 (42 United States Code Section 2000e et seq.)

SEXUAL HARASSMENT MEANS ANY UNWELCOME SEXUAL ADVANCES OR REQUESTS FOR SEXUAL FAVORS OR ANY CONDUCT OF A SEXUAL NATURE 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.

EXAMPLES OF SEXUAL HARASSMENT INCLUDE:

UNWELCOME SEXUAL ADVANCES

SUGGESTIVE OR LEWD REMARKS

UNWANTED HUGS, TOUCHES, KISSES

REQUESTS FOR SEXUAL FAVORS

RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT

DEROGATORY OR PORNOGRAPHIC POSTERS, CARTOONS, OR DRAWINGS.

REMEDIES FOR SEXUAL HARASSMENT MAY INCLUDE:

CEASE AND DESIST ORDERS

BACK PAY

COMPENSATORY DAMAGES

PUNITIVE DAMAGES

HIRING, PROMOTION, OR REINSTATEMENT

Retaliation against any employee for complaining about sexual harassment is prohibited under this policy and illegal.

VIOLATION OF THIS POLICY IS GROUNDS FOR DISCIPLINE, INCLUDING DISCHARGE.

INDIVIDUALS WHO ENGAGE IN ACTS OF SEXUAL HARASSMENT MAY ALSO BE SUBJECT TO CIVIL AND CRIMINAL PENALTIES.

AN INFRACTION OF THIS POLICY BY SUPERVISORS OR CO-WORKERS SHOULD BE REPORTED IMMEDIATELY TO THE TITLE IX COORDINATOR **[OR THE SUPERINTENDENT IF THE TITLE IX COORDINATOR IS THE SUBJECT OF THE COMPLAINT]**. CONFIDENTIALITY WILL BE MAINTAINED TO THE EXTENT POSSIBLE.

ANY EMPLOYEE WHO BELIEVES THAT HE OR SHE HAS BEEN HARASSED OR DISCRIMINATED AGAINST IN THE WORKPLACE IN VIOLATION OF THIS POLICY MAY ALSO CONTACT:

THE CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

NORTHWESTERN REGION OFFICE [REGIONAL OFFICES AND THEIR ADDRESSES CAN BE FOUND ON THE CHRO WEBSITE, HTTP://WWW.STATE.CT.US/CHRO/]

[ADDRESS]

[PHONE NUMBER]

AND/ OR:

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

BOSTON AREA OFFICE

JOHN F. KENNEDY FEDERAL BUILDING

475 GOVERNMENT CENTER

BOSTON, MA 02203

PHONE (800) 669-4000

CONNECTICUT LAW REQUIRES THAT A FORMAL WRITTEN COMPLAINT BE FILED WITH THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES WITHIN THREE

HUNDRED (300) DAYS OF THE DATE WHEN THE ALLEGED HARASSMENT/ DISCRIMINATION OCCURRED.

9/24/20

With the significant changes to Title IX over the past several years and the level of scrutiny districts face regarding implementation, summer is the ideal time to step back and evaluate your system for responding to sex discrimination complaints. This worksheet is designed to assist district Title IX Coordinators and their teams in reflecting on the complaints investigated and determinations resulting from those investigations, and plan ways for reducing such incidents.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Title IX Summer Prep Worksheet

(Adapted from Institutional Compliance Solutions)

Protecting all students from sexual discrimination and harassment is critical to improving school climate and ensuring all students have a safe environment to learn and thrive. Summer is the ideal time to reflect upon and evaluate your Title IX system and prepare for the upcoming school year.

This worksheet is designed to assist Title IX Coordinators to:

- Evaluate policies and procedures
- Analyze Title IX team preparedness and readiness
- Review incidence and trend data from the previous school year
- Plan effective prevention efforts

Use this tool to help guide your self-assessment and action planning.

- Title IX Policy
- Title IX Grievance Procedures
- Non-Discrimination Policy
- Title IX Forms and Postings

Policies and Procedures Review

Use this space to evaluate your Title IX policies and procedures.

[ ] Are the District's Title IX policies current, easy to access, and written in user-friendly language?

List any updates or issues you identify:

1. _____
2. _____
3. _____
4. _____

List any action or follow-up items:

1. _____
2. _____
3. _____
4. _____

[ ] Is your Title IX team fully staffed and properly trained?

[ ] Do you have the required roles filled?

List your team members and roles below:

Role	**Name**	**Last Trained**
Coordinator		
Investigator		
Decision-Maker		
Facilitator		

Appeal Officer		

Notes or team gaps to address:

Data Review from _____: Evaluate trends and identify barriers

(School Year)

Effective Supportive Measures:

1. _____
2. _____
3. _____

Barriers to Reporting:

1. _____
2. _____
3. _____

Metric	**Value Notes**
Total reports received	
Types of Reports (brief categories)	
Locations of Incidents (on/off campus, online)	

Student vs. staff involvement	
Number of formal investigations	
Number of informal investigations	
Outcome of formal grievances	
Supportive measures offered	
Noted barriers to reporting	

Follow-up Actions or Training Required Based on this Data:

1. _____
2. _____
3. _____

Prevention Plan for the _____ School Year

[ ] Do you have a prevention strategy for key times of year and audiences?

[ ] Are Title IX contacts visible and easy to find?

List or plan your initiatives below:

Initiative or Campaign	**Notes/Strategy**
Visibility of Title IX Coordinator	

Orientation Presentations	
Posters/Videos/QR Codes	
Handbook Updates	
Social Media Use	
Domestic Violence Awareness	
Sexual Assault Awareness	

Additional Resources or Materials Required:

1. _____
2. _____
3. _____
4. _____

Athletic Equity Review

[ ] Have you reviewed your athletic programs for Title IX compliance?

[ ] Have you involved your athletic director in this review?

Complete this checklist for athletic equity:

Category	**Observation/Gaps**
Facilities Comparison	
Uniforms & Equipment	
Scheduling of Games & Practices	
Transportation Access	
Travel Budgets & Schedules	
Donations/Booster Club	
Participation & Proportionality	

Action Steps for Improvement:

1. _____
2. _____
3. _____
4. _____