

**BOARD OF EDUCATION  
NEWINGTON PUBLIC SCHOOLS  
NEWINGTON, CT 06111**

Newington Town Hall  
Virtual  
**Wednesday, October 14, 2020**  
7:00 p.m.

Board of Education members and NPS staff members who are using an npsct.org account in the Google Chrome browser may join by going to [Google Meet](#) and entering the

- nickname: **boemeeting2020**

**OR**

If you are using a different account or browser, you will need a direct link. The link will be provided [in this document](#) 10 minutes prior to the meeting.

**AGENDA**

- A. Call to Order  
Pledge of Allegiance
- B. Presentations of Awards/Proclamations
  1. Presentation – Resolution Honoring School Cafeteria Staff
  2. Presentation – Resolution Honoring School Bus Drivers
  3. Everyday Hero
- C. Public Participation on Any Matter Related to Board Responsibilities
- D. Consent Agenda
  1. Approval of Minutes – Regular Meeting – September 30, 2020
- E. New Business  
Standing Committee Information Items
  - Report – Finance Committee (10/05/20)
  - Report – Facilities Committee (10/05/20)
  - Report – Student Policy Committee (10/07/20)
  - Report – Curriculum Committee
  - Report – Executive Committee
  - Report – Student Representatives
  1. Update – Bus Replacement Cycle
  2. Update – School Reopen Plan
  3. Discussion/Action – Series C-19, #1, Concerning Use Of Face Coverings In School
  4. Discussion/Action – Series C-19 #2, Policy 4115.01- Evaluation and Support Program Flexibilities
  5. Discussion/Action - Policy #4000.1 – Title IX
  6. Discussion/Action - Policy #4131 – Professional Learning/Development
- F. Public Participation on Any Matter Related to Board Responsibilities
- G. Remarks by Board Members
- H. Adjournment

OCT 14 2020

D I

**BOARD OF EDUCATION  
NEWINGTON PUBLIC SCHOOLS  
NEWINGTON, CT 06111**

Newington Town Hall  
Virtual  
Wednesday, September 30, 2020  
7:00 p.m.

**REGULAR MEETING**

PRESENT: Chairperson Paul Vessella, Michael Branda, Emily Guion, Beth Manke Hutvagner, Steven Silvia, Cindy Stamm, Robert Tofeldt, Jessica Weaver

ABSENT: Dr. Bruce Fletcher

ADMINISTRATION: Dr. Maureen Brummett, Lou Jachimowicz, Wendy Crouse, Stephen Foresi

A. Call to Order

Chairperson Paul Vessella called the Regular Meeting of the Newington Board of Education to order at 7:01 p.m.

Pledge of Allegiance

Roll Call

Michael Branda: Here  
Dr. Bruce Fletcher: Absent  
Emily Guion: Here  
Beth Manke Hutvagner: Here  
Steven Silvia: Here  
Cindy Stamm: Here  
Robert Tofeldt: Here  
Paul Vessella: Here  
Jessica Weaver: Here

B. Presentation of Awards/Proclamations

- Youth Services Award - Newington Chamber of Commerce
- Everyday Hero - Kim Luiz
- Superintendent's Everyday Hero - Richard Klett

C. Public Participation on Any Matter Related to Board Responsibilities

# BOARD OF EDUCATION - NEWINGTON PUBLIC SCHOOLS

Regular Meeting

September 30, 2020

Page 2

## D. Consent Agenda

1. Approval of Minutes – Regular Meeting – May 27, 2020
2. Approval of Minutes – Special Meeting – July 22, 2020
3. Approval of Minutes – Special Meeting – August 19, 2020
4. Approval of Minutes – Informational Meeting – September 16, 2020

MOTION: Steven Silvia moved to approve the consent agenda as presented.  
Beth Manke Hutvagner seconded.

Roll Call

Michael Branda voted yes  
Emily Guion voted yes  
Beth Manke Hutvagner voted yes  
Steven Silvia voted yes  
Cindy Stamm voted yes  
Robert Tofeldt voted yes  
Paul Vessella voted yes  
Jessica Weaver voted yes

The motion passed unanimously.

## E. Superintendent of Schools' Report

- Discussion on Changing Mascot
- Current Reopen Plan

## F. New Business

1. Action – Budget 2021-2022 Guidelines

MOTION: Cindy Stamm moved the Board of Education approve the budget guidelines for the 2021-2022 school year as reviewed on September 16, 2020. Emily Guion seconded.

Roll Call

Michael Branda voted yes  
Emily Guion voted yes  
Beth Manke Hutvagner voted yes  
Steven Silvia voted yes  
Cindy Stamm voted yes  
Robert Tofeldt voted yes  
Paul Vessella voted yes  
Jessica Weaver voted yes

The motion passed unanimously.

**BOARD OF EDUCATION - NEWINGTON PUBLIC SCHOOLS**

Regular Meeting

September 30, 2020

Page 3

2. Action – Resolution Honoring Cafeteria Workers (October 14, 2020)

MOTION: Emily Guion moved the Board of Education approve a resolution honoring school cafeteria workers and proclaiming October 14, 2020 as School Cafeteria Workers' Day. Jessica Weaver seconded.

Roll Call

Michael Branda voted yes

Emily Guion voted yes

Beth Manke Hutvagner voted yes

Steven Silvia voted no

Cindy Stamm voted yes

Robert Tofeldt voted yes

Paul Vessella voted yes

Jessica Weaver voted yes

The motion passed 7-1.

3. Action – Resolution Honoring School Bus Drivers (October 14, 2020)

MOTION: Robert Tofeldt moved the Board of Education approve the resolution honoring school bus drivers and proclaiming Wednesday, October 14, 2020 as School Bus Drivers' Day. Emily Guion seconded.

Roll Call

Michael Branda voted yes

Emily Guion voted yes

Beth Manke Hutvagner voted yes

Steven Silvia voted yes

Cindy Stamm voted yes

Robert Tofeldt voted yes

Paul Vessella voted yes

Jessica Weaver was unable to vote due to frozen screen

The motion passed 7-0.

4. Action – Resolution Honoring School Custodians and Maintenance Workers (November 11, 2020)

MOTION: Robert Tofeldt moved the Board of Education approve the resolution honoring school custodians and maintenance workers and proclaiming Wednesday, November 11, 2020 as School Custodian and Maintenance Workers' Day. Emily Guion seconded.

**BOARD OF EDUCATION - NEWINGTON PUBLIC SCHOOLS**

Regular Meeting

September 30, 2020

Page 4

Roll Call

Michael Branda voted yes

Emily Guion voted yes

Beth Manke Hutvagner voted yes

Steven Silvia voted yes

Cindy Stamm voted yes

Robert Tofeldt voted yes

Paul Vessella voted yes

Jessica Weaver voted yes

The motion passed unanimously.

G. Public Participation on Any Matter Related to Board Responsibilities

H. Remarks by Board Members

I. Adjournment

MOTION: Michael Branda moved to adjourn. Emily Guion seconded.

The meeting was adjourned at 9:22 p.m.

Respectfully submitted,

Steven Silvia, Secretary

Debra O. Craig, Board Clerk

**PUBLIC PARTICIPATION**

None

OCT 14 2020

E

BOARD OF EDUCATION

FINANCE / FACILITIES JOINT STANDING COMMITTEE

Monday, October 5, 2020 (Virtual)

6:00 p.m.

[Join with Google Meet](#)

meet.google.com/phy-cdvq-ifh · Up to 250 participants



Meeting ID

[meet.google.com/phy-cdvq-ifh](https://meet.google.com/phy-cdvq-ifh)

Phone Numbers

(US)+1 661-527-2790

PIN: 680 485 478#

**MINUTES**

- I. Call to Order
  - Pledge of Allegiance
  - Roll Call
- II. Public Participation
- III. New Business
  1. The Committee discussed the CIP Account, Activities, and Future Planning
  2. The Committee discussed the Operational Accounting of the Child Care Program
  3. An update was provided to the committee on Summer Facilities Projects
- IV. Adjournment

Committee Members

Paul Vessella

Steven Silvia

Jessica Weaver

Robert Tofeldt

Bruce Fletcher

Cindy Stamm

BOARD OF EDUCATION  
POLICY STANDING COMMITTEE

OCT 14 2020

E

Wednesday, October 7, 2020 (Virtual Meeting)

6:30 p.m.

[meet.google.com/fqi-neos-uaf](https://meet.google.com/fqi-neos-uaf)

Meeting ID

[meet.google.com/fqi-neos-uaf](https://meet.google.com/fqi-neos-uaf)

Phone Numbers

(US)+1 617-675-4444

PIN: 330 302 368 0610#

MINUTES

- I. Call to Order
- II. Roll Call
- III. Public Participation
- IV. Old Business
  - None
- V. New Business
  - 1. The committee discussed Policy Series C-19, #1, Concerning Use Of Face Coverings In School
  - 2. The committee discussed Policy 4000.1, Title IX
  - 3. The committee discussed Policy Series C-19, #2, Policy #4115.01 – Evaluation And Support Program Flexibilities
  - 4. The committee discussed Policy #4131 – Professional Learning/Development
- VI. Public Participation
- VII. Adjournment

**Committee Members:**

Dr. Bruce Fletcher, Committee Chair

Mrs. Beth Manke Hutvagner

Ms. Jessica Weaver

OCT 14 2020

E 1

DATE: October 9, 2020  
TO: Members of the Board of Education  
FROM: Dr. Maureen L. Brummett, Superintendent of Schools  
SUBJECT: **UPDATE ON BUS REPLACEMENT CYCLE**

On October 14, 2020 Mr. Dean Barnes, Director of Transportation, will update the Board on the bus replacement cycle.



OCT 14 2020


E 2

DATE: October 9, 2020  
TO: Members of the Board of Education  
FROM: Dr. Maureen L. Brummett, Superintendent of Schools  
SUBJECT: **UPDATE ON SCHOOL REOPEN PLAN**

On October 14, 2020, I will update the Board on the school reopen plan.

DATE: October 9, 2020  
TO: Members of the Board of Education  
and  
Dr. Maureen Brummett, Superintendent of Schools

OCT 14 2020  
E3-E6

FROM: Stephen J. Foresi, Assistant Superintendent 

SUBJECT: **PROPOSED DISCUSSION/ADOPTION OF POLICIES:**

- **POLICY Series C-19, #1, CONCERNING USE OF FACE COVERINGS IN SCHOOL**
- **POLICY Series C-19, #2, #4115.01 – EVALUATION AND SUPPORT PROGRAM FLEXIBILITIES**
- **POLICY 4000.1, TITLE IX**
- **POLICY #4131 – PROFESSIONAL LEARNING/DEVELOPMENT**

The Board of Education Policy Committee met virtually on Wednesday, October 7, 2020 at 6:30pm to review, discuss and revise the above listed policies. Roll call for the meeting included the following Board members: Dr. Bruce Fletcher (Committee Chair), Mrs. Beth Manke Hutvagner, Ms. Jessica Weaver, Mr. Steven Silvia and myself. During this highly productive meeting, members of the committee asked thoughtful questions and provided meaningful insights and feedback, resulting in excellent dialogue surrounding each policy and a minor revision to POLICY Series C-19, #1, CONCERNING USE OF FACE COVERINGS IN SCHOOL. The revision acknowledges a durational period for this policy, similar to the one found in POLICY Series C-19, #2, #4115.01 – EVALUATION AND SUPPORT PROGRAM FLEXIBILITIES.

The Board of Education has a responsibility to formulate and adopt policy for the school district. The formulation of policy requires the adoption by the full Board only after at least two opportunities to read and discuss the proposal at two successive meetings. The Board of Education Policy Committee humbly requests that the full Board amends this process by reducing it from two meetings to one. It is believed that a discussion and adoption of these policies during the same meeting is required due to the extenuating circumstances surrounding the pandemic precipitating a need to expedite policy implementation and regulatory practices. Furthermore, all enclosed policies have been provided to all Board members well in advance of the recommended discussion/adoption date for review and consideration; and from the Board Policy Committee meeting, all policies enclosed were unanimously recommended without change (excluding the minor inclusion of a durational timeperiod in POLICY Series C-19, #1, CONCERNING USE OF FACE COVERINGS IN SCHOOL).

We are asking that the Board take official action on these policies during the October 14, 2020 Board of Education meeting.

Please reach out to me or Dr. Fletcher with any questions.

SJF:lml

Attachments

OCT 14 2020

E 3

DATE: October 9, 2020  
TO: Members of the Board of Education  
FROM: Stephen J. Foresi, Assistant Superintendent of Schools  
SUBJECT: **NEW POLICY - SERIES C-19, #1 – POLICY CONCERNING USE OF FACE COVERINGS IN SCHOOL**

On October 7, 2020 the Student Policy Committee met and reviewed a proposed New Policy #Series C-19, #1 – Policy Concerning Use of Face Coverings in School. Attached is the new Series C-19.

The Committee made one minor revision acknowledging a durational period for this policy. Based on discussion at the Committee meeting, therefore, this policy can be adopted at the October 14, 2020 meeting.

**Recommended Motion:**

Move the Board of Education approve the new Policy Series C-19, #1 – Policy Concerning Use of Face Coverings in School as recommended.

## COVID-19 Policy

### POLICY CONCERNING USE OF FACE COVERINGS IN SCHOOL

The Newington Board of Education (the “Board”) recognizes the importance of protecting the health and safety of students, staff, and the community during the COVID-19 pandemic. As such, and in accordance with requirements and guidelines issued by the Connecticut State Department of Education (“SDE”), the Board requires that all individuals entering a school building, a Newington Public Schools (“District”) facility, or a District transportation vehicle wear an appropriate face covering **effective immediately and remain in effect at least through the duration of Executive Order NO. 9, STATE OF CONNECTICUT**. An appropriate face covering shall consist of a cloth mask or disposable procedure-style mask that completely covers the individual’s nose and mouth. Any individual who presents for entrance into a school building, District facility or District transportation vehicle who is not wearing an appropriate face covering shall be provided an appropriate face covering by the District.

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

All individuals participating in or attending any school-sponsored activities must wear an appropriate face covering, whether or not those activities occur in a school building, District facility or District transportation vehicle, unless an applicable exception applies or the Administration, in consultation with the local health department, determines that face coverings are not required for athletes participating in certain athletic activities.

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

#### Legal References:

Connecticut General Statutes § 10-221

Adapt, Advance, Achieve: Connecticut’s Plan to Learn and Grow Together, Connecticut State Department of Education, as amended by Addendums 1-13 (June 2020 through September 2020).

Coronavirus Memo #29, Group Size and Mask Requirements as part of a system of protections against COVID-19, Connecticut Office of Early Childhood (September 14, 2020)

**Policy adopted: TBD (effective immediately and remain in effect at least through the duration of Executive Order NO. 9, STATE OF CONNECTICUT)**

NEWINGTON PUBLIC SCHOOLS

Newington, Connecticut

## COVID-19 Regulations

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

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

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

All individuals participating in or attending any school-sponsored activities must wear an appropriate face covering, whether or not those activities occur in a school building, District facility or District transportation vehicle, unless an applicable exception applies or the Administration, in consultation with the local health department, determines that face coverings are not required for athletes participating in certain athletic activities.

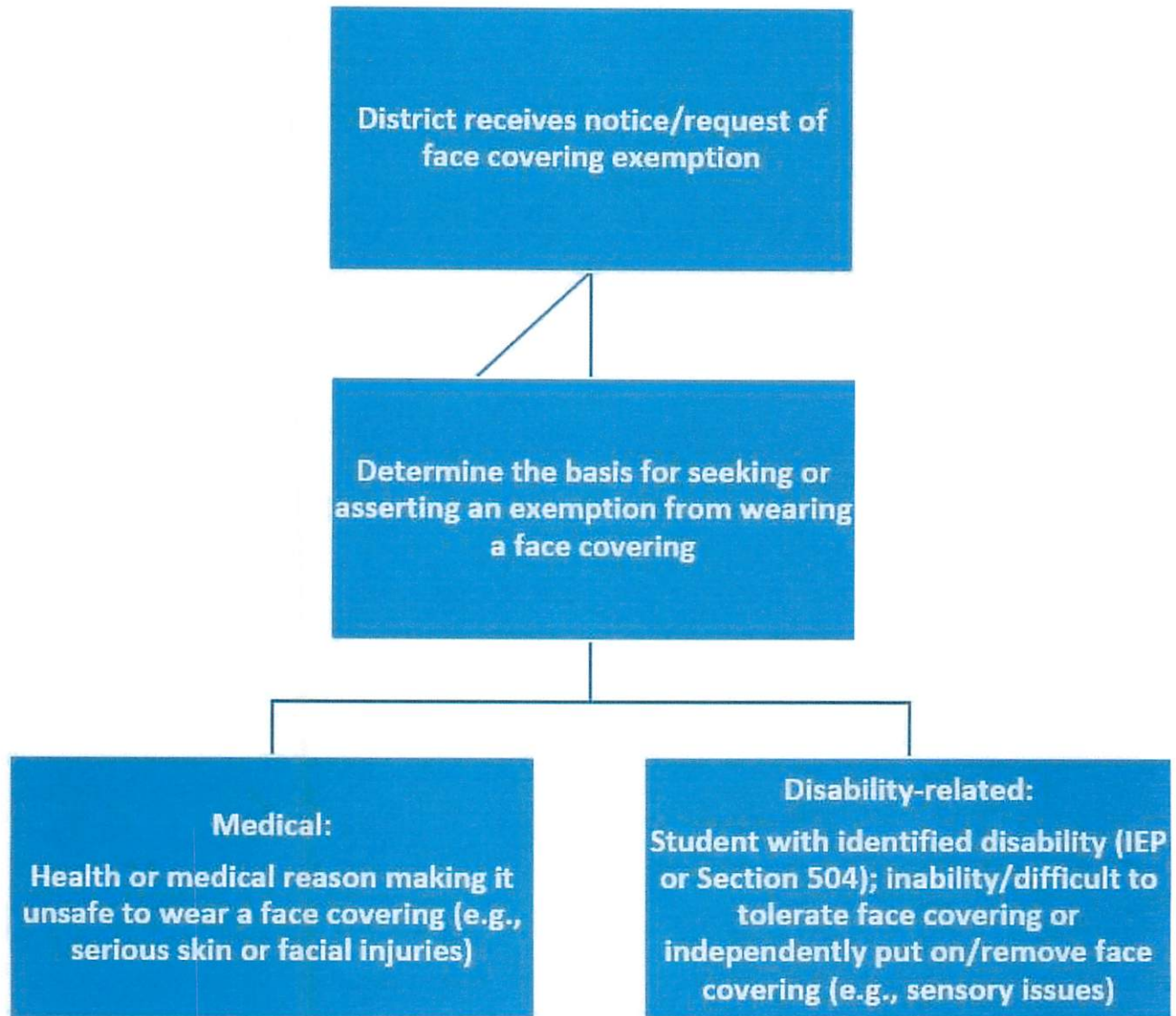
- Students and all individuals being transported on District transportation vehicles are required to wear appropriate face coverings (face coverings must be worn prior to boarding and while exiting the vehicle), in accordance with the District’s Transportation Protocols. Please see below for additional procedures for face covering exemption requirements.
- Students, staff and all individuals inside school buildings and District facilities are required to wear appropriate face coverings except if: (i) the individual cannot wear the face covering because the individual has difficulty breathing, is unconscious, or incapacitated; (ii) the individual cannot remove the face covering without assistance; (iii) the individual has a documented medical reason making it unsafe to wear a mask; (iv) the student is under the age of three (3); or (v) the individual has a disability that causes the individual to be unable to wear a face covering.

**Important Note: The need for a medical exemption for the wearing of face coverings of the styles recommended for use in schools for source control is rare. Medical contraindications to the wearing of cloth or other similar loose fitting masks generally are limited to individuals suffering from severe chronic obstructive pulmonary disease (COPD) such as might be seen with cystic fibrosis, severe emphysema, heart failure, or significant facial burns that would cause extreme pain or interfere with the healing of a skin graft. These severe medical conditions will be rare in students or staff capable of presenting to the school for work or instruction (in most cases these individuals would not be able to move about freely without significant assistance). In addition, for anyone suffering from any of these underlying conditions, the strong recommendation would be for that person to remain at home and engage in fully virtual learning due to their risk of developing severe complications if they did become infected with COVID-19. Mild or intermittent respiratory or other common conditions such as asthma,**

**cardiovascular diseases, kidney disease, or other similar conditions generally are not considered contraindications to the wearing of loose-fitting face coverings.**

- Face coverings may only be removed within the school building for the following reasons: (i) eating/drinking; (ii) on school grounds with appropriate social distancing implemented; and (iii) educational or medical activities requiring removal of masks (speech and language, evaluations, etc.) **ONLY** under circumstances when the school has implemented appropriate and District-approved mitigating measures (such as gowns, face shields, additional social distancing, physical barriers for District employees and/or students).
- For preschool students only, face coverings may also be removed or not worn (as applicable) under the following circumstances: (i) students are sleeping or resting, when the distance between students is maximized, maintaining at least 6 feet of distance wherever possible when face coverings are removed; (ii) a student is newly enrolled within the past two (2) months and is working toward consistent wearing of a face covering; (iii) a student has just turned three (3) years old, in which case such student may have up to two (2) months to acclimate to wearing a face covering and support developmental readiness; and/or (iv) during outdoor activities.
- If a student claims a medical or disability-related exemption from wearing a face covering, the District shall follow the Decision Tree - Face Covering Exemptions in these Protocols. If the District determines the request is based on medical need, the parent or guardian and the **student's treating physician** must complete the Face Covering Exemption Request Form. If the District determines the request is based on disability (skill deficit), the District shall promptly convene a Planning and Placement Team ("PPT") Meeting or Section 504 Team meeting as appropriate to discuss and consider necessary programming revisions, accommodations, modifications, etc.
- If a staff member claims a medical or disability-related exemption from wearing a face covering, the District shall comply with all applicable laws, rules, regulations, and requirements regarding the evaluation of, and response to, any such claim.
- Students shall be offered face covering breaks during the school day as determined appropriate by the Administration. A face covering break consists of the student removing the face covering from the student's own nose and mouth for a short period of time. School district personnel supervising students shall only permit a face covering break when individuals who are indoors are a minimum of 6 feet apart or other District-approved mitigating measures (such as physical barriers) have been implemented, and when individuals who are outdoors are a minimum of 6 feet apart. When practicable, school district personnel supervising students shall schedule mask breaks outdoors.
- The Administration and school employees shall initially address student non-compliance with these protocols through the use of verbal reminders and other less restrictive means of supporting compliance with the use of face coverings. Student discipline may be imposed, in accordance with Board policies, in situations when less restrictive means are not effective and no exception to the wearing of a face covering applies. A preschool student shall not be excluded from the program or isolated from the student's peers due to the student's non-compliance with the face covering requirements.
- The Administration shall communicate individually with parents/guardians who refuse to permit their child(ren) to wear an appropriate face covering to discuss the parents'/guardians' concerns, review the requirements issued by the Connecticut State Department of Education and Connecticut Office of Early Childhood, and/or discuss whether an exception to the face covering requirement may apply to their child(ren) and the appropriate process to obtain such exception.

Decision-Making Tree - Face Covering Exemptions



# NEWINGTON BOARD OF EDUCATION

## FACE COVERING

### MEDICAL/HEALTH EXEMPTION FORM

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

The Connecticut State Department of Education and Newington Public Schools require ALL students, beginning in preschool (ages three and over), to wear face coverings during the school day. Any student seeking a medical exemption to the face covering requirement must have the student's treating physician complete the below Medical/Health Exemption Form. As noted below, Newington Public Schools will consult with the student's treating physician to determine what reasonable accommodations, if any, would allow the student to wear a face covering during the school day. In light of the significant public health and safety requirements, the Newington Public Schools require that any request for medical exemption be completed and submitted to Mercy Hetherington, Nursing Administrator by (email) [mhetherington@npsct.org](mailto:mhetherington@npsct.org), by (phone) 860-666-5611 ext.1165 or by (fax) 860-666-8224.

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

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

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

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

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

(if different from child)

#### Contact Information for Treating Physician

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

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

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

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

I HEREBY CONSENT TO SCHOOL OFFICIALS OF THE NEWINGTON PUBLIC SCHOOLS CONSULTING WITH THE ABOVE-NAMED TREATING PHYSICIAN IN CONNECTION WITH THE



REQUEST FOR A MEDICAL EXEMPTION FROM WEARING A FACE COVERING DURING THE COVID-19 PANDEMIC. I UNDERSTAND THAT MY CHILD'S TREATING PHYSICIAN IS AUTHORIZED TO EXCHANGE HEALTH/MEDICAL AND EDUCATIONAL INFORMATION RELATED TO THE FACE COVERING MEDICAL EXEMPTION REQUEST SUBMITTED ON BEHALF OF MY CHILD, \_\_\_\_\_ [NAME OF STUDENT], WITH THE NEWINGTON PUBLIC SCHOOLS. I UNDERSTAND THAT THE PURPOSE OF THE EXCHANGE OF SUCH INFORMATION IS TO DETERMINE WHETHER A MEDICAL EXEMPTION IS NECESSARY AND/OR WHETHER THERE ARE ANY REASONABLE ACCOMMODATIONS THAT SHOULD BE CONSIDERED IN CONNECTION WITH THE FACE COVERING EXEMPTION REQUEST. I UNDERSTAND THAT THIS AUTHORIZATION WILL EXPIRE ON JUNE 30, 2021, UNLESS I REVOKE THIS AUTHORIZATION AT AN EARLIER TIME BY SUBMITTING WRITTEN NOTICE OF THE WITHDRAWAL OF CONSENT. I ACKNOWLEDGE THAT HEALTH/MEDICAL RECORDS, ONCE SHARED WITH THE NEWINGTON PUBLIC SCHOOLS, WILL BE EDUCATION RECORDS UNDER FEDERAL EDUCATION RECORD LAWS (FERPA) AND MAY NOT BE PROTECTED BY THE HIPAA PRIVACY RULE. I ALSO UNDERSTAND THAT REFUSAL TO CONSENT TO THE EXCHANGE OF INFORMATION DESCRIBED ABOVE WILL NOT AFFECT ACCESS TO HEALTHCARE.

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DATE

PARENT/GUARDIAN

\_\_\_\_\_  
SIGNATURE

PARENT/GUARDIAN

**The section below must be completed by the student's treating physician to verify a health or medical reason that prohibits the student from wearing a face covering in the school building and/or on school grounds or to identify possible accommodations for the student to wear a face covering within the school building or on school grounds. Upon completion, this form must be provided by the treating physician directly to the Newington Public Schools, care of Mercy Hetherington, Nursing Administrator by (email) [mhetherington@npsct.org](mailto:mhetherington@npsct.org), by (phone) 860-666-5611 ext.1165 or by (fax) 860-666-8224 or by mail: 605 Willard Ave, Newington, CT 06111**

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

**Mercy Hetherington, Nursing Administrator**  
(email) [mhetherington@npsct.org](mailto:mhetherington@npsct.org)  
(phone) 860-666-5611 ext.1165  
(fax) 860-666-8224  
(mail) 605 Willard Ave, Newington, CT 06111

Medical Verification

Yes No

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

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

If yes, to the above question:

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

.  
. .  
. .

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

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

---

---

---

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

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

---

---

Signature of Treating Physician

Date

---

---

Print Name of Treating Physician

CT License No.

OCT 14 2020

E 4

DATE: October 9, 2020

TO: Members of the Board of Education

FROM: Stephen J. Foresi, Assistant Superintendent of Schools

SUBJECT: **REVISION TO POLICY - SERIES C-19 #2 – #4115.01 – EVALUATION AND SUPPORT PROGRAM FLEXIBILITIES**

On October 7, 2020 the Student Policy Committee met and reviewed revisions to #Series C-19, #2 – Policy #4115.01 Concerning Evaluation and Support Program Flexibilities. Attached is the new Series C-19 #2.

There were no additional comments or recommended changes based on discussion at the Committee meeting, therefore, this policy can be adopted at the October 14, 2020 meeting.

**Recommended Motion:**

Move the Board of Education approve the revisions to Policy Series C-19, #2, Policy4115.01 – Evaluation and Support Program Flexibilities as recommended.

**Personnel Certified****Evaluation and Support Program Flexibilities**

The Board of Education (Board) recognizes/acknowledges that the Connecticut State Department of Education (SDE) for the 2020-2021 school year only has provided one-time flexibility within the *Guidelines for Educator Evaluation 2017* (Guidelines). The flexibilities reflect the importance of the social and emotional learning and well-being of students and educators during the 2020-2021 academic year, while maintaining meaningful feedback and substantive evaluation of educators and administrators. A suitable copy of the 2020-2021 plan, including the implemented flexibilities, will be presented to the Board during an October 2020 meeting.

**Policy adopted: TBD**

## Comparison of Educator Evaluation Adjustments - **Teachers**

Components	Non-Tenured Beginning Teachers Year 1 and 2		Non-Tenured or Beginning Teachers Year 3 and 4	
	2019-2020	2020-2021	2019-2020	2020-2021
<b>Goal Setting</b> By October 31	1 SLO with 2 IAGDS (45%)  Educator Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator Goal (5%)	1 SLO with 2 IAGDS or measures of accomplishment focused on: • SEL • Student Engagement and/or • Family Engagement. • Academic Goal may be considered, with mutual agreement  Educator Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator Goal (5%)	1 SLO with 2 IAGDS (45%)  Educator Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator Goal (5%)	1 SLO with 2 IAGDS or measures of accomplishment focused on: • SEL • Student Engagement and/or • Family Engagement. • Academic Goal may be considered, with mutual agreement  Educator Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator Goal (5%)
<b>Observations</b>	3 Formal Obs (Rated) • 2 Planning Conversations • 3 Reflecting Conversations  2 Informal Obs (Rated) • 2 Reflecting Conversations	1 Formal Obs (Not Rated) • 1 Planning Conversations • 1 Reflecting Conversations  2 Informal Obs (Not Rated) • 2 Reflecting Conversations  Review of Practice • Focus on Domain 4	3 Formal Obs (Rated) • 2 Planning Conversations • 3 Reflecting Conversations  2 Informal Obs (Rated) • 2 Reflecting Conversations	2 Informal Obs (Not Rated) • 2 Reflecting Conversations  Review of Practice • Focus on Domain 4
<b>Mid-Year Conference</b> By February 28	Review evidence and data to date and discussion around meeting established goals and professional learning needs	Same	Review evidence and data to date and discussion around meeting established goals and professional learning needs	Same
<b>Educator Self-Assessment</b> By June 30	Educator completes a self-assessment on evidence and data collected throughout the school year	Same	Educator completes a self-assessment on evidence and data collected throughout the school year	Same
<b>End of Year Summative</b> By June 30	Evaluator completes summative ratings based on evidence collected throughout the school year	Narrative summary highlighting commendations, areas for improvement, and recommendations to the educator	Evaluator completes summative ratings based on evidence collected throughout the school year	Narrative summary highlighting commendations, areas for improvement, and recommendations to the educator

Components	Tenured Teachers Cycle 1		Tenured Teachers Cycle 2 and 3	
	2019-2020	2020-2021	2019-2020	2020-2021
<b>Goal Setting</b>  By October 31	<b>1 SLO with 2 IAGDS</b> (45%)  <b>Educator Practice Goal</b> (40%)  <b>Parent Feedback Goal</b> (10%)  <b>Whole-school Learning Indicator Goal</b> (5%)	<b>1 SLO with 2 IAGDS or measures of accomplishment focused on:</b> <ul style="list-style-type: none"> <li>● SEL</li> <li>● Student Engagement and/or</li> <li>● Family Engagement.</li> <li>● Academic Goal may be considered, with mutual agreement</li> </ul> <b>Educator Practice Goal</b> (40%)  <b>Parent Feedback Goal</b> (10%)  <b>Whole-school Learning Indicator Goal</b> (5%)	<b>1 SLO with 2 IAGDS</b> (45%)  <b>Educator Practice Goal</b> (40%)  <b>Parent Feedback Goal</b> (10%)  <b>Whole-school Learning Indicator Goal</b> (5%)	<b>1 SLO with 2 IAGDS or measures of accomplishment focused on:</b> <ul style="list-style-type: none"> <li>● SEL</li> <li>● Student Engagement and/or</li> <li>● Family Engagement.</li> <li>● Academic Goal may be considered, with mutual agreement</li> </ul> <b>Educator Practice Goal</b> (40%)  <b>Parent Feedback Goal</b> (10%)  <b>Whole-school Learning Indicator Goal</b> (5%)
<b>Observations</b>	<b>1 Formal Obs</b> (Not Rated) <ul style="list-style-type: none"> <li>● 1 Planning Conversations</li> <li>● 1 Reflecting Conversations</li> </ul> <b>3 Informal Obs</b> (Not Rated) <ul style="list-style-type: none"> <li>● 3 Reflecting Conversations</li> <li>● Option: 1 informal could be replaced with a Educator Reflective Peer Visit</li> </ul>	<b>2 Informal Obs</b> (Not Rated) <ul style="list-style-type: none"> <li>● 2 Reflecting Conversations</li> </ul> <b>Review of Practice</b> <ul style="list-style-type: none"> <li>● Focus on Domain 4</li> </ul>	<b>4 Informal Obs</b> (Not Rated) <ul style="list-style-type: none"> <li>● 4 Reflecting Conversations</li> <li>● 1 non-classroom observation (ie. PLC, PPT, Parent Conf., District Committee, etc.)</li> <li>● Option: 1 informal could be replaced with a Educator Reflective Peer Visit</li> </ul>	<b>2 Informal Obs</b> (Not Rated) <ul style="list-style-type: none"> <li>● 2 Reflecting Conversations</li> </ul> <b>Review of Practice</b> <ul style="list-style-type: none"> <li>● Focus on Domain 4</li> </ul>
<b>Mid-Year Conference</b>  By February 28	Review evidence and data to date and discussion around meeting established goals	Same	Review evidence and data to date and discussion around meeting established goals	Same
<b>Educator Self-Assessment</b>  By June 30	Educator completes a self-assessment on evidence and data collected throughout the school year	Same	Educator completes a self-assessment on evidence and data collected throughout the school year	Same
<b>End of Year Summative</b>  By June 30	Evaluator completes summative ratings based on evidence collected throughout the school year	Narrative summary highlighting commendations, areas for improvement, and recommendations to the educator	Evaluator completes summative ratings based on evidence collected throughout the school year	Narrative summary highlighting commendations, areas for improvement, and recommendations to the educator

**Comparison of Educator Evaluation Adjustments - Administrators**

Components	Administrators One (1) Year of Experience		Administrators Two (2) Years of Experience		Administrators Three (3) or More Years of Experience	
	2019-2020	2020-2021	2019-2020	2020-2021	2019-2020	2020-2021
<b>Goal Setting</b> By October 31	1 SLO with 2 IAGDS (45%)  Leadership Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator/Teacher Effectiveness Goal (5%)	2 Student Learning Indicators or measures of accomplishment focused on: <ul style="list-style-type: none"> <li>The reopening of schools</li> <li>Supporting the health and safety, and social emotional well-being of staff and students</li> <li>Supporting remote and distance teaching and learning</li> <li>Mastery-based learning and/or</li> <li>Ensuring equity for the most vulnerable students and their families.</li> </ul> Leadership Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator/Teacher Effectiveness Goal (5%)	1 SLO with 2 IAGDS (45%)  Leadership Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator/Teacher Effectiveness Goal (5%)	2 Student Learning Indicators or measures of accomplishment focused on: <ul style="list-style-type: none"> <li>The reopening of schools</li> <li>Supporting the health and safety, and social emotional well-being of staff and students</li> <li>Supporting remote and distance teaching and learning</li> <li>Mastery-based learning and/or</li> <li>Ensuring equity for the most vulnerable students and their families.</li> </ul> Leadership Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator/Teacher Effectiveness Goal (5%)	1 SLO with 2 IAGDS (45%)  Leadership Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator/Teacher Effectiveness Goal (5%)	2 Student Learning Indicators or measures of accomplishment focused on: <ul style="list-style-type: none"> <li>The reopening of schools</li> <li>Supporting the health and safety, and social emotional well-being of staff and students</li> <li>Supporting remote and distance teaching and learning</li> <li>Mastery-based learning and/or</li> <li>Ensuring equity for the most vulnerable students and their families.</li> </ul> Leadership Practice Goal (40%)  Parent Feedback Goal (10%)  Whole-school Learning Indicator/Teacher Effectiveness Goal (5%)
<b>Observations</b>	2 Informal Obs <ul style="list-style-type: none"> <li>2 Reflecting Conversations</li> </ul> 2 of the following (mutually agreed upon at Goal Setting): <ul style="list-style-type: none"> <li>Formal Obs</li> <li>Informal Obs</li> <li>Review of Practice</li> <li>Reflective Video Review</li> <li>Reflective Peer Visit</li> </ul> 1 of the following (mutually agreed upon at	3 Informal Obs (Not Rated) <ul style="list-style-type: none"> <li>3 Reflecting Conversations</li> </ul>	2 Informal Obs <ul style="list-style-type: none"> <li>2 Reflecting Conversations</li> </ul> 2 of the following (mutually agreed upon at Goal Setting): <ul style="list-style-type: none"> <li>Formal Obs</li> <li>Informal Obs</li> <li>Review of Practice</li> <li>Reflective Video Review</li> <li>Reflective Peer Visit</li> </ul> 1 of the following (mutually	2 Informal Obs <ul style="list-style-type: none"> <li>2 Reflecting Conversations</li> </ul>	1 Informal Obs <ul style="list-style-type: none"> <li>2 Reflecting Conversations</li> </ul> 1 of the following (mutually agreed upon at Goal Setting): <ul style="list-style-type: none"> <li>Formal Obs</li> <li>Informal Obs</li> <li>Review of Practice</li> <li>Reflective Video Review</li> <li>Reflective Peer Visit</li> </ul> 1 of the following (mutually	2 Informal Obs (Not Rated) <ul style="list-style-type: none"> <li>2 Reflecting Conversations</li> </ul>

	<b>the Mid-Year):</b> <ul style="list-style-type: none"> <li>• Formal Obs</li> <li>• Informal Obs</li> <li>• Review of Practice</li> <li>• Reflective Video Review</li> <li>• Reflective Peer Visit</li> </ul>		<b>agreed upon at the Mid-Year):</b> <ul style="list-style-type: none"> <li>• Formal Obs</li> <li>• Informal Obs</li> <li>• Review of Practice</li> <li>• Reflective Video</li> </ul>		<b>agreed upon at the Mid-Year):</b> <ul style="list-style-type: none"> <li>• Formal Obs</li> <li>• Informal Obs</li> <li>• Review of Practice</li> <li>• Reflective Video</li> </ul>	
<b>Mid-Year Conference</b> By February 28	Review evidence and data to date and discussion around meeting established goals	Same	Review evidence and data to date and discussion around meeting established goals	Same	Review evidence and data to date and discussion around meeting established goals	N/A
<b>Educator Self-Assessment</b> By June 30	Administrator completes a self-assessment on evidence and data collected throughout the school year	Same	Administrator completes a self-assessment on evidence and data collected throughout the school year	Same	Administrator completes a self-assessment on evidence and data collected throughout the school year	Same
<b>End of Year Summative</b> By June 30	Evaluator completes summative ratings based on evidence collected throughout the school year	Narrative summary highlighting commendations, areas for improvement, and recommendations to the educator	Evaluator completes summative ratings based on evidence collected throughout the school year	Narrative summary highlighting commendations, areas for improvement, and recommendations to the educator	Evaluator completes summative ratings based on evidence collected throughout the school year	Narrative summary highlighting commendations, areas for improvement, and recommendations to the educator



OCT 14 2020

E 5

DATE: October 9, 2020  
TO: Members of the Board of Education  
FROM: Stephen J. Foresi, Assistant Superintendent of Schools  
SUBJECT: **REVISIONS TO POLICY #4000.1 – TITLE IX**

On October 7, 2020 the Student Policy Committee met and reviewed a proposed revision to Policy #4000.1 – Title IX. Attached is the revised policy #4000.1.

There were no additional comments or recommended changes based on discussion at the Committee meeting, therefore, this policy can be adopted at the October 14, 2020 meeting.

**Recommended Motion:**

Move the Board of Education approve the revisions to Policy #4000.1 – Title IX as recommended.

## Students

### Personnel --Certified/Non-Certified

#### Title IX

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

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

The District's response shall be triggered by notice to a Title IX Coordinator, or to an official with authority to institute corrective measures on the recipient's behalf, which charges a school with actual knowledge. A listing of Title IX coordinators by school/location can be found on our district website by visiting: <https://www.npsct.org/>

#### Definitions

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

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

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

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

**Program or activity** includes those locations, events, or circumstances over which the District exercises substantial control over both the alleged harasser (respondent) and the context in which the sexual harassment occurred.

**Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or to any employee of the school district.

**Title IX Coordinator** is the individual designated and authorized by the Board to coordinate the District's Title IX compliance efforts.

**Deliberately indifferent** means a response to a Title IX sexual harassment report that is not clearly unreasonable in light of the known circumstances.

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

**Respondent** is the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Document filed by a complainant** is 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.

**Supportive measures** are individualized services reasonably available that are non-punitive, non-disciplinary and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. These measures are without charge to a complainant or a respondent and may be offered before or after the filing of a formal complaint or when no complaint has been filed.

### **Notifications**

The District shall notify all students, employees, applicants for admission and employment, parents or legal guardians of students, and all unions/bargaining units of the Title IX Coordinator's contact information. Such information shall include the name or title, office address, e-mail address, and telephone number of the Title IX Coordinator. The required contact information shall also be prominently displayed on District and school websites.

### **Reporting Procedures/Formal Complaint**

Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that would constitute sex discrimination or sexual harassment. Such report may be made in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

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

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

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

### **District/School's Mandatory Response Obligations**

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

1. Supportive measures shall be offered to the person alleged to be the victim ("complainant"). A respondent will not be disciplined without the District first following the Title IX grievance process, which includes investigating formal complaints of sexual harassment.
2. The Title IX Coordinator to discuss promptly with the complainant the availability of supportive measures, consider the complainant's wishes with respect to such measures, inform the complainant of the availability of such measures with or without filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
3. Follow a grievance procedure that complies with the Title IX Final Rule before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent.
4. The rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment and Fourteenth Amendment shall not be restricted when complying with Title IX.
5. Sexual harassment allegations in any formal complaint will be investigated. The formal complaint can be filed by a complainant or signed by the Title IX Coordinator.
6. The complainant's wishes regarding whether the District/school investigates shall be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.
7. Compliance efforts, where applicable, to be coordinated with special education staff members.

If the allegations in a formal complaint do not meet the definition of sexual harassment contained within this

## **Notice of Allegation to the Parties**

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

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

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

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

## **Grievance Process**

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

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

## **Investigations**

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

During the grievance process and when investigating:

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

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

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

The District, in its discretion, may dismiss a formal complaint or allegations therein if the Title IX Coordinator is informed by the complainant in writing to withdraw the formal complaint or allegations therein, if the respondent

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

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

The privacy of an individual's medical, psychological, and similar treatment records will be protected. Such records will not be accessed by the District unless the party's voluntary, written consent is obtained. [The District cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or para professional acting in their recognized capacity or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so.]

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

### **Standard of Evidence and Written Determination**

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

The Board has chosen to use as the District's standard of evidence is the preponderance of evidence standard.

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

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

### **Appeals**

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

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

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

### **Informal Resolution Process**

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

The Board shall not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, the waiver of the right to a formal investigation and adjudication of

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

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

### **Record Keeping**

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

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

### **Retaliation**

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

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

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

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

The Board recognizes that the following does not constitute retaliation:

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

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

### **Training**

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

- The definition of sexual harassment under the new Final Rule
- The scope of the District's education programs and activities;
- The manner in which to conduct an investigation and grievance process, including appeals, hearings and informal resolution process, as applicable;
- How to serve impartially, including the avoidance of prejudgment of the facts at issue, conflicts of interest, and

- A presumption that the respondent is not responsible for the alleged conduct until a determination is made regarding responsibility at the conclusion of the grievance process;
- Description of the range or list of the possible remedies the district may provide a complainant and disciplinary sanctions that can be imposed on a respondent, following determinations of responsibility;
- The utilization of the preponderance of evidence standard or the clear and convincing evidence standard;
- Issues of relevance of questions and evidence; and
- The creation of the investigative report to fairly summarize relevant evidence.

The District shall, as required, retain its training materials for a period of seven years and to make such materials available on its website.

### **Nondiscrimination Notice**

*The Board of Education, in compliance with federal and state law, affirms its policy of equal educational opportunity for all students and equal employment opportunity for all persons. The Board shall not discriminate on the basis of sex in the education programs or activities it operates. This policy of nondiscrimination in the education program or activity also extends to employment and admission.*

*Notice of the Board's nondiscrimination policy and grievance procedure, including how to file or report sexual harassment and how the District will respond shall be provided to applicants for admission and employment; students; parents or legal guardians; and unions or professional organizations holding agreements with the District.*

*This notice of nondiscrimination shall be posted on district and school websites and placed in any handbooks provided to the above cited groups.*

(cf. 0521 – Nondiscrimination)

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

(cf. 4118.11/4218.11 – Nondiscrimination)

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

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

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Legal Reference: United States Constitution, Article XIV

Civil Rights Act of 1964, Title VII, 42 U.S.C. S2000-e2(a).

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

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

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

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

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

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

The Clery Act, 20 U.S.C. §1092(f)

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

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

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

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

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

Connecticut General Statutes

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

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

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

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

**Policy adopted: May 23, 2001**

**Policy revised: TBD**

**4000.1**

## **Students**

### **Personnel --Certified/Non-Certified**

## **Title IX: Grievance Procedure/Complaint Process**

### **Filing of a Formal Complaint**

The Board of Education (Board) encourages all victims of sexual discrimination based on the Title IX policy, whether students or employees, to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that would constitute sex discrimination or sexual harassment.

Such report may be made in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Such report may be made at any time, including during non-business hours, by using the Title IX Coordinator's listed telephone number, e-mail address or by mail to the office address. Any third party as well as the complainant may report sexual harassment. This includes parents and guardians of students.

Any employee who believes that he/she has been sexually harassed or otherwise discriminated against on the basis of sex should submit a complaint to the Title IX Coordinator. If the Title IX Coordinator is the subject of the complaint, the written complaint should be submitted to the Superintendent of Schools.

A student who believes that he/she has been subjected to sex discrimination or sexual harassment, should make a written complaint to The Title IX Coordinator, or to the building principal, or his/her designee. A student may also notify any employee of any school in the District who shall bring the allegation to the attention of the Title IX Coordinator.

The complaint should state the:

1. Name of the complainant,
2. Date of the complaint,
3. Date(s) of the alleged harassment/discrimination,
4. Name(s) of the harasser(s) or discriminator(s),
5. Location/manner were such harassment/discrimination occurred,
6. Names of any witness(es) to the harassment/discrimination,
7. Detailed statement of the circumstances constituting the alleged harassment/discrimination, and
8. Remedy requested.

At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in



other actions that are not supportive measures, against a respondent.

Sexual harassment allegations in any formal complaint will be investigated. The formal complaint can be filed by a complainant or signed by the Title IX Coordinator.

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

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

The District shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who made a report or filed a formal complaint of sexual harassment, including any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness except as permitted by the Family Educational Rights and Privacy Act (FERPA) or required by law or to conduct any investigations or judicial proceeding under the final sexual harassment regulations.

Any student or employee making a complaint shall be provided a copy of the Title IX policy and administrative regulation (#4000.1/#5145.44)

## **Definitions**

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

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

1. Any instance of *quid pro quo* harassment by a school's employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person's equal educational access; or
3. Any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking (as defined in the Violence Against Women's Act).

**Program or activity** includes those locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment occurred.

**Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or to any employee of the school district.

**Title IX Coordinator** is the individual designated by the Board to coordinate its efforts to comply with Title IX responsibilities.

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

**Respondent** is the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Formal complaint** is the document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

**Supportive measures** are individualized services reasonably available that are non-punitive, non-disciplinary and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety,

areas of campus, and mutual restrictions on contacts between the parties.

## **Grievance/Investigative Process**

The following investigative procedure will be utilized upon the receipt of a written formal complaint or when knowledge of a sexual harassment allegation is made available to an employee of the District. The District personnel involved in the implementation of this process shall operate under the presumption that the respondent is not responsible (a presumption of innocence) so that the District bears the burden of proof and the standard of evidence is correctly applied.

### **Step 1: Notification of the Involved Parties**

The Title IX Coordinator will notify the involved parties that a complaint exists, and also on an ongoing basis if the District decides to include additional allegations during the course of the investigation, and that an investigation will promptly begin.

The notice shall contain information about the grievance/investigation process, including information about any informal resolution process, and sufficient details about the allegations at hand, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known, and include the identities of the parties involved in the incident, the complainant's and respondent's rights, the policy that the alleged behavior violates, and the contact information for the investigator.

The notice shall contain a statement that the respondent is presumed not responsible for the alleged conduct and that responsibility will be determined at the conclusion of the grievance/investigation process.

The written notice shall also advise the parties that they may have an advisor of their choice, who may be, but does not need to be, an attorney, and that they may inspect and review evidence obtained in the investigation, throughout the investigation.

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

The notice can also be used to schedule an intake meeting, either in person or electronically, to discuss basic information about the allegations and to determine the next steps of the investigation.

The District's response shall include refraining from disciplining a respondent without following the Title IX grievance/investigative process, which includes investigating the formal complaint of sexual harassment.

The Title IX Coordinator shall discuss promptly with the alleged victim (complainant) the availability of supportive measures and consider the complainant's wishes with respect to such measures. The complainant shall be offered such measures with or without the filing of a formal complaint. The process for filing a formal complaint will be explained to the complainant.

A complaint may be dismissed if the complainant notifies the Title IX Coordinator at any time that he/she wishes to withdraw the complaint or allegation. The complaint shall also be dismissed if the respondent's enrollment or employment in the District ends, or if specific circumstances prevent the District from gathering evidence sufficient to reach a determination about the complaint.

The District may choose to remove a respondent from its education program or activity on an emergency basis after the District has conducted a safety and risk analysis and determined that such emergency removal is necessary to protect a student or other individual from an immediate threat to physical health or safety.

The District may also, as applicable, place an employee-respondent on administrative leave during the pendency of the grievance/investigative process.

### **Step 2: Fact Gathering**

If the complainant decides to proceed with the investigative process, information is to be gathered related to the allegations. This process shall include, but not be limited to, the collection of documents, audio and video recordings, social media posts, and cell phone records.

pertinent to the investigation shall be sought.

A party's written consent shall be required before using the party's medical, psychological, or similar treatment records during the grievance/investigative process. The District shall not access, consider, disclose, or otherwise use a party's records that are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in such individual's capacity, unless the District obtains that party's voluntary written consent.

All questioning shall exclude evidence about the complainant's sexual predisposition or prior sexual behavior unless such questions and evidence are offered to prove someone other than the respondent committed the conduct alleged by the complainant or if the questions or evidence are offered to prove consent.

The District recognizes that during the time frame needed to promptly conclude the grievance/investigative process there may be temporary delays based on good causes, including but not limited to, law enforcement involvement, absence of a party, witness or advisor, or translation or accommodation needs. Notice of such delays will be provided by the investigator explaining any reasons for the delay.

### **Step 3: Review and Analysis of Information**

The trained Title IX investigator, after collecting as much relevant information as possible, shall evaluate such evidence without prejudgment of the facts at issue and free from conflicts of interest or bias for or against either party.

The investigator shall provide both the complainant and the respondent at least ten days to review the collected and provided information before any determination is reached regarding responsibility. Such review period is to allow for any additional information from either party or the opportunity to address a discrepancy. The decision-maker(s) shall 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.

The investigator will then review, weigh, analyze, and compare the information to see if there is sufficient information to determine whether a violation occurred.

### **Step 4: Determine a Violation (Determinations of Responsibility)**

A separate decision-maker will determine if a violation has occurred. (The decision-maker is not the same person as the investigator or the Title IX Coordinator.) The District will apply its chosen standard of evidence to determine responsibility. The District shall provide the same standard of evidence to all formal complaints of sexual harassment whether the respondent is a student or an employee, including a faculty member.

The Board has chosen to use as the District's standard of evidence is the preponderance of evidence standard.

The *preponderance of evidence standard* of proof means that the information gathered concludes that the allegations are 'more likely than not' to be true, or more than 50 percent likely. This standard requires more convincing proof than 'probable cause' and less than "beyond a reasonable doubt.

### **Step 5: Written Report and Notification of Outcome to the Parties**

After a determination has been made, the final investigative report shall be prepared. The report shall contain the initial allegations, the policy violated, the parties involved, the evidence gathered, a summary of the interviews and any other relevant information, an explanation of how and why the decision-maker reached the conclusions. The written determination shall also include a statement of and rationale for result as to each allegation including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the educational program or activity will be provided.

A copy of the final report shall be sent to each party at least ten days before it is finalized in order to give the respective parties the opportunity to respond.

After the outcome is finalized, a written determination of the outcome shall be sent to both parties. This notice shall include information about the outcome, reasons supporting the determination and, depending on the

harassment. Such remedies should be reasonably calculated to end the discrimination, and appropriate corrective action and/or disciplinary action aimed at preventing the recurrence of the harassment or discrimination, as deemed appropriate by the Superintendent or his/her designee.

Remedies offered may include the same actions described as supportive measures, but remedies need not avoid punishing or burdening the respondent.

### **Step 6: Appeal Process**

After notification to the complainant and respondent of the outcome, either or both parties may appeal the decision in writing, within ten days, to the Superintendent of Schools or his/her designee to request an administrative review. An appeal can be filed on the basis of procedural irregularity that affected the outcome, newly discovered evidence that was not reasonably available at the time of determination and could affect the outcome, and/or conflict of interest or bias of the Title IX personnel (Title IX Coordinator, investigator, or decision maker) that affected or could affect the outcome of the matter. The District reserves its right to offer additional bases for an appeal which shall be offered equally to both parties.

Such written appeal shall be filed within thirty calendar days to the Superintendent of Schools, who shall review the decision maker's written report, the information collected by the Title IX Coordinator and the investigator(s). The Superintendent will determine if further action and/or investigation is warranted. The Superintendent shall respond to the party(s) requesting the appeal within fifteen school days following the receipt of the written appeal request.

**Note:** The decision maker for an appeal may not be the Title IX Coordinator, investigator, or initial decision maker. The appeal decision maker must have also received the training previously described.

### **Step 7: Informal Resolution Process**

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

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

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

The Board will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

### **Other Provisions**

If a sex discrimination complaint raises a concern about bullying behavior, the Title IX Coordinator shall notify the Safe School Climate Specialist or designee who shall coordinate any bullying investigation with the Title IX Coordinator in order to ensure that any such bullying investigation complies with the requirements of applicable Board policies.

Retaliation against any individual who complains pursuant to the Board's policy is strictly forbidden. The District will take the necessary actions to prevent retaliation as a result of filing a complaint or the involvement of any individual in the grievance/investigative process.

The District shall create and maintain for a period of seven years records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment as detailed in the Title IX policy.

The District, in responding to any claim of sexual discrimination under Title IX, shall never deprive any individual of his/her rights guaranteed under the U.S. constitution.

MA 02109-3921 (1-617-289-0111)

The Title IX Coordinator for the District is Stephen Foresi, Assistant Superintendent of Schools, or his designee, whose office is located at 200 Garfield Street, Newington, CT 06111, and whose telephone number is 860.665.8630, and whose email address is sforesi@npsct.org.

Legal Reference: United States Constitution, Article XIV

Civil Rights Act of 1964, Title VII, 42 U.S.C. S2000-e2(a).

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

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

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

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

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

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

The Clery Act, 20 U.S.C. §1092(f)

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

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

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

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

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

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

Connecticut General Statutes

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

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

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

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

**Regulation approved: TBD**

**Personnel -- Certified/Non-Certified****Title IX****General**

Board of Education agrees to comply with Title IX of the Education Amendments of 1972 and the regulations promulgated pursuant thereto.

**Compliance Officer**

The Board of Education designates the Assistant Superintendent of Schools as compliance officer.

The Board of Education shall, at least annually, notify all students, parents and employees of the name, address and office phone number of the compliance officer and the procedures for processing grievances.

**Procedures For Handling Complaints**

All complaints shall be addressed in writing to the compliance officer. The compliance officer is responsible for investigating all complaints. Upon investigation the compliance officer shall effectuate any changes deemed necessary to eliminate any discriminatory practices and shall inform the complainant in writing of any actions taken within thirty days of the receipt of such complaint.

**Appeal From Compliance Officer's Action**

If the complainant is not satisfied with the actions of the compliance officer, within twenty days the complainant may appeal the actions in writing to the Board of Education.

The Board of Education shall hold a hearing within fifteen business days of receipt or as early as practical of such written request and shall decide what, if any, remedies are necessary to eliminate the practices alleged to be discriminatory.

The Board of Education shall notify the complainant in writing of its decision within five days after such hearing.

Legal Reference: Federal Register, Volume 40, No. 108, 6-4-75

**Policy adopted: May 23, 2001**

OCT 14 2020

E C

DATE: October 9, 2020

TO: Members of the Board of Education

FROM: Stephen J. Foresi, Assistant Superintendent of Schools

SUBJECT: **REVISIONS TO POLICY #4131 – PROFESSIONAL LEARNING /  
DEVELOPMENT**

On October 7, 2020 the Student Policy Committee met and reviewed a proposed revision to Policy #4131 – Professional Learning/Development. Attached is the revised policy #4131.

There were no additional comments or recommended changes based on discussion at the Committee meeting, therefore, this policy can be adopted at the October 14, 2020 meeting.

**Recommended Motion:**

Move the Board of Education approve the revisions to Policy #4131 – Professional Learning/Development as recommended.

## Personnel -- Certified

### Professional Learning/Development

“**Professional Learning/Development**” is viewed by the Board of Education (Board) as a continuous systematic effort to improve educational programs in this school district through (1) staff involvement in organized program planning, implementation and evaluation efforts, and (2) activities to upgrade the skills, knowledge and ability of educators to improve student learning.

Each certified employee, beginning July 1, 2013, shall annually participate in a program of professional development, of not fewer than eighteen hours in length, of which a preponderance is in a small group or individual group settings. The professional development program shall:

1. be a comprehensive, sustained and intensive approach to improving teacher and administrator effectiveness in increasing student knowledge achievement;
2. focus on refining and improving various effective teaching methods that are shared between and among educators;
3. foster collective responsibility for improved student performance;
4. be comprised of professional learning that is aligned with state student academic achievement standards, conducted at the school among educators and facilitated by principals, coaches, mentors and distinguished educators or other appropriate teachers, occurs frequently on an individual basis or among groups of teachers and includes a repository or best practices for teaching methods developed by educators within each school;
5. provide certified employees training in culturally responsive pedagogy and practices;
6. provide all employees with two hours of sexual harassment training; and
  - 7. includes training in (A) the nature and the relationship of alcohol and drugs, as defined in subdivision (17) of section [21a-240](#), to health and personality development, and procedures for discouraging their abuse, (B) health and mental health risk reduction education that includes, but need not be limited to, the prevention of risk-taking behavior by children and the relationship of such behavior to substance abuse, pregnancy, sexually transmitted diseases, including HIV-infection and AIDS, as defined in section [19a-581](#), violence, teen dating violence, domestic violence and child abuse, (C) school violence prevention, conflict resolution, the prevention of and response to youth suicide and the Substitute Senate Bill No. 1020 Public Act No. 19-100 3 of 5 identification and prevention of and response to bullying, as defined in subsection (a) of section [10-222d](#), except that those boards of education that implement any evidence-based model approach that is approved by the Department of Education and is consistent with subsection (c) of section [10-145a](#), sections [10-222d](#), [10-222g](#) and [10-222h](#), subsection (g) of section [10-233c](#) and sections 1 and 3 of public act 08-160, shall not be required to provide in-service training on the identification and prevention of and response to bullying, (D) cardiopulmonary resuscitation and other emergency lifesaving procedures, (E) the requirements and obligations of a mandated reporter, [and] (F) the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined in section [10-3d](#), (G) culturally responsive pedagogy and practice, and (H) provide to a new employee a copy of information regarding the illegality of sexual harassment and remedies available to victims; provide to all existing employees two hours of sexual harassment training by January 1, 2021; provide two hours of sexual harassment training and education to new employees hired on or after October 1, 2019 within six months of their start date; provide two hours of sexual harassment training and education to all existing supervisory employees by January 1, 2021 or within six months to new supervisory employees; provide periodic supplemental sexual harassment training not less than every ten years.

Professional Learning/Development experiences made available by the Board directly, or through a RESC, with another Board of Education or through a provider approved by the Commissioner, shall be guided by activities designed to:



- include strategies to improve English language learner instruction into instructional practice,
- improve teacher and administrator practice based on general results and findings from teacher evaluations reported by the Superintendent or his/her designee,
- be comprehensive, sustained, and intensive enough to improve teacher and administrator effectiveness in raising student performance,
- be aligned with state student academic achievement standards,
- foster collective responsibility for improved student performance.

Teachers must constantly review curricular content, teaching methods and materials, educational philosophy and goals, social change and other topics related to education to enhance the capabilities of educators to improve student learning. The Board of Education recognizes that it shares with its certified staff responsibility for the upgrading and updating of teacher performance and attitudes. The Board of Education and teachers' organizations support the principle of continuing training of teachers and the improvement of instruction.

All employees shall be provided opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties.

The Board, in order to determine its professional development program seeking the advice and assistance of teachers, shall establish a professional development committee, consisting of certified employees, including their union representatives, and other school personnel the Board deems appropriate. The duties of the committee shall include, but not be limited to, the development, evaluation and annual updating of a comprehensive local professional development plan, in fulfillment of the statutes, for certified employees of the District. Such plan shall (1) be directly related to the educational goals proposed by the Board pursuant to C.G.S. [10-220\(b\)](#), and (2) on or after July 1, 2012, be developed in full consideration of the priorities and needs related to student outcomes as determined by the State Board of Education.

Special effort shall be made to prepare teachers and other school personnel to meet the needs of students of diverse cultural and ethnic backgrounds. Planning and implementation of such programs shall be done cooperatively by administration, teachers and parent advisory groups. Special effort shall also be given to administrators and/or supervisors in training pursuant to their obligations in the evaluation of the teacher.

Professional Learning/Development activities should respond directly to the educational needs of the student body, including, (a) content areas such as language arts, including reading, writing, speaking, listening, viewing and enacting; math, social studies and science; (b) methodological areas such as motivation, teaching techniques, including the use of computers in the classroom and classroom management; and second language acquisition and (c) affective areas of interpersonal relations of students and faculty, student growth and development and staff communication, problem solving, and decision making. The in-service program shall fulfill all applicable statutory requirements, especially those delineated in CGS [10-220a](#).

The Board will allow any noncertified employee of the District to participate, on a voluntary basis, in any in-service training program provided to certified staff on those topics mandated per C.G.S. [10-220a](#), subsection (a).

The District, as required, will participate in compliance audits of the professional development program, as required and conducted to the State Department of Education.

### **Professional Development Pertaining to Teacher Evaluation and Support Program**

The Board, prior to implementing the teacher evaluation and support program contained within P.A. [12-116](#), An Act Concerning Educational Reform, but not later than July 1, 2014, shall provide training for all evaluators and orientation to all certified District employees relating to the provisions of such teacher evaluation and support program. Such training shall provide instruction to evaluators in how to conduct proper performance evaluations prior to the use of the new evaluation and support program. Such orientation shall be completed by all certified personnel, below the rank of Superintendent, before the certified employee receives an evaluation under the teacher evaluation and support program.

(cf. 4115 - Evaluation)

Legal Reference: Connecticut General Statutes

10-220a In-service training. (amended by PA 04-227, PA 08-160, June 19 Special Session, Public Act No. 09-1 and PA 10-91 and PA 12-116, An Act Concerning Educational Reform)

10-153b Selection of teachers' representatives.

10-226f Coordinator of intergroup relations.

10-226g Intergroup relations training for teachers.

Legal Reference: Connecticut General Statutes (continued)

10-145b Teaching certificates (as amended by PA 01-173)

10-151(b) Employment of teachers. Definitions. Tenure, etc. (as amended by P.A. 12-116, An Act Concerning Educational Reform)

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

P.A. 19-100 An Act Concerning the Inclusion of Instruction in Culturally Responsive Pedagogy and Practice in The Preservice Training, Professional Development and In-service Training Provided to Teachers.

**P.A. 19-93 AN ACT CONCERNING SEXUAL HARASSMENT AND SEXUAL ASSAULT**

**EXECUTIVE ORDER NO. 7DDD PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – EXTENSION OF EVICTION MORATORIUM AND ADMINISTRATIVE DEADLINES**

**EXECUTIVE ORDER NO. 9A PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC – EXTENSION OF COVID-19 EXECUTIVE ORDERS**

**Policy adopted: December 12, 2012**

**Policy revised: January 29, 2020**

**Policy revised: TBD**