

**BOE Policy Committee Agenda
Wednesday, May 27, 2020
Virtual Meeting 8:30 A.M.**

In consideration of public health, open meetings and the Governor's Executive Order No. 7B dated March 10, 2020 regarding PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID- 19 PANDEMIC AND RESPONSE - FURTHER SUSPENSION OR MODIFICATION OF STATUTES; this meeting will include an option for the public to phone in to listen to the audio of the meeting. Please note that public comment will be received by phone at the beginning and end of this meeting.

Joining Info: Join by phone
 +1 520-428-6512 PIN: 592 673 576#

CALL TO ORDER

PUBLIC

PARTICIPATION

APPROVE MINUTES May 13, 2020

UNFINISHED NEW BUSINESS

Discussion and possible action:

Item	Reports
Policy 3171.1 – Non Lapsing	<ul style="list-style-type: none">• The committee will review this edited policy.• S. Connell will invite R. Beinkowski to this virtual meeting to discuss this policy.
Policy 6114.8 – Emergencies and Disaster Preparedness (Pandemic/Epidemic Emergencies) Newtown Health Director, Donna Culbert will review this policy for the BOE and give her recommendations. L. Rodrigue also requested that A. Uberti review this policy along with Policy 6172.6– Distance Education as a possible Regulation.	<ul style="list-style-type: none">• S. Connell will send this policy to D.Culbert for her review and recommendations
Policy 4000.1 – Title X The committee had questions about the law regarding the number of days required for the Compliance Officer to inform the complainant in writing of his/her actions. It was requested that S. Connell reach out to Shipman and Goodwin for their input.	<ul style="list-style-type: none">• S. Connell will invite S.D'Eramo to this virtual meeting to discuss this policy.• S. Connell will bring Shipman and Goodwin's recommendations to the committee.
Policy 4100 – Certified Personnel Language needs to be added regarding new positions that will not have any budgetary	<ul style="list-style-type: none">• S. Connell will invite S.D'Eramo to this virtual meeting to discuss this policy.

implications. L. Rodrigue mentioned that she would be creating an additional sentence to cover this.	
Policy 5145.5 - Sexual Harassment A.Uberti will review this policy and bring her recommendations to the committee. There was a question of splitting Title VII and Title IX and why we needed two people as Compliance officers. It was recommended that we speak to Shipman and Goodwin.	<ul style="list-style-type: none"> • S. Connell will invite A. Uberti to this virtual meeting to discuss this policy • S. Connell will bring Shipman and Goodwin's recommendations to the committee.
Policy 5145.6 – Student Grievance Procedure (Title IX) A.Uberti and the committee will review this required policy.	<ul style="list-style-type: none"> • S. Connell will invite A. Uberti to this virtual meeting to discuss this policy

NEW BUSINESS

Discussion and possible action:

Item	Reports
Policy 3160 – Budget Procedures and Line Item Transfers R. Beinkowski brought this policy to the committee's attention because it references the 1% of the previous year's budgeted education appropriation.	<ul style="list-style-type: none"> • The committee will review any proposed edits from R. Beinkowski.
Policy 4111 – Recruitment and Selection Newtown reviewed this required policy in 2017. S. D'Eramo will review to determine if there are any necessary changes that need to be made.	<ul style="list-style-type: none"> • S. Connell will invite S.D'Eramo to this virtual meeting to discuss this policy.
Policy 4111.1 – Equal Employment Opportunity This is a required policy. Newtown has a current policy – Policy 4-703.	<ul style="list-style-type: none"> • S. Connell will invite S.D'Eramo to this virtual meeting to discuss this policy.
Policy 4111.3 – Minority Requirements This is an optional policy. Newtown does not currently have a policy on this.	<ul style="list-style-type: none"> • S. Connell will invite S.D'Eramo to this virtual meeting to discuss this policy.

UPDATE FROM THE

SUPERINTENDENT PUBLIC

PARTICIPATION ADJOURNMENT

Instruction**Emergencies and Disaster Preparedness****Pandemic/Epidemic Emergencies**

The Board recognizes that a pandemic/epidemic outbreak is a serious threat that stands to affect students, staff, and the community as a whole. With this consideration in mind, the Board establishes this policy in the event the town/municipality and/or school district is threatened by a reasonably likely pandemic/epidemic outbreak. At all times the health, safety and welfare of the students shall be of foremost concern along with the health, safety and welfare of the District employees and mindful of the overall health and welfare of the community.

Planning and Coordination

The Superintendent shall designate the head School Nurse or other appropriate staff members who in conjunction with the School Medical Advisor, shall serve as a liaison between the school district and local and state health officials. This designee and the School Medical Advisor are jointly responsible for connecting with health officials to identify local hazards, determine what crisis plans exist in the school district and community, and to establish procedures to account for student well-being and safety during such a crisis. The designee shall work with local health officials and shall keep the Superintendent advised when the risk of a pandemic or an epidemic of a serious illness has materially increased.

The Principals and/or school nurse or other designee shall develop a curriculum component to health classes that is designed to teach students about preventing or limiting the spread of communicable diseases.

With fiscal concerns in mind, the District shall purchase and store supplies necessary for an epidemic/pandemic outbreak, including but not limited to disinfectant products, face masks, water, examination gloves, and other supplies as recommended by the school nurse and/or School Medical Advisor.

The Superintendent shall develop procedures and plans for the transportation of students in the event of an evacuation. Such procedures shall include provisions for students who cannot be transported to home at the time of the evacuation.

Response

In the event anyone within the school is discovered or suspected to have a communicable disease that may result in an epidemic/pandemic, that person shall be immediately quarantined pending further medical examination, as recommended by state and national protocols. Local and state health officials shall be notified immediately.

In conjunction with local and state health officials, the Superintendent shall ascertain whether an evacuation, lockdown, or shelter-in-place needs to be established. As soon as such a decision has been made, the school district shall attempt to notify the parents of all students.

In the event of an evacuation, the Superintendent is charged with determining when the school shall re-open. In the event of a lockdown or shelter-in-place, the Superintendent shall notify all proper authorities and relief agencies to seek their assistance for the duration of the lockdown or shelter-in-place.

Infection Control

Any student or staff member found to be infected with a communicable disease that bears risk of pandemic/epidemic will not be allowed to attend school until medical clearance is provided by that individual's primary care physician or other medical personnel indicating that that person does not bear the risk of transmitting the communicable disease.

Students with excessive absences due to a communicable disease shall be given a reprieve from other Board policies relative to excessive student absences. Efforts will be made by the staff to determine what, if any, school work the student can complete while absent.

Staff members who are forced to miss excessive days of work shall first use any leave entitled to them through the Family and Medical Leave Act and/or accrued sick leave. If a staff member has still not received medical clearance to resume his/her work duties, absences in excess of a staff member's allotted leave be managed through existing contract provisions and will not affect the employee's right to continued employment.

Continuance of Education

The Superintendent shall develop a plan of alternate means of educating students in the event of prolonged school closings and/or extended absences. Such a plan may

include, but are not limited to, providing students with assignments via mail or by email, local access cable television, or the school district's website.

The Superintendent, in consultation with the Board of Education, may amend the traditional class schedule and schedule of days. Such a plan may include extending the school day, having school days held on Saturdays if Connecticut statute changes, the use of previously scheduled vacation days, and/or extend the school year beyond the previously established end of school year, within applicable statutory requirements.

(cf. [5141.22](#) - Communicable/Infectious Diseases)

(cf. [5141.6](#) - Crisis Management Plan)

(cf. [6114](#) - Emergencies and Disaster Preparedness)

(cf. 6114.6 - Emergency Closings)

Legal Reference: Connecticut General Statutes

[10-154a](#) Professional communications between teacher or nurse and student.

[10-207](#) Duties of medical advisors.

[10-209](#) Records not to be public.

[10-210](#) Notice of disease to be given parent or guardian.

[10-221](#) Boards of education to prescribe rules.

[19a-221](#) Quarantine of certain persons.

[52-557b](#) Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render.

The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.

Policy adopted:

Appendix A

Pandemic/Epidemic Emergencies

Administrative Procedures

For the School District, the following individuals would be involved (with back up staff as appropriate):

Incident Coordinator: Superintendent

Building Operations: Principals

Nurses

Other Staff Members

Planning/Information: Health Director, Local Health District
Officials, Designated Office Staff

Logistics: Principals, Lead Teachers, Department Heads,
Administrative Clerical Staff

Finance/Administration: School Business Affairs Coordinator

Other Important Contacts:

Commissioner, Dept. of Public Health J. Robert Galvin, M.D., M.P.H. (860)
509-7101

State Police (860) 824-5457

_____ Police Department Chief _____

Area Health District:

Director

District School Nursing Staff:

Lead School Nurse

School Medical Advisor:

Communications

Media communication would normally be handled through the Superintendent's office. The District would communicate to the public via its website, through press releases, written notices/factsheets, and the School Notification System.

Surveillance Protocols

During a pandemic, the Connecticut Department of Public Health will be monitoring hospital admissions, emergency department visits, deaths and, potentially, school and workplace absenteeism. The District will monitor student and staff absenteeism through its attendance module and report to the _____ Area Health District and the State, as appropriate.

In addition, when directed by the administration, the school secretaries will initiate procedures for screening calls to the school related to student absences (see form A). Based on the results of these questions, the information may be forwarded to the Lead School Nurse for additional questioning. Once initiated, this information will be collected daily and copies sent to the Superintendent.

PANDEMIC INFLUENZA RESPONSE LEVELS (FOUR):

LEVEL 1 LOW RISK – SITUATION:

First pandemic flu case reported in country. No reported cases in local community. School community (employees, students, parents) are encouraged to take temperature regularly as recommended by the school nurse. If temperature is 100 °F or 37.7°C or greater, please stay home.

School hours will remain on regular schedule.

Communication: (All Pandemic information from W.H.O., CDC/State/Superintendent only). Preventative information will be shared with parents and the school community through the website, fact sheets, newsletters, and the telephone alert system.

School Access: Access to school grounds per normal school policy.

Educational Delivery: Regular school programming. Daily homework provided by teachers for any student who stays at home and is healthy enough.

Co-curricular Program: All regularly scheduled activities allowed.

Community Gatherings/Events/Field Trips/Travel: Field trips allowed, as per normal school policy.

Personnel: Normal working conditions. All school employees returning from affected areas have their health monitored for 10 days.

Emergency Care: Contact physician if temperature is over 100°F or 37.7°C. Nurses implement steps to minimize potential influenza outbreak through education/information such as encouragement of hand washing. Nurse staff also stockpile personal protective supplies as appropriate, e.g., masks, gloves, alcohol, hygienic soap, etc.

School Provided Transportation: All bus routes run as usual.

School Operations/Cafeteria: Normal cleaning and maintenance. Continual disinfecting by cleaning personnel. Review food handling procedures with staff.

LEVEL 2 MODERATE RISK – SITUATION:

First pandemic flu case reported in town, increasing number of cases reported in country. School community members (employees, students, parents) are strongly encouraged to take temperature daily. If temperature is 100°F or 37.7°C or greater, students or staff will be asked to stay home.

School hours will remain on regular schedule.

Communication: (All Pandemic information from W.H.O., CDC/State/Superintendent only)

Periodic updates will be made by the Superintendent to the community on status of pandemic flu in country and impact on school program. In-class instruction to insure students understand protocol and proper hygiene.

Communication with parents will encourage those that have students with a fever of 100°F or 37.7°C or greater to remain home until cleared by their physician or as per protocol from the local Health District officials, Department of Public Health or CDC.

Data Collection procedures by secretaries and nurses should be initiated at this level.

School Access: Visitors are welcome by appointment only. School community members with temperature over 100°F or 37.7°C, report to school health office. Any

student or staff member with a cough (but no temperature) may be required to wear a medical mask. Nursing staff will assess this on a case by case basis.

Educational Delivery: Regular school program. Daily homework will be provided by email to students ill at home for more than 3 consecutive days and well enough to complete the work.

Co-curricular Program: All scheduled co-curricular programs allowed.

Community Gatherings/Events/Field Trips/Travel: All events will be reviewed. Events may be cancelled for risk exposure on a case by case basis.

Personnel: Normal working conditions. Staff are advised to stay home if symptomatic.

Emergency Care: School Nurse in concert with Torrington Area Health District will determine whether individual who has recovered from flu can return to school. If temperature is over 100°F or 37.7°C, individual must go home ASAP.

School Provided Transportation: All bus routes run as usual. Bus access may be denied for those with temperature over 100°F or 37.7°C.

School Operations/Cafeteria: All Food Service workers must wear gloves. Continual disinfecting throughout the day. Full disinfection every three days.

LEVEL 3 MEDIUM RISK – SITUATION:

Increased spread of pandemic flu in town with transfers in public places. School community (employees, students, parents) are strongly encouraged to take temperature daily. If temperature is 100°F or 37.7°C or greater, students or staff MUST stay at home.

Communication:

(All Pandemic information from W.H.O., CDC/State/Superintendent only) Regular updates to faculty and community by superintendent through the School Notification System.

STRICT CARE TAKEN TO MAINTAIN CONFIDENTIALITY PROTOCOLS.

Daily classroom instruction to explain situation and to emphasize proper hygiene.

School Access: Visitors must report to nurse to assess temperature. Anyone with temperature 100°F or 37.7°C or greater will not be admitted.

Educational Delivery: School hours will remain on regular schedule but after school programming/activities will be canceled on a case by case basis in consultation with medical and health department officials. Work will be provided to students ill at home for more than 3 consecutive days via email. Instruction to parents via email for students to access lessons and assignment via computer.

Teachers healthy enough to do so will maintain weekly contact with students via email for academic reflection.

Co-curricular Program: Co-curricular programs are suspended on a case by case basis. Large gatherings are discouraged and may be canceled by the administration as necessary and in consultation with the health officials.

Community Gatherings/Events/Field Trips/Travel: All special events, field trips, travel, etc., discontinued on a case-by-case basis. Large faculty or staff gatherings discontinued without permission of administration. Field trips discontinued unless special permission provided by administration. Students and parents are advised to not congregate in large groups in outside community activities.

Personnel: All faculty and staff report to work after assessing temperature at home. Incident Command Team meets to determine how best to continue school operation.

Emergency Care: School Nurse determines if individual who has recovered from flu can return to school. If temperature is 100°F or 37.7°C or greater, individual must go home.

School Provided Transportation: All bus routes run as usual. Bus access may be denied for those with temperature over 100°F or 37.7°C. Bus service may be discontinued at this level.

School Operations/Cafeteria: Some form of Food Services in place for staff and students who are attending school. Continual disinfecting throughout the day.

LEVEL 4 HIGH RISK – SITUATION:

Spread of pandemic flu within the school community. Government directs the schools to close OR Superintendent closes school due to level of absenteeism and interruption of instruction.

Communication: (All Pandemic information from W.H.O., CDC/State/Superintendent only) Daily updates by Superintendent through the School Messenger System.

Further communication via website.

School Access: No classes held on campus. School facility closed to all but essential personnel for indeterminate period of time. School quarantine, no visitors.

Educational Delivery: Students may access lessons and assignments via computer. Teachers healthy enough to do so will maintain weekly contact with students via email for academic reflection.

Co-curricular Program: School facility closed.

Community Gatherings/Events/Field Trips/Travel: School facility closed.

Personnel: Administration reviews process of school closure and academic support.

Emergency Care: School facility closed. Use hospitals for pandemic flu prevention and containment. Prepare for possible use of schools for vaccination procedures.

School Provided Transportation: School facility closed.

School Operations/Cafeteria: School facility closed. Necessary cleaning and maintenance.

POST PANDEMIC FLU EVENT PLAN:

- Determine criteria and timing for re-opening of school(s),
- Determine impact on school calendar and need for possible changes,
- Determine impact on student instruction and need for additional or compensatory instruction,
- Determine what steps necessary to ensure staff are in place and prepared for the return of students,

- Determine what kinds of mental health support may be necessary for students and staff.

6114.8 Appendix B

Public Health Instructions During a Pandemic Flu

Throughout a pandemic flu, people may be asked or required to do things to help hold back the spread of the disease in our community.

Here are some examples of what public health officials may ask people to do:

STAY HOME

People who are sick should stay home. Children should not go to school if they are sick. Staying home will be absolutely necessary during a pandemic flu to limit the spread of the disease.

AVOID LARGE GROUPS

People – even those who are well – should stay away from gatherings of people such as sporting events, movies and festivals. During a pandemic flu these kinds of events could be cancelled because large gatherings of people help spread the flu virus.

Isolation and quarantine are public health actions used to contain the spread of a contagious disease. If asked, it will be important to follow isolation and/or quarantine instructions.

ISOLATION

Isolation is for people who are already ill. When someone is isolated, they are separated from people who are healthy. Having the sick person isolated (separated from others) can help to slow or stop the spread of disease. People who are isolated can be cared for in their homes, in hospitals, or other healthcare facilities. Isolation is usually voluntary, but local, state and federal government have the power to require the isolation of sick people to protect the public.

QUARANTINE

Quarantine is for people who have been exposed to the disease but are not sick. When someone is placed in quarantine, they are also separated from others. Even though the person is not sick at the moment, they were exposed to the disease and may still

become infectious and then spread the disease to others. Quarantine can help to slow or stop this from happening. States generally have the power to enforce quarantines within their borders.

6114.8 Appendix C

FACT SHEET: Stopping Germs at Home, Work and School

How Germs Spread: The main way that illnesses like colds and flu are spread is from person to person in respiratory droplets of coughs and sneezes. This is called "droplet spread." This can happen when droplets from a cough or sneeze of an infected person move through the air and are deposited on the mouth or nose of people nearby. Sometimes germs also can be spread when a person touches respiratory droplets from another person on a surface like a desk and then touches his or her own eyes, mouth or nose before washing their hands. We know that some viruses and bacteria can live 2 hours or longer on surfaces like cafeteria tables, doorknobs, and desks.

How to Stop the Spread of Germs: In a nutshell: take care to:

- Cover your mouth and nose.
- Clean your hands often.
- Remind your children to practice healthy habits, too.

Cover your mouth and nose when coughing or sneezing: Cough or sneeze into a tissue and then throw it away. Cover your cough or sneeze if you do not have a tissue. Then, clean your hands, and do so every time you cough or sneeze.

The "Happy Birthday" song helps keep your hands clean? Not exactly. Yet it is recommend that when you wash your hands – with soap and warm water – that you wash for 15 to 20 seconds. That's about the same time it takes to sing the "Happy Birthday" song twice!

Alcohol-based hand wipes and gel sanitizers work too: When soap and water are not available, alcohol-based disposable hand wipes or gel sanitizers may be used. You can find them in most supermarkets and drugstores. If using gel, rub your hands until the gel is dry. The gel doesn't need water to work; the alcohol in it kills the germs on your hands.

Germ and Children: Remind children to practice healthy habits too, because germs spread, especially at school.

The flu has caused high rates of absenteeism among students and staff in our country's 119,000 schools. Influenza is not the only respiratory infection of concern in schools – nearly 22 million schools days are lost each year to the common cold alone. However, when children practice healthy habits, they miss fewer days of school.

More Facts, Figures, and How-To's: CDC and its partner agencies and organizations offer a great deal of information about hand washing and other things you can do to stop the germs that cause flu, the common cold, and other illnesses.

Instruction

Distance Education

Virtual/Online Courses

The mission of the Newtown Public Schools, a partnership of students, families, educators and community, is to INSPIRE EACH STUDENT TO EXCEL in attaining and applying the knowledge, skills and attributes that lead to personal success while becoming a contributing member of a dynamic global community. We accomplish this by creating an unparalleled learning environment characterized by:

High expectations
Quality instruction
Continuous improvement
Civic responsibility

The Board of Education believes that education through virtual/online courses or through university or college courses is an alternative (effective) means of instruction for students. A virtual school is hereby defined as an educational organization that offers courses at various grade levels through Internet or Web-based methods. These schools can offer courses to enhance, supplement or enrich the existing curriculum and can also provide an alternative means of instruction. Interactive distance learning does not require the student to be physically present in the same location as the instructor or other students.

Virtual/on-line courses will be part of this District's educational program delivery system to increase accessibility and flexibility in the delivery of instruction. In addition to regular classroom-based instruction, students in the District may earn credit through distance education provided by virtual/online courses.

In order to earn credits in meeting the requirements for high school graduation through the successful completion of on-line coursework, the Board, in compliance with C.G.S. 10-221a (17) shall ensure, at a minimum, that (a) the workload required by the on-line course is equivalent to that of a similar course taught in a traditional District classroom setting, (b) the content is rigorous and aligned with curriculum guidelines approved by the State Board of Education, where appropriate, (c) the course engages students and has interactive components, which may include, but are not limited to, required interactions between students and their teachers, participation in on-line demonstrations, discussion boards or virtual labs, (d) the online course does not replicate a course already offered at the high school and (e) the courses are (1) taught by teachers who are certified in the state or another state and have received training on teaching in an on-line environment, or (2) offered by institutions of higher education that are accredited by the Department of Higher Education or regionally accredited.

Instruction

Distance Education

Virtual/Online Courses (continued)

The Board of Education recognizes students may benefit from on-line courses or post-secondary courses to assist students in obtaining credits necessary to earn a diploma, to maintain academic standings or to provide enrichment for those who might require special courses.

The Board of Education shall establish an on-line credit recovery program for those students who are identified as being in danger of failing to graduate. These students, once identified by certified personnel, may be allowed to complete on-line District-approved coursework toward meeting high school graduation requirements. The high school shall designate, from among existing staff, an online learning coordinator to administer and coordinate the online credit recovery program.

The District will not use on-line courses as the sole medium for instruction in any required subject area for students in grades K-8.

The District will integrate on-line courses as part of the regular instruction provided by a certified teacher for grades K-12.

High school students may earn academic credits to be applied toward graduation requirements by completing online courses through agencies approved by the Board.

Credit from an accredited online or virtual course or a university/college course may be earned only in the following circumstances:

1. The course is not offered at the District's high school.
2. The high school does offer the course, but the student is unable to take it due to an unavoidable scheduling conflict.
3. The course will serve as an alternative or a supplement to extended homebound instruction.
4. The District has expelled the student from the regular school setting, and the student has been offered an alternative educational opportunity.
5. The Principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment.
6. Students taking such courses must be enrolled in the District and take the courses during the regular school day at the school site.
7. A student has failed a course and wishes to recover credits in that course area.
8. The student's PPT or Section 504 Team has determined it to be an appropriate means of instruction.

Instruction

Distance Education

Virtual/Online Courses (continued)

As determined by Board/school policy, students applying for permission to take a virtual/online course will do the following:

- Complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an online/college learning environment.
- Obtain the written approval of the Principal or his/her designee before a student enrolls in a virtual course or the university/college course.
- Adhere to the District code of conduct to include rules of behavior and consequences for violations.
- Adhere to attendance requirements of the District.

The school must receive an official record of the final grade before awarding credit toward graduation. Only approved courses shall be posted on student transcripts.

Any and all fees imposed on the learner are the sole responsibility of the learner and not the Board of Education or its designee. The Board shall pay the fee for expelled students who are permitted to take virtual courses in alternative settings.

Through its policies and/or supervision plan, the school shall be responsible for providing appropriate supervision and monitoring of students taking virtual courses.

Students will have access to sufficient library media resources such as a “virtual library” available through the World Wide Web, laboratory facilities, technical assistance, and hands-on training and information.

Evaluation

The District will evaluate the educational effectiveness of the distance education courses and the teaching/learning process to include assessments based on state curriculum standards as well as student satisfaction. The District will use this evaluation to decide whether to grant credit for the course or to continue or discontinue the use of the distance education course.

- Approval of any course shall be based upon its compliance with Connecticut’s academic standards and requirements, including but not limited to the course content and rigor, its length and scope, its method of assessing knowledge acquired by the student, the qualifications of the instructor and other appropriate factors.

Instruction

Distance Education

Evaluation (continued)

- On line course delivery must be from institutions accredited by the New England Association of Schools and Colleges, Southern Association of Colleges and Schools, Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, Northwest Association of Schools and Colleges or Western Association of Schools and Colleges or if the program is recognized by the Connecticut State Department of Education as having appropriate academic standards.

(cf. 6141.321 - Computers: Acceptable Use of the Internet)

(cf. 6141.1 - Independent Study)

(cf. 6146 - Graduation Requirements)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules, policies and procedures.

10-221a High school graduation requirements. (as amended by P.A. 00-124, An Act Concerning High School Diplomas and Veterans of World War II, P.A. 00-156, An Act Requiring A Civics Course for High School Graduation and P.A. 08-138, An Act Concerning High School Credit for Private World Language Courses, Other Subject Areas) and P.A. 10-111, An Act Concerning Education Reform in Connecticut.

Policy adopted: June 20, 2018

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

An optional sample policy to consider.

Personnel Certified/Non-Certified

Title IX

The Board of Education agrees to comply with Title IX of the Education Amendments of 1972 and the Regulations promulgated pursuant thereto, the Board designates the Assistant Superintendent of Schools, as Compliance Officer. The Board shall, at least annually, notify all students, parents, employees and labor organizations with which it deals of the name, address and phone number of the Compliance Officer and the procedure for processing grievances.

Except as hereinafter noted, all complaints shall be addressed in writing to the Board designated Compliance Officer and he/she shall be 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 his/her actions within ten (10) days of the receipt of such complaint.

If the complainant is not satisfied with the action of the Compliance Officer, within ten (10) days, the complainant may appeal the action of the Compliance Officer in writing to the Board of Education. The Board of Education shall hold a hearing within fifteen (15) days of receipt of such written request and shall decide what, if any, remedies are necessary to eliminate the practices deemed discriminatory. The Board shall notify the complainant in writing of its decision within ten (10) days after such a hearing.

Employees who are represented by labor organizations recognized by this Board for the purposes of collective bargaining shall process all complaints of alleged Title IX violations through the grievance procedures set forth in the applicable collective bargaining contracts.

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.

29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.

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

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

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

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

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

Personnel Certified/Non-Certified

Title IX

Legal Reference (continued)

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

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

Connecticut General Statutes

46a60 Discriminatory employment practices prohibited.

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (amended by P.A. 97-247 to include "sexual orientation")

10153 Discrimination on account of marital status.

17a-101 Protection of children from abuse.

Sample policy to consider.

Personnel Certified

Certified Personnel

All certified staff positions are created by the Superintendent who will inform the Board, only ~~with the approval of the Board.~~ It is the Board's intent to activate and maintain a sufficient number of positions to accomplish the school system's goals and objectives.

Before any new full time position with budgetary impact is established, the Superintendent will present for the Boards' approval a job description for the position which specifies the necessary job qualifications, the job's performance responsibilities, and the method by which the performance of these responsibilities will be evaluated.

The Superintendent shall maintain a comprehensive and up-to-date set of job descriptions of all positions in the school system in a separate manual.

(cf. 2130 - Job Descriptions)

(cf. 4118.3 - Duties of Personnel)

Policy adopted:

cps 9/03

A required policy concerning Title IX.

Students

Student Grievance Procedures (Title IX)

Designation of Responsible Employee

The Board of Education shall designate an individual as the responsible employee to coordinate school district compliance with Title IX and its administrative regulations.

The designee, the District's Compliance Officer, shall formulate procedures for carrying out the policies in this statement and shall be responsible for continuing surveillance of district educational programs and activities with regard to compliance with Title IX and its administrative regulations.

The designee shall, upon adoption of this policy and once each academic year thereafter, notify all students and employees of the District of the name, office address and telephone number of the designee. Notification shall be by posting and/or other means sufficient to reasonably advise all students and employees.

Grievance Procedure

Any student or employee shall have a ready means of resolving any claim of discrimination on the basis of sex in the educational programs or activities of the District. Grievance procedures are set forth in administrative regulations.

Dissemination of Policy

The Superintendent of Schools shall notify applicants for admission, students, parents/guardians of elementary and secondary school students, sources of referral of applicants for admission, employees and applicants for employment that it does not discriminate on the basis of sex in the educational programs or activities which it operates and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

Legal Reference: 20 U.S.C. 1681 – Title IX of the Educational Amendments of 1972

34 C.F.R. Part 106 – Title IX of the Educational Amendments of 1972

Policy adopted:

cps 9/05

CABE's suggested regulation.

Students

Student Grievance Procedures

Any student may bring a grievance before a student grievance committee using the following procedures:

Purpose of Student Grievance Procedures

1. To define the correct procedure for students to follow in resolving grievances.
2. To allow students to come before a committee with peer representation.
3. To secure at the lowest possible level an equitable solution to the problem for those parties involved with the grievance.

General Conditions

1. Procedures described herein do not limit the right of any student having a problem to discuss it with the principal or any appropriate administrator without the assistance of the student grievance committee.
2. The student must initiate definite action on the grievance within ten (10) days following the event or occurrence which gives rise to the grievance or it shall be considered waived.
3. This procedure shall be used only when direct negotiation between parties involved would aggravate existing relationships.
4. Failure at any level of a school district administrator or the Board of Education to submit a written decision within the specified time limits shall permit the aggrieved student to take said grievance to the next level.

Failure by the student to take the grievance to the next level within the specified time limit shall be considered acceptance of the decision rendered at the particular level.

5. Days indicated at each level should be considered as maximum, and every effort should be made to expedite the grievance process. Specified time limits may be extended by mutual written agreement of involved parties.
6. Formal grievances and decisions shall be in writing.
7. In the event a grievance is filed after June 1 of any year and this procedure will not allow for settlement prior to completion of the school year, all parties shall attempt to resolve the grievance within ten (10) weekdays of the event or occurrence.

Students

Student Grievance Procedures (continued)

Procedures

1. **Level One.** The student takes up the grievance with the person immediately concerned.
 - A. In those cases where the student believes a relationship is already such that further contact with the other party can only make matters worse, he/she may complete a grievance identification form, obtained in the principal's office, and return it to the student grievance committee within five (5) days.
 - B. One committee member shall be assigned to contact the student. Within five (5) days, a grievance committee meeting will be held to render a validity judgment on the grievance. At this time the student will be advised by the committee as to whether he/she must make another effort to resolve the problem at level one or continue to level two.
2. **Level Two.** If the problem is not resolved at level one, the student may submit a formal grievance to the grievance committee. The committee shall immediately refer the grievance to the appropriate administrator who will discuss the grievance with all parties involved, including parents of the student if necessary. The student may choose a committee representative to assist him/her in discussion. Following the discussion, the administrator shall render a decision in writing to all parties involved within ten (10) days after receiving the grievance form.
3. **Level Three.** If the student is not satisfied at level two, the student may appeal to the Superintendent, or the Superintendent's designee, within five (5) days of receiving the written decision. The Superintendent or designee will discuss the grievance with the parties including the parents of the student if necessary. The student may choose a representative of the committee to assist him/her in discussion. Following the discussion the Superintendent or the Superintendent's designee shall render a written decision to the parties within ten (10) days of receiving the appeal.
4. **Level Four.** If the student is not satisfied with the decision at level three, within five (5) days of receiving the written decision, he/she may appeal to the Board of Education. Within one (1) month of receiving the appeal, the grievance shall be placed on the agenda of a Board meeting and all involved parties notified of the meeting at which the grievance will be discussed. The student may choose a representative of the committee to assist him/her in discussion. Following the discussion and consideration, the Board of Education shall render a decision in writing to all parties involved.
5. **Level Five.** If the student and/or the student's parents wish to pursue the grievance, he/she must involve due process of the court system. The committee may assist the student's legal representative with any information regarding the grievance.

Students

Student Grievance Procedures (continued)

Committee Membership

1. Three committee members from each grade level shall be appointed by the president of the student council.
2. One of the three senior committee members shall be appointed chairperson by the president of the student council.
3. The student members of the committee shall select two faculty members to participate on the committee.
4. The faculty shall select two teachers to participate as committee members.
5. An administrator shall be named by the school principal to act as a direct communications link to the committee. The administrator acts as a consultant in matters concerning administrative practice and procedure and shall have no voting powers and is not a committee member.
6. The committee should reflect broad and diverse points of view, and, whenever reasonably possible, there should be some overlap of committee members to insure continuity.

Legal Reference: U.S.O.E. Title IX (Final Title IX Regulation Implementing Education Amendments of 1972 Prohibiting Sex Discrimination in Education, eff. date 7/21/75 20 U.S.C. @ 1681 et seq.)

Regulation approved:

Business/Non-Instructional Operations

Budget Procedures and Line Item Transfers

In accordance with Connecticut General Statutes §10-222, the Newtown Board of Education shall prepare an itemized estimate of its budget each year for submission to the Board of Finance and the Legislative Council for review and appropriation. Such budget estimate shall include, but is not limited to, the following major object line item categories:

- 100 - Salaries
- 200 - Employee Benefits
- 300 - Purchased Professional Services
- 400 - Purchased Property Services
- 500 - Other Purchased Services
- 600 - Supplies
- 700 - Property
- 800 - Other

Following the annual appropriation, the Board of Education shall meet and revise such itemized estimate, if necessary, and adopt a final appropriated budget for the year. Line items in the budget may be allocated more specifically by the Superintendent or his/her designee in the development, administration and monitoring of the budget after the initial approval of the budget by the Board of Education. The Superintendent shall present for Board approval any proposed additional staff that exceeds the staffing summary approved concurrent with the fiscal year budget. Hiring of additional staff that would be legally mandated will be brought to the Board for approval at the next scheduled Board meeting if all attempts for the Board of Education to meet prior to the hiring are unsuccessful.

The Superintendent and/or his/her designee shall be responsible for administering and monitoring the budget through the course of the year. The Superintendent or his/her designee shall maintain a system of appropriate expenditures and encumbrance accounting that is organized to conform to the requirements for State and Federal accounting reports. A monthly budget report shall be prepared in the same format as the annual object detail budget (as a minimum), showing for each major object code line item, the appropriated budget amount, transfers, expenditure to date, encumbered amounts, and current balance.

Such budget report shall be presented to the Board of Education at the regularly scheduled meeting in the month following the period for which such report is prepared, except the year-end report which shall be completed and presented by the end of August. The year-end report shall reflect all major object codes in positive balance. The Superintendent or designee shall recommend to the Board of Education and the Board shall approve transfers from one major object code to another.

Business/Non-Instructional Operations

Budget Procedures and Line Item Transfers (continued)

Any movement by the Board to expend funds that would otherwise render a major object code in a negative balance shall be preceded by a Motion to Transfer Funds between major object codes to maintain a positive balance in the account from which the funds will be expended. However, this action would not take place if there were expected incoming supplemental funds recognized by the Board.

For effective and efficient administration of day-to-day operations, budget transfer authority is granted to the Superintendent or the Director of Business, as his/her designee, under the following restrictions:

No transfers within major object codes, whether individual or cumulative, of \$10,000 or more shall be made unless authorized by the Board.

If the emergency transfer of \$50,000 or less is needed and the Board is unable to meet in advance, the Board will take action at its next regularly scheduled meeting. In addition, all transfers within an object summary category under \$10,000 will also be approved at the next meeting.

The Board of Education shall not expend more than the amount of the total appropriation and the amount of money received from other sources for school purposes. If any occasion arises whereby additional funds are needed by the Board of Education, the Chairperson of the Board of Education shall notify the Board of Finance, Board of Selectman, or appropriating authority and submit a request for such necessary additional funds. No additional funds shall be expended until such supplemental appropriation is granted and no supplemental expenditures shall be made in excess of those so authorized.

Adding Funds to the Non-Lapsing Educational Account

1. Each year, before August 31st, the Newtown Public Schools Director of Business will recommend to the Board an unexpended amount consistent with the Connecticut Statute 10-248a not to exceed 1% of the previous year's budgeted education appropriation to be placed into the non-lapsing education account.
2. Each year, before August 31st, the Board will forward a request to transfer unexpended funds from the previous year's budgeted education appropriation, to the non-lapsing education account. The transfer request will include each account number and the amount to be transferred. If known, the specific use for the funds will be communicated.

Business/Non-Instructional Operations

Budget Procedures and Line Item Transfers (continued)

Removing Funds from the Non-Lapsing Educational Account

The Board will vote to forward a request and explanation to the Board of Finance for use of funds from the Non-Lapsing Education Account. Consistent with the Connecticut Statute 10-248a, the use can be for any educational purpose. If appropriate, this request will also include a financial impact sheet.

Legal Reference: Connecticut General Statutes

10-222 Appropriations and budget. (as amended by PA 13-60, An Act Concerning the Consolidation of Non-Educational Services)

Charter, Town of Newtown, 2008, P. 28

Policy adopted: April 4, 2017

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

P.A. 16-91 An Act Making Changes to The Teachers'

The Act also deletes a reference to an obsolete pension reserve account.

The Teachers' Retirement System (TRS) offers a retirement payment option called a co-participant option. This option provides the retired member with a reduced benefit in the event the member dies prior to the co-participant. The co-participant would then receive a benefit for

Retirement System to Allow Retention of the Plan D Co-Participant Option After Divorce and to Cease Crediting Interest on Certain Inactive, Non-vested Members, and Eliminating Certain Obsolete Language

(Background Information for Policy Review Committee)

This Act allows a Teachers' Retirement System (TRS) member to retain the co-participant option upon divorce so the co-participant may retain the benefit for his or her lifetime.

The legislation allows the Teachers' Retirement System to cease crediting interest on inactive non-vested member contributions after ten years of inactivity rather than the current 25 years. his or her life. In Connecticut, the portion of the pension benefit earned during a marriage is considered to be a marital asset subject to division upon a divorce. Under current laws governing the TRS the co-participant option is terminated upon divorce.

The legislation also has language pertaining to the hiring of retired certified educators and clarifies, to a degree, the 45% rule in such instances pertaining to salary and benefits. This is particularly germane to the hiring of previously retired superintendents.

This legislation is effective July 1, 2016.

Policy Implications

Policy #4111/4211, "Recruitment and Selection," contains language pertaining to the hiring of retired teachers. Retired teachers covers all certified educator positions. That sample has been revised to include the new language pertaining to the 45% rule.

The other portions in the legislation do not require policy language.

July 2016

A sample policy revised to be compliant with PA 16-91 to consider.

Personnel Certified/Non-Certified

Recruitment and Selection

The Board desires the Superintendent to develop and maintain a recruitment program designed to attract and hold the best possible personnel who are “effective teachers” as defined by federal law in the District’s schools. All District teachers must meet applicable state certification and licensure requirements, including any requirements for certification obtained through alternate routes to certification.

The school district recognizes the heterogeneity of the people who live in the school district and believes that this characteristic should have an important bearing on all aspects of the school district’s activities.

The Board of Education believes it is especially important that this heterogeneity of population be recognized in the recruitment and assignment of personnel.

To this end, the Board of Education shall develop and implement a written plan for minority staff recruitment. The administration is directed to make a serious effort to see that the recruitment procedures of the district produce a total staff representative of the total population of the district and that the assignment procedures of the district bring to each school staff members representative of the population represented by the student membership in each local school.

The schools shall engage in fair and sound personnel practices in the appointment of all district employees. The administration shall be responsible for establishing recruitment, selection and appointment procedures.

The Superintendent shall insure that the District is in compliance with the provisions of Title I and the Every Student Succeeds Act. Manuals and handbooks shall comply with federal law as to the qualifications for instructional personnel. Parents/guardians of students in Title I schools shall be informed annually, at the beginning of each school year, of their right to request information about whether their child’s teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; is teaching under emergency or other provisional status through which state qualifications or licensing criteria have been waived; and is teaching in the field of discipline of the certification of the teacher. The qualifications of services provided by paraprofessionals shall also be provided. Timely notices shall also be provided to parents/guardians that the student has been assigned, or has been taught in a Title I school for 4 or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Personnel Certified/Non-Certified

Recruitment and Selection (continued)

Hiring of Retired Teachers

A **retired** teacher receiving benefits from the Teachers Retirement System (TRS) may be reemployed by the Board for up to one full school year in a position (1) designated by the Commissioner of Education as a subject shortage area, or (2) at a school located in a priority school district for the school year in which the teacher is being employed. Such employment may be for up to one full school year. Such reemployment may be extended for an additional school year, provided the Board (a) submits a written request for approval to the Teachers' Retirement Board, (b) certifies that no qualified candidates are available prior to the reemployment of such teacher and (c) indicates the type of assignment to be performed, the anticipated date of rehire and the expected duration of the assignment.

The salary of such teacher shall be fixed at an amount at least equal to that paid other teachers in the District with similar training and experience for the same type of service.

Except as indicated below, and in the first paragraph in this section, a certified educator receiving retirement benefits from the Teachers Retirement System (TRS) may not be employed in a certified position receiving compensation paid out of public money appropriated for school purposes except that such educator may be employed in such a position and receive no more than forty-five percent of the maximum salary level for the assigned position. Any certified educator who receives in excess of such amount shall reimburse the Board for the amount of such excess.

Commencing July 1, 2016, to June 30, 2020, the exemption from the limitation on the compensation of a reemployed certified educator apply to an educator who (A) is receiving retirement benefits from TRS based on thirty-four or more years of credited service, (B) is reemployed in a district designated as an alliance district (pursuant to C.G.S. 10-262u), and (C) was serving in the district on July 1, 2015.

On and after July 1, 2016, a certified educator receiving retirement benefits from the system may be employed and receive compensation, health insurance benefits, and other employment benefits provided to active teachers employed by such school system provided such teacher does not receive a retirement income during such employment. Payment of such teacher's retirement income shall resume on the first day of the month following the termination of such employment.

Note: TRB has indicated that a six month break in service is required before a retired teacher, who has retired before age 62 or normal retirement (20 years of service and age 60 or 35 years of service) can be reemployed by any Connecticut school district.

Personnel Certified/Non-Certified

Recruitment and Selection (continued)

Optional language to consider:

The Board wishes to avoid the appearance of cronyism in its hiring practices. "Cronyism" is defined as "the giving of special treatment, preference, jobs, political appointments, or contracts to people who are friends, donors, or political cohorts rather than to people based on their abilities or qualifications."

On the application form, an applicant for any position in the school district shall disclose any previous relationship with the Superintendent or any Board member. Previous relationships will include any business, financial, personal, political or family connections. This will also include school relationships such as knowing the individual in high school, college, or graduate school.

The Superintendent shall provide the Board with full disclosure of any prior knowledge or relationship with any candidate recommended for employment.

The Board of Education authorizes the Superintendent to employ teachers. (A Superintendent not authorized to employ teachers will submit to the Board of Education nominations for individuals to be hired by Board action. Boards shall accept or reject such nominations not later than thirty-five (35) calendar days from such submission.)

(cf. 4115 – Evaluation)

Legal Reference: Connecticut General Statutes
 10-151 Employment of teachers. Notice and hearing on termination of contract (as amended by P.A. 12-116 An Act Concerning Educational Reform)
 10-153 Discrimination on account of marital status.
 10-183v Reemployment of teachers, as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, P.A. 16-91, An Act Making Changes to the Teachers' Retirement System, and PA 17-173 An Act Concerning Minor Revisions and Additions to the Education Statutes and PA 18-42 An Act Concerning a Provision Concerning Reemployment of Certain Teachers.
 10-220 Duties of Boards of Education.
 31-126 Unfair Employment Practices.
 46a-60 Discriminatory employment practices prohibited.
 Title IV Equal Employment Opportunities.
 34 C.F.R. 200.55 Federal Regulations.
 P.L. 114-95 Every Student Succeeds Act, S.1177-55, 56

Policy adopted:

rev 6/17
rev 6/18

Another version of this policy to consider.

Personnel Certified

Recruitment and Selection

The Superintendent of Schools shall be responsible for the selection and assignment of all personnel in the District's schools except as noted below. They shall be determined on the basis of potential contribution to the educational program and/or the best interests of the school system. It is the policy of the Board of Education to employ and retain the best qualified administrators, teachers, and other personnel. This shall be accomplished through careful consideration of credentials, references, interviews, and evaluation of previous performance. All District classroom teachers as defined in the Every Student Succeeds Act must be determined to be "effective." Personnel shall be considered on the basis of his/her effectiveness without discrimination as defined by law.

The Superintendent or designee is authorized to employ all personnel below the rank of Assistant Principal. The name, position and salary of each new employee shall be reported in writing to the Board of Education at the next regular session and recorded by the Secretary in the minutes of the meeting. Appointments to positions at the rank of Assistant Principal and above shall be handled in accordance with applicable provision of C.G.S. 10-151.

The District Public Schools will provide an equivalence among all schools with the same grade levels in teachers, administrators and auxiliary personnel.

(cf. 4111.1/4211.1 - Affirmative Action in Recruitment and Selection)

Legal Reference:

- Connecticut General Statutes
- 10-151 Employment of teachers. Notice and hearing on termination of contract (as amended by P.A. 12-116 An Act Concerning Educational Reform)
- 10-183v Reemployment of teachers, as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, P.A. 16-91, An Act Making Changes to the Teachers' Retirement System, PA 17-173 An Act Concerning Minor Revisions and Additions to the Education Statutes and PA 18-42 An Act Concerning a Provision Concerning Reemployment of Certain Teachers.
- 10-220 Duties of Boards of Education.
- 10-153 Discrimination on account of marital status.
- 10-155f Residency requirement prohibited.
- 31-126 Unfair Employment Practices
- Title IX - Equal Employment Opportunity
- Americans With Disabilities Act (ADA)
- P.L. 114-95 Every Student Succeeds Act, S.1177-55, 56

Policy adopted:

rev 6/17

rev 6/18

Another version to consider.

Personnel Certified/Non-Certified

Recruitment and Selection

The Board of Education believes that the most important person in the educational life of any student is his/her teacher. Therefore, the Board of Education believes in recruiting and employing the best talent available (teachers, administrators, counselors, librarians, etc.), recognizing the contributions of diverse staff. All classroom District teachers as defined in the Every Student Succeeds Act, must be determined to be effective teachers, meeting applicable state certification and licensure requirements.

The Board of Education recognizes the heterogeneity of the people who reside in the school district and believes that diversity should have an important bearing on all aspects of the school district's activities. (i.e., Gender, Ethnicity, etc.)

The Board of Education believes it is especially important that this heterogeneity be recognized in the recruitment, hiring, promotion and assignment of personnel. The Board of Education and administration shall develop and implement a written plan for diversifying staff recruitment. The administration and staff shall engage in fair and sound personnel practices in the appointment of all district employees including non-certified staff. The administration shall be responsible for establishing recruitment, selection and appointment procedures.

Optional language to consider

The Board wishes to avoid the appearance of cronyism in its hiring practices. "Cronyism" is defined as "the giving of special treatment, preference, jobs, political appointments, or contracts to people who are friends, donors, or political cohorts rather than to people based on their abilities or qualifications."

On the application form, an applicant for any position in the school district shall disclose any previous relationship with the Superintendent or any Board member. Previous relationships will include any business, financial, personal, political or family connections. This will also include school relationships such as knowing the individual in high school, college, or graduate school.

The Superintendent shall provide the Board with full disclosure of any prior knowledge or relationship with any candidate recommended for employment.

(cf. 4115 – Evaluation)

Legal Reference: Connecticut General Statutes

10-151 Employment of teachers. Notice and hearing on termination of contract (as amended by P.A. 12-116 An Act Concerning Educational Reform)

10-153 Discrimination on account of marital status.

Personnel Certified/Non-Certified

Recruitment and Selection

Legal Reference: Connecticut General Statutes (continued)

10-183v Reemployment of teachers, as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, P.A. 16-91, An Act Making Changes to the Teachers' Retirement System, and PA 17-173 An Act Concerning Minor Revisions and Additions to the Education Statutes and PA 18-42 An Act Concerning a Provision Concerning Reemployment of Certain Teachers.

10-220 Duties of Boards of Education.

31-126 Unfair Employment Practices

46a-60 Discriminatory employment practices prohibited.

P.L. 114-95 Every Student Succeeds Act, S.1177-55, 56

Policy adopted:

rev 6/12
rev 3/16
rev 6/17
rev 6/18

**SUGGESTED STRATEGIES/ACTIVITIES FOR SECURING, SUPPORTING AND
RETAINING MINORITY TEACHING STAFF**

RECRUITMENT (Pre-Collegiate)	RECRUITMENT (Collegiate and Post)	SUPPORT/RETENTION
Institute and/or support Young Educators' Society (YES) with RESC support	Institute diversity training for all staff	Create a strong district induction program in concert with TEAM
Develop School-to-Career Programs	Train all staff in how to market (represent) district to potential candidates	Initiate/participate in support groups for minority teachers
Support/send students to CREC/ECSU's and other future teacher summer institutes	Review all district materials to ensure that they reflect district's commitment to diversity (advertising, web page, etc.)	Institute a new hire orientation program; include connections with community resources (Realtors, community organizations)
Integrate multiculturalism/diversity within curriculum	Coach secretaries about messages that are communicated within the school culture	Connect to local, regional, and professional organizations (NAACP for example)
Participate in RESC Interdistrict Diversity Grant Programs	Coach interviewers on indirect messages communicated in interviews and telephone conversations	Institute a newsletter for new hires
Actively recruit minority students to attend annual state "Be a Teacher Conference"	Participate in College Career Fairs in Connecticut	Participate in the National Recruitment Program through the Internet
Target guidance and counseling activities toward careers in teaching for minority	Participate in College Career Fairs out-of-state	
Implement special school-based support in identifying colleges, finding financial support, college application process for minority students	Participate in or institute regional minority recruiting groups	
Conduct diversity training for students and teachers	Network with Connecticut teacher preparation programs	
Offer scholarships (seek corporate support)	Post positions in local, regional media	

**SUGGESTED STRATEGIES/ACTIVITIES
FOR SECURING, SUPPORTING AND RETAINING MINORITY TEACHING STAFF**

RECRUITMENT (Pre-Collegiate)	RECRUITMENT (Collegiate and Post)	SUPPORT/RETENTION
Participate in an existing, or institute, a college student mentor-to-high-school-student program (seek education majors who are minorities)	Participate in or institute regional interview days	
Recruit minority students to enter a scholastic registry program	Recruit from Alternate Route Candidate Program (ARC)	
Institute a Senior Job Shadowing Program in education careers	Make connections to college students in the community	
Provide senior internships in education careers	Link to college Ethnic/Cultural Programs	
Sponsor students to the Historically Black College Alumni College Tours	Recruit from Para-Professional Programs	
	Recruit from professional organizations, community organizations	
	Recruit minority interns/substitutes	
	Consider recruiting international candidates	
	Provide assistance/support in meeting certification requirements (Praxis I – RESC Support Programs; other)	

A sample regulation originally developed by Regional School District #6 to consider/modify.

Personnel – Certified/Non-Certified

Recruitment and Selection

This process is based upon RSD6 Policies, Regulations, and Bylaws 4111(a) 4211; 4111(b) 4211

Process Overview – Certified Staff

1. Identify need for the position.
2. Internally post position.
3. Externally post position.
4. Applications are collected in the Central Office until closing date.
5. Applications are forwarded to the building Principal for review and screening.
6. Applications are forwarded to the appropriate department coordinator (for 7-12 positions).
7. Applications are screened by department coordinator (for 7-12 positions).
8. Initial screening interview done by committee.

K-6 District Committee Principal and (his/her designees including, if possible,
 grade level representatives)

7-12 Committee Assistant Principal, department coordinator, content
 area teacher, team leader as appropriate, parent if possible)

9. Recommendations are made to teach a sample lesson.
10. Sample lesson (optional if applicable and depending on time)

K-6	Building Principal and his/her designees
7-12	Department coordinator & subject area teacher

11. Recommendations are made to move to the next step.
12. Top candidate(s) interview with building Principal (and at Wamogo, Assistant Principal and department coordinator).
13. Recommendation is made to move to the next step.
14. If called for, the top candidate(s) interview with the Superintendent.
15. Superintendent recommends a candidate for hire to the Board of Education
16. Board of Education votes on the Superintendent's recommendation, not later than thirty-five (35) calendar days from submission of the Superintendent's recommendation to the Board.

Personnel – Certified/Non-Certified

Recruitment and Selection

Process Overview – Certified Staff (continued)

Initial Application Screening

Initial application screening should be conducted by the building Principal (and at Wamogo, the department coordinator). The purpose of the initial application screening is to identify a list of the top candidates to be invited for interviews. Information to review shall include: application, cover letter, resume, transcripts, and letters of recommendation.

Initial Screening Interview

The top candidates are invited for interviews. The number of candidates invited for interviews can vary. Following the interviews, if no candidate is deemed acceptable, the process will begin again with the applications on file, and/or the position could be re-opened.

The interview questions should relate to:

- Teaching effectiveness
- Previous professional experiences
- Instructional skills
- Classroom management skills
- Knowledge of content/materials
- Relationships with administrators, teachers, parents, and students
- Activities the candidate would be interested in at Wamogo

Following the interviews, the committee will discuss the candidates and select leading candidate(s), when possible, to teach a sample lesson.

Sample Lesson

Top candidate(s) shall be invited to teach a sample lesson. The lessons will be evaluated using the Regional School District No. 6 Teacher Evaluation Document. The strongest candidates are recommended to interview with the Principal (and at Wamogo, the Assistant Principal and department coordinator).

Interview with the Principal

The top candidate(s) shall be interviewed by the building Principal. Following this interview, the Principal shall recommend the candidate(s) to the Superintendent.

Personnel – Certified/Non-Certified

Recruitment and Selection

Process Overview – Certified Staff (continued)

Interview with the Superintendent

The Superintendent may interview final candidate(s). The Superintendent shall recommend a candidate to the Board of Education for approval unless otherwise stated in Board of Education policy. The Superintendent will provide the Board with the educational background, professional experience, and other related credentials of the successful applicant along with a rationale as to why the person was selected. The Board shall act on the Superintendent's recommendation not later than thirty-five (35) calendar days from its submission.

Process Overview – Non-Certified (Classified) Staff

1. Identify need for the position. Business Manager will verify that funds are available.
2. Internally post vacancy.
3. Externally post vacancy.
4. Applications are collected in the Central Office until the closing date.
5. Applications are forwarded to the building Principal or Program Manager who will direct the screening and interview process.
6. The building Principal will send to the Business Manager the names of the finalists.
7. The Business Manager will discuss with the Superintendent the candidates at which meeting the final choice will be made.
8. The Superintendent recommends a candidate for hire to the Board of Education.
9. Board of Education votes on the Superintendent's recommendation.

Initial Application Screening

Applications are screened to identify the top applicants.

Interviews are conducted by the building Principal or designee.

The purpose of the initial application screening is to identify a list of the top candidates.

Selected applicants are contacted to set up interviews.

Interview with the Principal or Designee

The number of candidates invited for interviews can vary. The top candidates should be interviewed by the building Principal or designee. The Principal or designee will identify the top choices which the Principal or designee will send to the Business Manager. If no candidate is selected, the process will begin again with the applications on file and/or the reposting of the position. References are checked.

Personnel – Certified/Non-Certified

Recruitment and Selection

Process Overview – Certified Staff (continued)

Interview with the Superintendent

The Business Manager may interview final candidates before submitting a choice(s) to the Superintendent. The Superintendent will ensure that all is in order before she/he presents the finalist to the Board of Education for approval. The transmittal to the Board will include the educational background and professional experience of the successful applicant.

Regulation approved: November 28, 2007
cps 1/09
rev 6/12

REGIONAL SCHOOL DISTRICT NO. 6
Goshen – Morris – Warren

Personnel -- Certified/Non-Certified

Recruitment and Selection

The Board of Education believes that the most important person in the educational life of any student is his/her teacher. Therefore, the Board of Education believes in recruiting and employing the best talent available (teachers, administrators, counselors, library media specialists, etc.), recognizing the contributions of diverse staff. All classroom District teachers as defined in the Every Student Succeeds Act, must be determined to be effective teachers, meeting applicable state certification and licensure requirements.

The Board of Education recognizes the heterogeneity of the people who reside in the school district and believes that diversity should have an important bearing on all aspects of the school district's activities. (i.e., Gender, Ethnicity, etc.)

The Board of Education believes it is especially important that this heterogeneity be recognized in the recruitment, hiring, promotion and assignment of personnel. The administration and staff shall engage in fair and sound personnel practices in the appointment of all district employees including non-certified staff. The administration shall be responsible for establishing recruitment, selection and appointment procedures.

On the application form, an applicant for any position in the school district shall disclose any previous relationship with the Superintendent or any Board member. Previous relationships will include any business, financial, personal, political or family connections.

When recommending a candidate to the Board of Education, the Superintendent will disclose any prior knowledge or relationship with any candidate recommended for employment.

(cf. 4115 – Evaluation)

Legal Reference: Connecticut General Statutes
 10-151 Employment of teachers. Notice and hearing on termination of contract (as amended by P.A. 12-116 An Act Concerning Educational Reform)
 10-153 Discrimination on account of marital status.
 10-183v Reemployment of teachers, as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, P.A. 16-91, An Act Making Changes to the Teachers' Retirement System, and PA 17-173 An Act Concerning Minor Revisions and Additions to the Education Statutes
 10-220 Duties of Boards of Education.
 31-126 Unfair Employment Practices
 46a-60 Discriminatory employment practices prohibited.
 P.L. 114-95 Every Student Succeeds Act, S.1177-55, 56

Policy adopted: November 7, 2017

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

A sample policy to consider.

Personnel - Certified/Non-Certified

Recruitment and Selection

Affirmative Action

The Board of Education will provide equal employment opportunities for all persons without regard to race, color, national origin, ancestry, religion, age, veteran status, genetic information, sex, marital status, sexual orientation, gender identity or expression or disability, (including pregnancy). The Board of Education directs the administration to set as a goal, the recruitment, selection and employment of qualified people among racial and ethnic minority groups to the end that the school district's employees will proportionately mirror the racial and ethnic composition of this community.

No advertisement of employment opportunities may by intent or design restrict employment based upon discrimination as defined by law.

Legal Reference: Connecticut General Statutes
4a-60 Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions rather than municipalities
4a-60a Contracts of the state and political subdivisions, other than municipalities, to contain provisions re nondiscrimination on the basis of sexual orientation
10-153 Discrimination on account of marital status.
46a-60 Discriminatory employment practices prohibited.
46a-81a Discrimination on the basis of sexual orientation
Title VII, Civil Rights Act U.S.C. 2000e, et. seq.
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. §4212
Title II of the Genetic Information Nondiscrimination Act of 2008

Policy adopted:

rev 10/11
rev 2/13
rev 10/18

A version, from Hamden, updated, to consider.

Personnel - Certified/Non-Certified

Recruitment and Selection

Affirmative Action

The Board of Education recognizes the diversity of the people who live in this school district, and furthermore, the Board of Education believes that this diversity should have an important bearing on all aspects of the school system's activities. The Board of Education also believes it is especially important that this diversity of population be recognized in the recruitment, hiring, promotion, and assignment of personnel.

The Board of Education will provide equal employment opportunities for all persons without regard to race, color, religion, age, marital status, national origin, ancestry, sex, sexual orientation, disability, (including pregnancy), genetic information, Veteran status, gender identity or expression. The Board of Education directs the administration to set as a goal, the recruitment, selection and employment of qualified people among racial and ethnic minority groups to the end that the school district's employees should proportionately mirror the racial and ethnic composition of this community.

The Board of Education will implement an affirmative action plan and actively seek minority applicants for all open positions in the district. The Board shall make appropriate efforts to encourage, recruit, employ, and promote qualified minorities, especially where under-utilized in the district's work force. In addition, no advertisement of employment opportunities may, by intent or design, restrict employment based upon discrimination as defined by law. Any Board employee who conducts interviews or recommends professional or paraprofessional employees for any job in the Hamden Public Schools System will have read, and had the Board of Education affirmative action policy and plan explained to them, by the Superintendent of Schools or his/her designee.

The Superintendent of Schools shall be responsible for developing specific recruiting procedures and appropriate interviewing and evaluation instruments to implement the Board's policy. All such procedures and instruments shall comply with federal and state requirements. The Board of Education requests an annual report from the Superintendent of Schools concerning the extent to which the above-mentioned affirmative action program goals are being achieved.

For the purposes of the Board's affirmative action policy and the ongoing plan, the term "minorities" shall mean African American, Native American, Asian American, Hispanic, and other minority group members, women and individuals with disabilities. Community members are urged to refer such applicants directly to the Superintendent, and to encourage friends and associates to do the same.

Personnel - Certified/Non-Certified

Recruitment and Selection

Affirmative Action (continued)

The specific purposes of the Affirmative Action Plan are:

1. To ensure equal opportunity in all personnel practices and collective bargaining agreements through the identification and elimination of practices or policies that discriminate.
2. To increase the employment of minorities at all levels of employment, especially where under-utilized in the district's work force.
3. To design and implement continuing internal assessment, reporting and modification procedures for the evaluation of the plan.
4. To develop employee training programs designed to assist employees, particularly those with the responsibility for recruitment, hiring, assigning, training, promoting to ensure compliance with the policy and plan.
5. To provide for the publication and dissemination, internally and externally, of the Affirmative Action Policy and Plan and to ensure its availability to interested citizens and groups.
6. To ensure that every level of supervision is held responsible for complying with this policy and plan.

Legal Reference: Connecticut General Statutes
4a-60 Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions rather than municipalities
4a-60a Contracts of the state and political subdivisions, other than municipalities, to contain provisions re nondiscrimination on the basis of sexual orientation
10-153 Discrimination on account of marital status.
46a60 Discriminatory employment practices prohibited.
Title VII, Civil Rights Act U.S.C. 2000e, et. seq.
PA 91-58 An act concerning discrimination on the basis of sexual orientation.

Another version to consider.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

The Board of Education will provide equal employment opportunities for all persons without regard to race, color, religion, age, marital status, national origin, ancestry, sex, sexual orientation, disability, (including pregnancy), genetic information, Veteran status, or gender identity or expression. The Board of Education directs the administration to set as a goal the recruitment, selection and employment of qualified people among racial and ethnic minority groups to the end that the school district's employees will proportionately mirror the racial and ethnic composition of this community.

The Board of Education requests an annual report from the Superintendent of Schools concerning the extent to which the abovementioned affirmative action program goals are being achieved.

No advertisement of employment opportunities may by intent or design restrict employment based upon discrimination as defined by law.

Legal Reference: Connecticut General Statutes

4a-60 Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions rather than municipalities

4a-60a Contracts of the state and political subdivisions, oer than municipalities, to contain provisions re nondiscrimination on the basis of sexual orientation

10153 Discrimination on account of marital status.

46a60 Discriminatory employment practices prohibited.

46a-81a Discrimination on the basis of sexual orientation

Title VII, Civil Rights Act 42 U.S.C. 2000e, et seq.

Policy adopted:

rev 9/08

rev 10/18

*A sample regulation to review.
Replace "Director of Personnel" with appropriate title. Other samples follow.*

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

The Director of Personnel and the affirmative action committee will prepare an affirmative action plan, including the following components:

1. Materials for inservice workshops.
2. A tabulation of data regarding present staff composition with respect to race and sex for both professionals and nonprofessionals.
3. Data on staff turnover rates, expected retirement, opportunities for career advancement and projected staff needs.
4. An analysis of the community labor market for potential applicants for positions in the district.
5. A comparison of employment status with the demographic data on community labor market.
6. A program to establish and maintain relationships with placement officers around the country, who counsel and help place female and minority graduates.
7. Sound public relations program that welcomes minorities and females as professional staff members.
8. Updating of application forms to eliminate all discriminatory questions.
9. Goals and timetable for implementation of the affirmative action plan.

Evaluation and Monitoring of Affirmative Action Plan

Evaluation and monitoring of the affirmative action plan will be accomplished on a continuing basis. The monitoring official will be the Director of Personnel who will work with the affirmative action committee to make an ongoing review of the affirmative action effort in the district.

Under the direction of the Superintendent, internal audit procedures, plans for maintaining and updating the data base, and plans for maintaining records will be developed. Reports will be submitted to the Board of Education personnel committee for transmittal to the Board of Education annually.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Evaluation and Monitoring of Affirmative Action Plan (continued)

In addition, the Superintendent will furnish the Board of Education the following information for each recommended appointment for all positions:

- Whenever possible, a tabulation of race and sex of all candidates who make formal written application for the position.
- List of contacts outside normal employment channels.
- If the recruitment of minorities and/or women is unsuccessful, a report will be submitted detailing why recruitment failed to produce a competitive applicant for the position (e.g., no applicants were obtained from pertinent agencies contacted).

Administrators and supervisors with responsibility for hiring and promoting shall have, as part of his regular performance evaluation (or in consideration for promotion), an assessment of his success in meeting the district's commitment to the affirmative action plan.

Employment and Placement

Procedures relating to employment and placement will be reviewed and amended as necessary to ensure nondiscrimination:

- Qualifications needed for a job and job descriptions will be reviewed by the affirmative action committee to ensure that they are realistic and do not involve inadvertent discrimination.
- Application forms will be reviewed and revised by the affirmative action committee.
- A removable section for each interviewer's comments will become part of the application form. This section will be removed when the application form is forwarded to another interviewer. This is an effort to ensure that subsequent interviewers are not influenced by opinions of earlier interviewers.
- Any testing procedures which might be used in the future for selection and/or placement will be validated for jobrelatedness.
- Personnel policies will be revised to comply with federal and state fair employment regulations.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Administrator's and Supervisor's Roles in Equal Employment Opportunity:

Interviewing and Hiring

This section provides guidelines to help in interviewing and selecting candidates for positions with this school district. Each guideline is followed by a brief explanation of the reasons certain actions or basis for decisions may be considered discriminatory. One of the most important factors in any hiring decision is that the applicant be able to do the job for which he/she is applying:

1. Educational Requirements

Guideline: An employer must be prepared to demonstrate why a job requires the employee to have a specified level of education.

Explanation: In geographic areas where there are significant differences in the average educational levels of minorities and nonminorities, the employer who requires a specific level of education automatically eliminates from consideration a disproportionate percentage of minorities.

Consequently, unless the employer can demonstrate why the educational requirement is needed, the EEOC is likely to find it unlawful. The EEOC and the courts will accept evidence from an employer that a specified level of education is necessary for satisfactory job performance or that there is a clear and close relationship between educational level and performance on the job.

2. Family Status: Pregnancy and Dependents

Guideline: Applicants should not be questioned by interviewing supervisors about their dependents, family plans or a condition of pregnancy.

Explanation: The Supreme Court has held that women with children must be hired on the same basis as men with small children unless the employer can show that this practice would seriously affect the operation. Employers may not presume that child care is the responsibility of the woman and that a working mother's reliability will be more affected by child care problems than a working father's.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Administrator's and Supervisor's Roles in Equal Employment Opportunity:

Interviewing and Hiring

2. Family Status: Pregnancy and Dependents (continued)

The EEOC has held that any written or unwritten employment policy or practice which discriminates against applicants because of pregnancy is in violation of Title VII. The EEOC also has held that a company policy of refusing to hire unwed parents discriminates against women as a class. Even if the illegitimacy standard were applied equally to males and females, the policy would have a disparate effect on women since it would be easier for an employer to know that a female applicant had a child out of wedlock than it would be to know that a male applicant has fathered an illegitimate child.

3. Arrest and Conviction Records

Guideline: An employer may not automatically disqualify an applicant from employment consideration because the applicant has a police record.

Explanation: There is ample evidence that blacks as a class are arrested and convicted much more frequently than whites. Therefore, to use an applicant's police record as a rigid standard of employment eligibility would automatically disqualify a disproportionate percentage of blacks. For this reason, the EEOC, with court approval, considers such policies in violation of Title VII, unless an employer can demonstrate "business necessity" for retaining the policy. The EEOC suggests that employers handle the matter of an applicant's police record on a casebycase basis, considering the type of charge, how long ago the incident occurred, the applicant's age at the time of the incident, whether the charge resulted in a conviction, and the applicant's subsequent behavior.

Authority to make this kind of determination rests with the Director of Personnel. Prospective employees should not be questioned about police records except by authorized personnel representatives.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Administrator's and Supervisor's Roles in Equal Employment Opportunity:

Interviewing and Hiring (continued)

4. Accommodation to Religious Beliefs

Guideline: Supervisors are expected to make some accommodation to the religious needs of applicants when this will not have a serious effect on operations.

Explanation: Under Title VII, employers are obligated to make "reasonable accommodations to the religious needs" of their employees, where such accommodations do not force a serious hardship on the employer.

It is up to the employer to prove that such religious accommodations cause a serious hardship to his/her business. The "religious need" of employees could include a required mode of dress, time off for Sabbath observance or inability to work on certain prescribed days for religious reasons. Supervisors should not, however, make employment decisions based on applicants' religious needs without first consulting the Director of Personnel.

5. Citizenship

Guideline: If the applicant is not a United States citizen, he/she must possess a permanent visa to be eligible for employment.

Explanation: The courts have held that it is not unlawful under Title VII for an employer to require U.S. citizenship as a condition of employment if the requirement is established for sufficient reason (e.g., security) and is not intended to restrict the employment of minorities.

U.S. citizenship or a permanent visa is required as a condition of employment. Supervisory personnel may, therefore, use an applicant's citizenship status as an eligibility standard. The Director of Personnel may request, however, that as a condition of employment alien applicants provide proof of permanent residence in the United States.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Administrator's and Supervisor's Roles in Equal Employment Opportunity:

Interviewing and Hiring (continued)

6. Manner of Speaking

Guideline: It is unlawful to reject an applicant because of the applicant's foreign accent or lack of fluency in English unless either condition will affect satisfactory job performance.

Explanation: The EEOC will find unlawful the rejection of an applicant because of his/her manner of speaking if the manner of speech is peculiar to the applicant's race or national origin. This guideline is applied most often when applicants speak with a foreign accent. However, it also applies to applicants who have difficulty with English and to jobs for which fluency in English is a factor in satisfactory performance. The final decision regarding an applicant whose manner of speaking has been questioned will be made by the Director of Personnel.

Legal Reference: Connecticut General Statutes

4a-60 Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions rather than municipalities

4a-60a Contracts of the state and political subdivisions, other than municipalities, to contain provisions re nondiscrimination on the basis of sexual orientation

46a60 Discriminatory employment practices prohibited.

Executive Order 11246, 42 U.S.C. 2000e note.

Equal Pay Act of 1963, 29 U.S.C. 206 (d).

Regulation approved:

rev 9/08

A sample regulation, different in format, to consider.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Discriminatory Pre-employment Inquiries

The following list provides questions that can or should not be asked on employment application forms and in pre-employment interviews or other pre-employment inquiries. Some of the questions listed as potentially discriminatory may be asked legally if they relate to bona fide occupational requirements of a particular job, or if there are affirmative action considerations. The following list is excerpted and adapted from a handbook by the Montgomery County (Md.) Human Relations Commission.

Subject	Job-Related, Non-Discriminatory Questions	Not Job-Related, Potentially Discriminatory Questions
Name	Applicant's full name. Have you ever worked for this business or organization under a different name? Is any additional information relative to a different name necessary to check on your work record? If yes, explain.	Applicant's maiden name. Original name of applicant whose name has been changed by court order or otherwise.
Address/Residence	What is your mailing address? How long a resident of this state or city? (for tax purposes)	Where did you live previously?
Age/Birthdate	May ask only whether applicant is within the legal age range for your employment purpose.	How old are you? What is your date of birth?
Birthplace		Birthplace of applicant, his or her parents, spouse, or other close relative. Requirement that applicant submit birth certificate, and naturalization or baptismal records.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Discriminatory Pre-employment Inquiries (continued)

Subject	Job-Related, Non-Discriminatory Questions	Not Job-Related, Potentially Discriminatory Questions
Citizenship	Are you a citizen of the U.S.? (May be asked only to determine whether applicant has legal right to work in the U.S.? Do you have the legal right to remain permanently in the U.S.?	Of what country are you a citizen? Are you a naturalized or native-born citizen? When did you become a citizen? Are your parents or spouse naturalized or native-born citizens of the U.S.? Requirement to submit naturalization or birth certificates.
Relatives	Names of applicant's relatives already employed by the school system.	Requirement to furnish address of any relative.
Religion	General questions regarding work hours only, such as: Are you available to work the hours and days required for the job?	Inquiries into religious affiliation.
Sex		Any inquiry regarding applicant's sex including title of Mr., Miss, or Mrs. Any questions regarding family planning.
Special Skills	Inquiries into special skills such as typing, foreign languages, writing, operating computers, etc.	
Organizations	Inquiry into membership in professional organizations or hobby groups relevant to the job.	Inquiry into membership into specific organizations; the name or character of which reveal personal information which could discriminate against the applicant.

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Discriminatory Pre-employment Inquiries (continued)

Subject	Job-Related, Non-Discriminatory Questions	Not Job-Related, Potentially Discriminatory Questions
National origin	Inquiry into languages applicant speaks or writes, but only if relevant to the job.	Inquiry into applicant's lineage, ancestry, descent, national origin, nationality, or parentage. Nationality of applicant's parents or spouse. What is your mother's tongue?
Marital Status		Any inquiries into marital status, plans for a family, or number of dependents. Is your spouse employed and where? What is your spouse's name?
Military Service	Inquiry into applicant's military experience in the Armed Forces of the U.S. or in a state militia (branch, service dates, occupational specialty, reason for leaving.)	Inquiry into applicant's general military experience, not job related.
Dependents		Do you have any children? How old are your children? Do you have any dependents? What childcare arrangements have you made?
Driver's License	May be asked about only if driving is necessary for the job.	Do you have a valid driver's license?
Education	Inquiry into the academic, vocational, or professional education of the applicant and the schools he/she attended.	

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Discriminatory Pre-employment Inquiries (continued)

Subject	Job-Related, Non-Discriminatory Questions	Not Job Related, Potentially Discriminatory Questions
Emergency Notification	Name and address of person to be notified in case of accident or emergency.	Name and address of nearest relative to be notified in case of emergency.
Experience	Inquiries into work experience.	
Health/Pregnancy	Do you have any impairments - physical, mental or medical - which would interfere with your ability to do the job for which you have applied? Are there any positions for which you should not be considered or job duties you cannot perform because of a physical or mental handicap? Inquiries into contagious or communicable diseases which may endanger others.	Are you pregnant? Are you using any contraceptives? Are you planning to have a family? Requirement that women be given a pelvic examination. Do you have a disability or handicap? Do you use any adaptive device or aid? Have you ever been treated for the following diseases...?
Height or Weight		Any inquiries regarding applicant height or weight.
Photograph		Requirement that applicant submit a photograph either before or after the pre-employment inquiry.
Race or Color		Questions regarding the complexion or color of skin, national origin, ancestry, etc. (see also "National Origin".)
References	Who suggested that you apply for a position here? Name and address of person(s) for reference.	

Personnel Certified/NonCertified

Equal Employment Opportunity

Affirmative Action

Discriminatory Pre-employment Inquiries (continued)

Note: After a person has been hired, the school system may make some inquiries that are not permissible in a pre-employment interview or form. Such inquiries must be made uniformly of all employees, and answers must not be used to discriminate unfairly in assignments and transfers.

Legal Reference: Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Executive Order 11246, 42 U.S.C. 2000e note.

Equal Pay Act of 1963, 29 U.S.C. 206(d).

PUBLIC SCHOOLS
Interview Guidelines (do's and don'ts)

1. Be prepared. Have all materials ready.
2. Practice the questionnaire in advance.
3. Examine the questionnaire closely before entering the interview.
4. Pay special attention to questionnaire instructions.
5. DO NOT read the instructions to respondent.
6. DO NOT pose questions related to candidate's race, ancestry, national origin or religious preference.
7. DO NOT ask questions concerning family.
8. Be complete: All candidates must be asked the same questions.
9. Be professional.
10. Expect friendliness.
11. Be courteous.
12. Be interested and show interest.
13. Be tolerant and nonjudgmental.
14. Use neutral phrases. "Uh-huh" or "I see" is great.
15. Be patient.
16. Remember that everybody's time is valuable.
17. Ask questions exactly as worded (do not paraphrase).
18. Ask questions in the order presented in the interview questionnaire.
19. Repeat and clarify questions that respondent misunderstood.
20. Probe when needed. A probe is a non-directive way of clarifying the response.
21. Obtain complete occupational information.
22. Record everything.
23. Write what the respondent actually said NOT what you thought the respondent meant.
24. Note questions that give respondent trouble. (This helps revise questions with wording problem).
25. Edit interview notes immediately after the interview is ended.

All materials must be handed into the administrator before leaving to room.

PUBLIC SCHOOLS
Procedures for Hiring Non-Certified Staff

When a vacancy occurs, inform the Superintendent of the need to post and advertise. Be specific in the nature of the position, hours of work and the urgency of filling the position. All postings will follow contractual guidelines.

All applications will come to the Superintendent's Office. Internal candidates will submit a letter of intent only and must be given an interview. After the closing date for the position, the Administrative Assistant will send the principals/director copies of the applications. Make sure to keep all application material safe and confidential while they are in the building.

A team approach is to be used at the building/department level. Prior to making an appointment for an interview, recheck to make sure the person is "Highly Qualified" under NCLB standards. The job description and interview guidelines should be reviewed prior to beginning the process. A list of standardized questions must be formulated prior to the interviews. The Principal or Director must check at least two-three (2-3) references for finalists for the position.

For non-certified positions, the decision will be made by the Principal or Director. All applicants being recommended must have a complete and signed application form.

Once the decision is made, the Superintendent must be sent a written recommendation along with all application material, the completed telephone reference check form and a completed credential review form.

DO NOT discuss placement on salary scales or credit for previous experience with candidates. The final candidate may be given a copy of the collective bargaining agreement, job description or salary schedule. However, it should be clear that placement on the salary schedule will be made by the Superintendent.

Once the decision has been confirmed with the Superintendent's Office, the principal/director can make the calls/letters of regret. The Superintendent will call the selected candidate and offer the position. Should the person refuse the position, the Principal/Director will be informed and a second candidate may be chosen or the position re-advertised.

The successful candidate will need to schedule an appointment with the Superintendent and complete all pre-employment tasks including fingerprinting before they can begin work.

PUBLIC SCHOOLS
Procedures for Hiring Teaching and Related Services Staff

When a vacancy occurs, inform the Superintendent of the need to post and advertise. Be specific in the nature of the position and the urgency of filling the position. All postings will follow contractual guidelines.

All application packets will come to the Superintendent's Office. Internal candidates must be given an interview if they hold appropriate certification for the open position. After the closing date for the position, the Administrative Assistant will send the principal/director copies of the applications. Make sure to keep all application material safe and confidential while they are in the building.

A team approach must be used at the building/department level. The role of the team is to select finalists, not to make the final choice of a specific candidate. The job description and interview guidelines should be reviewed prior to beginning the process. Be sure that all candidates have proper and valid certification and are "Highly Qualified."

If the Superintendent is not part of the team, three unranked candidates should be referred to the Superintendent's Office. Once the finalists have been selected the Superintendent must be sent a written recommendation along with all application material, the completed telephone reference check form and a completed credential review form. In unusual cases, where there is a shortage the principal/director may send one or two candidates as finalists. In such situations, the Superintendent must be notified prior to submission of materials.

If the Superintendent is not part of the team, he/she will conduct an interview with each of the final candidates. After the Superintendent has interviewed the candidates, a conference will occur between the Superintendent and the Principal/Director. If no candidate emerges as agreeable to all, additional applications will be reviewed/sought.

DO NOT discuss placement on the salary scale or credit for previous experience with any candidates. The finalists may be given a copy of the collective bargaining agreement, job description or salary schedule. However, it should be clear that placement on the salary schedule will be made by the Superintendent.

The Superintendent will call the selected candidate and offer the position. Should the person refuse the position, the Principal/Director will be informed and another acceptable finalist will be offered the position. Once the decision has been confirmed by the Superintendent's Office, the principal/director can make the calls/letters of regret. Once a person has accepted the position, the Superintendent will inform the Principal/Director who will then make calls of regret to all candidates interviewed.

The successful candidate will need to schedule an appointment with the Superintendent to finalize salary and complete all pre-employment tasks including fingerprinting before they can begin work.

EQUAL OPPORTUNITY EMPLOYMENT (AFFIRMATIVE ACTION)

Statement of Policy

In order to provide equal opportunity to all employees and applicants for employment in the Newtown Public Schools, the Board of Education establishes an affirmative action program consistent with the requirements of federal and state statutes as well as the appropriate executive orders.

To provide an equal opportunity to all employees and applicants for employment, the Board of Education affirms a continuing policy of equal employment, promotional, and training opportunities regardless of the race, color, religion, marital status, age, sex, and/or national origin of the individual.

The Board of Education affirms that in the hiring of new employees or in the promotion or transfer of present employees, the highest qualifications for the appointment are to be maintained. Pursuit of affirmative action is not to be interpreted as requiring the employment, transfer, or promotion of unqualified personnel. Affirmative action does imply a genuine effort to seek qualified persons from under-represented groups in the labor market.

P.A. 19-74: An Act Concerning Minority Teacher Recruitment and Retention

~Page 1~

(Background Information for Policy Review Committee)

This Act requires the State Department of Education's (SDE) Minority Teacher Recruitment Policy Oversight Council (i.e., "Council") to develop and implement strategies and use existing resources to ensure that boards of education annually hire and employ at least 250 new minority teachers and administrators.

It also includes provisions related to:

1. expanding teacher certification reciprocity with other states (§2),
2. mortgage assistance for teachers who graduated from colleges and universities that traditionally serve minority students (§3),
3. re-employment of retired teachers who graduated from colleges and universities that traditionally serve minority students (§4),
4. flexibility in certain teacher certification requirements (§5), and
5. removing subject-matter assessment requirements for teachers seeking to be recertified after their certification lapses in certain cases (§6).

The effective date of this legislation is July 1, 2019, except the annual minority hiring goal became effective upon passage.

The various sections of the Act, as detailed below, are designed to facilitate the hiring of minority teachers.

§1 – Minority Teacher Hiring Goal

The Act requires the Council to develop and implement strategies and use existing resources to ensure local and regional boards of education in the state hire and employ at least 250 new minority teachers and administrators, of which at least 30% are men, each year beginning with the 2020-21 school year. Minority means someone whose race is defined as other than white, or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for U.S. Census use.

§2 – Teacher Reciprocity Agreements

The Act requires the Commissioner of Education or designee, to enter into teacher certification reciprocity agreements with the chief education officials for each state. Furthermore, if the Commissioner is unable to establish a reciprocity agreement with another state, the Act authorizes him to establish or join an interstate agreement to facilitate certification of out of state teachers as outlined in existing law, unchanged by the Act. The Act conveys that the reciprocity agreements apply to all three levels of teacher certification (i.e., initial, provisional, and professional).

P.A. 19-74: An Act Concerning Minority Teacher Recruitment and Retention

~Page 2~

§ 3 – Teacher Shortages

Under existing law, an applicant must be given certification to teach in a designated subject shortage area if he or she receives an excellent score in a State Board of Education (SBE)-approved subject area assessment for the subject shortage area. This is also allowed for a teacher already certified in one area who wants to teach in a shortage area. Under the Act, the applicant or the certified teacher must be given the certification if he or she earns a satisfactory, rather than excellent, score on the same assessment.

§4 – Teacher Mortgage Assistance

Previous law authorized the Connecticut Housing Finance Authority (CHFA) to administer a mortgage assistance program for certified teachers who (1) are employed by priority or transitional school districts; (2) are employed by the Technical Education and Career System at a technical high school located in a priority or transitional school district; or (3) teach in a subject matter shortage area, in any district.

The Act expands eligibility for the program to certified teachers who graduated from (1) an educational reform district (i.e., the 10 lowest performing districts in the state) or (2) a historically black college or university (HBCU) or historically Hispanic-serving institutions (HSI), as those terms are defined in federal law.

By law, program participants who work in priority or transitional school districts must purchase the home in the same district. The Act does not include a location requirement for teachers newly eligible under the legislation.

§5 – Re-Employment of Retired Teachers

Current law allows a school district to re-employ a retired teacher for up to a year without a pension penalty or a limit on his or her salary. This is permitted for a retired teacher teaching for a year in a school located in a priority school district or a teacher shortage subject area.

The Act expands this allowance to include any teacher who graduated from an (1) education reform district or (2) HBCU or historically HSI as those terms are defined in federal law. As under current law for the existing provisions, this can be renewed for an additional year under certain circumstances.

§6 – Teacher Certification Requirement Flexibility

Under existing law, SBE must issue an initial educator certification to an applicant who holds a bachelor's degree from an accredited higher education institution, completed (a) an SBE-approved educator preparation program or similar program in another state or (b) an SBE-approved alternate route to certification (ARC) program or similar program in another state, and completed the appropriate subject area major or achieved the satisfactory score on a subject area assessment and completed relevant advanced coursework.

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In addition to bachelor's degrees, the Act requires SBE to issue a certification to applicants with advanced degrees. The Act allows an applicant to substitute either a satisfactory score on a subject area assessment or relevant advanced coursework in place of an appropriate subject area major, rather than having to have both in order to substitute for the subject area major.

§7 – Recertification After Certification Lapses

Under existing law if a teacher's certification expires, the teacher must again pass the appropriate subject-matter assessment (i.e., test) for teacher certification. The Act waives this requirement if the person held a valid Connecticut teacher certificate that expired and either (1) taught the subject matter successfully for at least three years in the last 10 years here or in another state or (2) holds a master's degree or higher in the subject area.

Under the Act, a person who has previously achieved a passing score on an SBE-approved subject-area assessment need not pass the assessment again, as long as the Commissioner determines that the requirements for passing the previous test are at least equivalent to the requirements for passing the current test.

Policy Implications

This legislation contains requirements for the State Board of Education, the State Department of Education and the Commissioner of Education to facilitate the hiring of minority teachers. Beginning with the 2020-2021 school year strategies and existing resources are to be used to assist local boards of education meet the Act's goal of hiring at least two hundred fifty new minority teachers and administrators.

Policy #4111.3/4211.3, "Minority Recruitment" pertains to this topic. It has been updated to reflect this new legislation and follows for your consideration.

A sample policy pertaining to minority recruitment to consider. C.G.S. 10-220(a) requires the development and implementation of a written plan for minority educator recruitment.

Personnel Certified/NonCertified

Minority Recruitment

The Board of Education (Board) recognizes that fundamental to a quality education is the need to provide students with an opportunity to interact with students and educators from different racial, ethnic and economic backgrounds.

OR

The Board of Education (Board) believes that a skillful and diverse staff contributes significantly to high quality, engaging learning environments, predicated on a climate of inclusion. To this end the Board directs the Superintendent to enact a planning process for the recruitment of a diverse staff.

The Board recognizes the diversity of the people who live in this school district and believes that this diversity should have an important bearing on all aspects of the school system's activities. It is especially important that this diversity of population be recognized in the recruitment, hiring, promotion, and assignment of personnel.

The Board, in accordance with C.G.S. 10-4a(3) and C.G.S. 10-220(a) will implement an affirmative action plan and a written plan for minority educator recruitment.

For the purposes of the Board's affirmative action policy and the written Minority Recruitment Plan (Plan), the term "minority" shall mean African American, Native American, Asian American, Hispanic, women, and individuals with disabilities.

The Superintendent of Schools shall be responsible for developing specific recruiting procedures and appropriate interviewing and evaluation instruments to implement the Board's policy. All such procedures and instruments shall comply with federal and state requirements.

Any Board employee who conducts interviews or selects professional or paraprofessional employees for any job in the School System will have read and had the Board of Education Affirmative Action Policy and Plan explained to them by the Superintendent of Schools or his/her designee.

The Board shall make appropriate efforts to encourage, recruit, employ, and promote qualified minorities especially where under-utilized in the District's work force. Beginning with the school year commencing July 1, 2020 and each school year thereafter, the Board will utilize the strategies and resources made available to it by the State Department of Education's Minority Teacher Recruitment Policy Oversight Council to assist in meeting Connecticut's annual goal of hiring at least two hundred fifty new minority teachers and administrators, of which at least thirty percent are men.

Every level of supervision shall be held responsible for complying with this policy and plan.

Personnel Certified/NonCertified

Minority Recruitment (continued)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.12 – Affirmative Action: Equal Employment Opportunity)

Legal Reference: Connecticut General Statutes

10-4a (3) Educational interests of state identified.

10-151 Employment of teachers. Notice and hearing on termination of contract.

10-153 Discrimination on account of marital status.

10-220(a) Duties of Boards of Education. (as amended by PA 18-34)

46a-60 Discriminatory employment practices prohibited.

PA 16-41 An Act Concerning the Recommendations of the Minority Teacher Recruitment Task Force.

PA 18-34 An Act Concerning Minority Teacher Recruitment and Retention.

PA 19-74 An Act Concerning Minority Teacher Recruitment and Retention.

Policy adopted:

cps 5/99
rev 6/18
rev 10/19

A sample administrative regulation, which is the district's required written plan for minority educator recruitment.

Personnel - Certified/Non-Certified

Minority Recruitment

The District will actively recruit and hire qualified minority employees. The implementation of policy #4111.3/4211.3 may include advertising openings in a way that is likely to reach greater concentrations of potential minority candidates, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments.

In compliance with all applicable state statutes pertaining to a written plan for a racially and ethnically diverse staff recruitment and retention, the District will:

1. Inform all recruiting sources of the Board's nondiscrimination policy.
2. Develop contacts with local training and educational institutions, to publicize job openings within the school district and to solicit referrals of racially and ethnically diverse candidates.
3. Develop contacts with local community organizations to publicize job openings within the school district and to solicit referrals of qualified candidates.
4. Utilize current minority staff to assist in the identification of minority candidates.
5. Expand its help-wanted advertising to include print and/or broadcast media that is targeted to diverse applicants.
6. Utilize the Connecticut Regional Education Center website to publicize available positions within the District.
7. Participate in local job fairs, including those that are sponsored by community organizations that embrace and celebrate diversity.
8. Maintain records documenting all actions taken pursuant to this plan, including correspondence with recruitment agencies and other referral sources, job fair brochures and advertising copy.
9. Annually review the effectiveness of this plan in increasing a racially and ethnically diverse pool of applicants and attracting candidates for employment.
10. Develop a system for substitute and intern coaching to identify future minority teachers.
11. Foster the active use of future teacher clubs to identify and nurture potential teachers and participate in local and national future teacher programs.

Personnel - Certified/Non-Certified

Minority Recruitment (continued)

12. Support local activities of District and regional minority groups.
13. Encourage support and participation in minority educator support groups such as the CREC/MTR partnership.
14. The Board will annually review the strategies employed to retain highly qualified, racially and ethnically diverse staff.

Regulation approved:

cps 6/18