

**BOE Policy Committee Agenda
Wednesday, March 10, 2021
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
(US) +1 254-265-6054 PIN: 621 161 594#**

CALL TO ORDER

IN ATTENDANCE

PUBLIC PARTICIPATION

APPROVE MINUTES February 10, 2021

NEW BUSINESS

Discussion and possible action:

Item	Reports
<p>Policy 4116 – Probationary/Tenure Status The committee will re-review this policy with CABE’s input regarding Cooperative Agreements.</p>	<ul style="list-style-type: none"> • S. Connell will invite S. D’Eramo to this virtual meeting
<p>Policy 4117.3 – Personnel Reduction The committee’s recommendation is to rescind this policy. Before rescinding, L. Rodrigue would like Shipman and Goodwin’s input. S. Connell will bring their recommendations back to the committee.</p>	<ul style="list-style-type: none"> • S. Connell will invite S. D’Eramo to this virtual meeting
<p>Policy 4117 – Separation/Disciplinary Action S. Connell will include Newtown’s current policy (Policy 4-109) for the committee to review. The committee also asked S. Connell to bring Policy 4118.321 – Certified Alcohol, Drugs and Tobacco and other CABE sample policies that could possibly be combined with this policy. The committee also asked for Shipman’s input and their sample policy. Shipman does not have a sample policy.</p>	<ul style="list-style-type: none"> • S. Connell will invite S. D’Eramo to this virtual meeting
<p>Policy 4117.31 - Return to Work Newtown does not have a current policy. The committee will review.</p>	<ul style="list-style-type: none"> • S. Connell will invite S. D’Eramo to this virtual meeting
<p>Policy 4117.4 - Dismissal/Suspension Newtown does not have a current policy. The</p>	<ul style="list-style-type: none"> • S. Connell will invite S. D’Eramo to this virtual meeting

committee will review.	
Policy 4117.41 - Just Cause Newtown does not have a current policy. The committee will review.	<ul style="list-style-type: none"> • S. Connell will invite S. D’Eramo to this virtual meeting
Policy 4117.5 - Termination of Employment Newtown does not have a current policy. The committee will review.	<ul style="list-style-type: none"> • S. Connell will invite S. D’Eramo to this virtual meeting
Policy 4117.6 - Exit Interviews Newtown does not have a current policy. The committee will review.	<ul style="list-style-type: none"> • S. Connell will invite S. D’Eramo to this virtual meeting

UPDATE FROM THE SUPERINTENDENT

PUBLIC PARTICIPATION

ADJOURNMENT

A policy to consider.

Personnel - Certified

Probationary/Tenure Status

All certified personnel may attain tenure as provided by law. (C.G.S. 10-151, as amended*)

The Board of Education will expect thorough and competent evaluations of all personnel before they become candidates for tenure. The awarding of a contract by the Superintendent for a teacher to return for the following year must be based on effective practice as informed by performance evaluations conducted pursuant to Connecticut General Statute 10-151b, as amended and with the teacher evaluation guidelines recommended by the Performance Evaluation Advisory Council (PEAC) and approved by the State Board of Education (6/27/12).

Procedures for continuation or termination of a contract, failure to renew a teacher's contract, or appeals thereof shall be in accordance with Connecticut General Statute 10-151, as amended.

Teachers Working Under Cooperative Arrangements

Teachers working under cooperative arrangements recognized in statute retain their credited service toward tenure with a Board of Education if their service is transferred to a committee administering a cooperative arrangement and the District is part of the committee. Also permitted is allowing a teacher with tenure at a district to be considered as having continuous employment for tenure purposes if the teacher becomes employed under a cooperative arrangement in which the district participates.

(cf. 4115 - Evaluation/Supervision)

(cf. 4117.4 - Dismissal/Suspension)

Legal Reference: Connecticut General Statutes

10-151 Employment of teachers. Notice and hearing on termination of or failure to renew contract. Appeals as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, and PA 12-116, An Act Concerning Educational Reform and PA 19-139, An Act Concerning Education Issues.

10-158a Cooperative arrangements among towns. School building projects. Student transportation.

Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012.

Connecticut's System for Educator Evaluation and Development (SEED)

Policy adopted:

rev 10/19

Another version to consider.

Personnel - Certified

Awarding of Tenure

The most important person in the educational life of any student is his or her teacher. Therefore, it is the policy of the Board of Education to allow tenure to accrue only to those teachers who have demonstrated outstanding achievement and talent in their work in this school system. The awarding of a contract the Superintendent for a teacher to return for the following year must be based on effective practice as informed by performance evaluations conducted pursuant to Connecticut General Statute 10-151b, as amended and with the teacher evaluation guidelines recommended by the Performance Evaluation Advisory Council (PEAC) and approved by the State Board of Education (6/27/12).

In addition to the evaluations usually done by Principals and/or Department Heads, the Superintendent of Schools shall formally observe and evaluate, under the District's Evaluation Document, the work of each non-tenured teacher each year. In addition, 60 days before the date on which tenure shall accrue to a teacher, the Superintendent shall review with the Board of Education in executive session the quality of that teacher's work.

Teachers Working Under Cooperative Arrangements

Teachers working under cooperative arrangements recognized in statute retain their credited service toward tenure with a board of education if their service is transferred to a committee administering a cooperative arrangement and the District is part of the committee. Also permitted is allowing a teacher with tenure at a district to be considered as having continuous employment for tenure purposes if the teacher becomes employed under a cooperative arrangement in which the district participates.

Legal Reference: Connecticut General Statutes

10-145 Certificate necessary for employment.

10-151 Employment of teachers. Notice and hearing on termination of or failure to renew contract. Appeals as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, and PA 12-116, An Act Concerning Educational Reform and PA 19-139, An Act Concerning Education Issues.

10-158a Cooperative arrangements among towns. School building projects. Student transportation.

10-220 Duties of boards of education.

Personnel - Certified

Probationary/Tenure Status

Legal Reference: Connecticut General Statutes (continued)

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

Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012.

Connecticut's System for Educator Evaluation and Development (SEED)

Policy adopted:

rev 7/11
rev 5/12
rev 3/13
rev 10/19

An optional policy to consider.

Personnel -- Certified

Notification of Tenure Status

The Superintendent shall present to the Board the names of those teachers who will achieve tenure if their contracts are renewed for the following year. Achievement of tenure shall be in compliance with the state statutes and regulations. The Superintendent or his/her designee also will apprise the Board of the pending tenure date of each non-tenured teacher. The Board will publicly recognize teachers who have achieved tenure.

Legal Reference: Connecticut General Statutes

10-145 Certificate necessary for employment.

10-151 Employment of teachers. Notice and hearing on termination of or failure to renew contract. Appeals as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, and PA 12-116, An Act Concerning Educational Reform and PA 19-139, An Act Concerning Education Issues.

10-158a Cooperative arrangements among towns. School building projects. Student transportation.

10-220 Duties of boards of education.

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

Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012.

Connecticut's System for Educator Evaluation and Development (SEED)

Policy adopted:

cps 3/14
rev 10/19

A sample policy to consider.

Personnel -- Certified

Reduction in Teaching Staff

1. General

Under Section 10-220 and 10-4A of the Connecticut General Statutes, the Board of Education has the responsibility to maintain good public elementary and secondary schools and to implement the educational interests of the State. However, recognizing also that it may become necessary to eliminate professional staff positions in certain circumstances, this policy is adopted to provide a fair and orderly process should such eliminations become necessary.

2. Reasons for Elimination of Teaching Positions

The Board of Education has the sole and exclusive prerogative to eliminate professional staff positions consistent with the provisions of statute, providing such elimination does not result in the failure in its duty as a State agency to implement the educational interests of the State, and to provide good public elementary and secondary schools.

Elimination of professional staff positions may result from decreases in student enrollment, changes in curriculum, severe financial conditions, or other circumstances as determined by the Board of Education.

Professional staff members will be dismissed under this policy only when authorized by the Board of Education, and only within the provisions of the following procedure.

3. Definitions

- a. As outlined herein, the term teacher shall apply to any employee of the Board of Education who holds a regular certificate issued by the Connecticut State Board of Education, and is employed in a teaching or administrative position below the rank of Superintendent.
- b. Tenure – as defined by Connecticut General Statutes
- c. Non-Tenure – as defined by Connecticut General Statutes

Personnel -- Certified

Reduction in Teaching Staff (continued)

4. Procedure

a. Prior to commencing action to terminate teachers' contracts under this procedure, the Board of Education will give every consideration to its ability to effectuate possible and/or reduction in staff by:

1. Voluntary retirements.
2. Voluntary resignations.
3. Transfer of existing staff members.

b. Elimination of professional staff positions.

1. Non-tenured teachers will be terminated before tenured teachers.
2. Within the category of non-tenured teachers, the administration will recommend the teacher to be terminated on the basis of performance evaluation.
3. Tenured teachers with the greatest number of unbroken years of employment in the _____ Public Schools will be retained.
4. Appropriate certification requirements must be met in each consideration.

5. Policy Provision Not Applicable to Promotions

Nothing herein shall require the promotion of a teacher to a position of higher rank, authority, or compensation, although the teacher whose contract is to be terminated is qualified and/or certified for the promotional position.

Legal Reference: Connecticut General Statutes

10-4a Educational interests of the state identified

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

10-220 Duties of boards of education

Policy adopted:

STAFF REDUCTION PROCEDURES

1. General Statement

Under the provisions of Section 10-220 and 10-4a of the General Statutes, the Board of Education has the responsibility to maintain good public elementary and secondary schools and to implement the educational interest of the State. However, recognizing also that it may become necessary to eliminate certified staff positions in certain circumstances, this policy seeks to provide a fair and orderly process should such reductions in staff become necessary.

2. Reasons for Elimination of Certified Staff Positions

It is recognized that the Board has the sole and exclusive prerogative to eliminate certified staff positions consistent with the provisions of State statutes, providing such elimination does not result in a failure in its duty as a State agency to implement the educational interests of the State to provide a good public education in Newtown.

Elimination of certified staff positions may result from decreases in student enrollment, changes in curriculum, severe financial conditions, or other circumstances as determined by the Board.

3. Definitions

- A. The term days shall mean calendar days.
- B. The term teacher shall be any employee of the Board who holds a certificate issued by the State Board of Education and is employed in a teaching or administrative position below the rank of Superintendent.

4. Procedure

- A. Prior to commencing action to terminate teacher contracts under this procedure, the Board will give due consideration to its ability to effectuate position elimination and/or reduction in staff by:
 - 1. Voluntary retirements
 - 2. Voluntary resignation
 - 3. Transfer of existing staff members
 - 4. Voluntary leaves of absence

B. If a teacher has attained tenure status, his or her contract of employment may be terminated if his or her position is eliminated, but only if there is no other position for which that teacher is certified and qualified available in the Newtown Public Schools. This shall include first preference with regard to positions that are held by non-tenured teachers, in addition to positions that are open and available. When selecting teachers for non-renewal, the primary criterion to be applied will be successful teaching in the Newtown school system. Determination of those to be released within a certificate category shall be in the following order:

1. Non-tenured teacher
2. Tenured teachers holding provisional certificate
3. Tenured teachers holding professional certificate

C. The primary criterion to be used in selecting those employees who are to be considered for termination with the broad tenure categories established in 4-B shall be the employee's qualifications and ability as a teacher as determined by the evaluation of performance procedure established in the current agreement. In addition, the following criteria will be considered in making a decision about termination of services:

1. Areas of certification
2. Teaching experience in other positions that may be available in the Newtown Public Schools
3. Degree status
4. Total years of teaching experience
5. Total years of teaching experience in the Newtown Public Schools

D. If the Board considers termination of the contract of a tenured teacher, it shall authorize the Superintendent to notify the teacher in writing that termination of his or her contract is under consideration.

Such initial notice shall state "This is to notify you that termination of your contract of employment is under consideration."

5. Policy Provisions Not Applicable to Promotions

Nothing herein shall require the promotion of a teacher to a position of higher rank, authority, or compensation, although the teacher whose contract is to be terminated or nonrenewed because of elimination of position is qualified and/or certified for the promotional position.

6. Reappointment Procedure

If the contract of employment of a tenured teacher is terminated because of position elimination, the name of that teacher shall be placed on a reappointment list and remain on such list for a period of two years. If a position within the area of that teacher's certification becomes open during such period and that person is considered most qualified to fill the vacancy, then that teacher will be notified by certified mail, sent to the last known address of the teacher, at least thirty (30) days prior to the anticipated date of reemployment where possible.

In determining whether a teacher is qualified for reappointment, the criteria set forth in Section 4 above shall be considered.

The teacher shall accept or reject the appointment in writing within ten (10) days after receipt of notification. If the appointment is accepted, the teacher shall receive a written contract within twenty (20) days of the teacher's acceptance of the offer. If the teacher rejects the appointment offer or does not respond within ten (10) days after receipt of such notification, the name of the teacher shall be removed from the reappointment list.

Reference: CGS 10-220, 10-4a, 10-151(c), 10-151h

Adopted 6/22/76

Amended 2/18/92, 10/10/95

Suggested policy to consider.

Personnel -- Certified

Disciplinary Action/Suspension/Dismissal

The Superintendent is directed to adhere to the following regulations and procedures for the dismissal, suspension or demotion of any employee for reasons of incompetence, willful neglect of duty, malfeasance, immoral or improper conduct, insubordination, behavior in violation of the policies and regulations of the district, mental and/or physical illness or disability and actions which are, in the opinion of the Board of Education, a hindrance to the district, the staff or the students. A notice of disciplinary action taken shall contain a statement in ordinary and concise language of the specific charges on which the disciplinary action is based. The notice shall contain specific action or behavior with which the employee is charged. Dismissal or demotion will be made only for just and reasonable cause, and only after written charges have been filed. The Board, acting through its Superintendent, will notify the employee in writing, stating the charges brought against him/her, and if necessary, arrange for a hearing to be held. Disciplinary sanction up to and including dismissal and referral for prosecution will be imposed on employees who violate the standards of conduct or commit a crime against State or Federal law.

Employees will be given a copy of the standards and the statement of disciplinary sanctions, as well as information about any drug and alcohol counseling and rehabilitation programs that are available to employees.

Definitions:

"Suspension" means temporary removal of an employee from a position with loss of pay, as a disciplinary measure, or removal from a position preliminary to a decision by the Board on charges leading to dismissal or demotion.

"Demotion" means reduction of an employee from a given class or group of similar positions combined under a common title to a class or group having a lower salary rate.

"Dismissal" means separation, discharge or permanent removal of an employee from service in the district for cause, in accordance with the policies and regulations of the district.

Suspension of the Employee Pending Disciplinary Action by the Board

Except where circumstances justify, disciplinary action shall follow this order: (a) verbal warning, (b) written warning-probation, (c) suspension and (d) demotion and/or dismissal.

In any case where the Superintendent or his/her designee deems it necessary or proper, the employee may be suspended until the Board of Education has determined what disciplinary action to take, if any, against the employee.

Personnel -- Certified

Disciplinary Action/Suspension/Dismissal

Suspension of the Employee Pending Disciplinary Action by the Board (continued)

This suspension shall be without pay, except that if the Board of Education denies the recommendation of the Superintendent or designee, the employee shall be entitled to full pay for the suspension period. If the Board modifies the recommendation of the Superintendent, the Board shall determine as part of its action whether the suspension or any part of the suspension shall be without pay.

Just Cause

One or more of the following causes may be sufficient grounds for imposing a disciplinary measure:

1. Incompetency, ~~or~~ inefficiency, or ineffectiveness in the performance of the duties of the assigned position;
2. Insubordination (including, but not limited to, refusal to do assigned work);
3. Carelessness or negligence in the performance of duty or in the care or use of district property;
4. Discourteous or offensive or abusive language or conduct toward other employees, students or the public;
5. Dishonesty;
6. Drinking alcoholic beverages on the job, or reporting for work while intoxicated;
7. The unlawful possession, use, or distribution of illicit drugs or alcohol on school premises or as part of any of its activities;
8. Personal conduct unbecoming an employee of the district;
9. Engaging in political activities during assigned hours of employment or otherwise in violation of applicable policies or regulations of the district;
10. Conviction of any crime involving moral turpitude, including a sex offense;
11. Repeated and unexcused absences or tardiness;

Personnel -- Certified

Disciplinary Action/Suspension/Dismissal

Just Cause (continued)

12. Abuse of leave privileges;
13. Falsifying any information supplied to the school district, including but not limited to, information supplied on application forms, employment records or any other school district records;
14. Persistent violations of, or refusal to obey, safety rules and regulations made applicable to the public schools by the Board of Education, the Superintendent or by any appropriate state or governmental agency;
15. Offering anything of value or offering any service in exchange for special treatment in connection with the employee's job or to any member of the public;
16. Abandonment of position.

Consequences for the Use, Sale or Possession of Controlled Substances or Alcohol

Any employee using, possessing, or selling controlled substances on school premises or as part of any of its activities shall automatically be subject to the following actions:

First Violation: Any employee found to be in violation of the policy for the first time during his/her tenure in the _____ Public Schools will be referred by the Superintendent to an appropriate agency licensed to assess and treat drug/alcohol involved individuals. If the employee does not agree to be assessed and participate or agrees to participate and then fails to complete the program prescribed by the agency he/she will be dismissed.

Any employee convicted of selling or distributing a controlled substance will be dismissed. In cases of possession, law enforcement officials will be notified. The violator will also be subject to disciplinary action stipulated in this policy.

Second Violation: The law enforcement agency will be notified of all second violations involving a controlled substance. Employees who are convicted of workplace drug abuse will be dismissed.

Personnel -- Certified

Disciplinary Action/Suspension/Dismissal

Legal Reference: Connecticut General Statutes

10-151(b) Employment of teachers. Definitions. Tenure, etc. (as amended by P.A. 10-111, and P.A. 12-116, An Act Concerning Educational Reform)

10-154 (a) Professional communications between teacher or nurse and student. Surrender of physical evidence obtained from students.

21(a)-240 Definitions

Policy adopted:

cps 1/99

rev 5/12

ASSIGNMENT, TRANSFER, OR SUSPENSION OF PERSONNEL - FOR CAUSE

The Superintendent is authorized temporarily to assign, transfer, or suspend a Board of Education employee for cause. The provisions of statutes or employee contracts will govern the procedures for this administrative action. The Superintendent will notify the Board of Education in a timely manner of the temporary assignment, transfer, or suspension.

Reference: CGS 10-151b

Adopted 11/23/76
Amended 10/10/95

Personnel – Certified

Alcohol, Drugs, and Tobacco

The Board of Education is concerned with maintaining a safe and healthy working and learning environment for all staff and students. Medical research indicates that the use of alcohol, drugs and tobacco are hazardous to one's health. In addition to the health hazard to the individual, certified employees are entrusted with the responsibility of imparting knowledge and serving as role models to students.

Alcohol and Drugs

The Board of Education recognizes the importance of maintaining a drug-free environment for its staff and students. In compliance with federal and state requirements, employees are prohibited from the unlawful manufacture, distribution, dispensing, possession or use on or in the workplace any alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana (including for palliative purposes) or any other controlled substance. Controlled drugs are further defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15.

The "workplace" is defined to mean the site for the performance of work done. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

Each employee shall notify his or her supervisor of his or her conviction occurring in the workplace as defined above, no later than 5 days after such conviction.

Each employee shall abide by the terms of the school district policy respecting a drug-free and alcohol-free workplace.

An employee who violates the terms of this policy may be required to successfully complete an appropriate rehabilitation program, may not be renewed or his/her employment may be suspended or terminated, at the discretion of the Board.

Tobacco

There shall be no smoking or other use of tobacco products on school property during regular school hours, on transportation provided by the Board of Education, or during the course of any trip sponsored by the Board or under the supervision of the Board or its authorized agent.

Tobacco and nicotine products include but are not limited to cigarettes, electronic cigarettes, cigars, pipe tobacco, chewing tobacco or snuff, smoking tobacco, smokeless tobacco, nicotine delivering devices chemicals or devices that produce the same flavor or physical effect of nicotine substances, or any other tobacco or nicotine innovations.

A copy of this policy and the consequences of violating the policy shall be distributed to all employees of the Board of Education. Failure to comply with the policy may result in disciplinary action as detailed by the administration.

Legal Reference: Drug-Free Workplace Act. 102 Stat. 4305-4308.

Drug-Free Schools and Community Act, P.L. 99-570, as amended by P.L. 101-226 (1991)

21 U.S.C. 812, Controlled Substances Act, I through V, 202.

21 C.F.R. 1300.11 through 1300.15 regulation.

54 Fed. Reg. 4946 (1989)

Connecticut General Statutes

1-21b Smoking prohibited in certain places.

21a-408a Qualifying patient not subject to arrest, prosecution or certain other penalties. Requirements. Exceptions.

Policy adopted: 6/3/2014, Replaces 4-701

An optional policy and regulation to consider, developed originally by Old Saybrook.

Personnel -- Certified

Return to Work

Responsibility

Every employee of the Board of Education has a responsibility to minimize loss exposure as a factor in the work place by participating in quality improvement programs and strictly observing safety and standard operating policies and procedures. The term “loss exposure,” as applied to the workplace, is defined as the potential for accidents, which result in illness or injury.

Policy

Employees of the Board of Education who are, or could be, on leave of absence from their duties as a result of a work related illness or injury may be eligible for the Return-To-Work Program upon written certification of a medical care provider. The medical care provider must certify that the employee may return to work with restrictions on physical requirements of the job in questions, and that those restrictions are not expected to last for more than 30 days.

A restriction identifies a physical condition, which prevents an employee from performing the full scope of his/her job duties as outlined in their job description. There are two types of restrictions: temporary and permanent. Temporary restrictions are defined as those limitations placed on an injured employee by a physician, which are of a relatively short duration (i.e., the employee is expected to fully recover and to return to normal working conditions.)

Permanent restrictions are defined as those limitations placed on an employee by a physician which is expected to be long term (more than 180 days) or from which recovery is not expected. Those employees who fall in this category are not eligible for participation in the Return-To-Work Program. They may elect to seek alternative employment, or file for a “reasonable accommodation” under the Americans with Disabilities Act.

When an employee is approved for participation in the Return to Work Program, primary consideration will be given to job placement within the employee’s department and normal job duties. A secondary consideration will be alternative placement into another department or another assignment, which is within the same bargaining unit. A critical consideration is to place the injured employee in a position to perform productive work that is both useful to the school district and achievable within the limits of the restrictions placed on the employee. Employee must be able to perform the duties established under the applicable job description.

Alternative placement will not be used to avoid the filling of vacancies within the department in question.

Personnel -- Certified

Return to Work (continued)

An employee participating in the Return-To-Work Program is subject to all rules, regulations, contractual memoranda of understanding, standards, policies and procedures of the Board of Education.

Each situation will stand on its own merits. An Employee Return-To-Work form, completed by a physician, noting an employee's restrictions, will be evaluated by the appropriate school personnel in order to determine whether or not an employee is able to return to his/her assigned position. A final determination will be made by the Superintendent or designee.

If an employee is approved for the Return-To-Work Program, he/she shall be provided tasks, which fall within the physical restrictions identified by the treating physician. In no case will an employee authorized to participate in the Return-To-Work Program be placed in an area that will pose a health or safety risk to the Board of Education, other staff or themselves. An employee shall not be returned to work to any job that is punitive in nature.

Reference: American with Disabilities Act (ADA)

A sample regulation to consider.

Personnel -- Certified

Return to Work

The following criteria may be used to initiate Return-To-Work procedures.

Employee suffers a catastrophic injury that will prevent that person from performing the essential functions of the position they hold.

Employee has reached maximum medical improvement with restrictions that prevent the employee from performing essential functions of the job.

There is a medical opinion that the employees' permanent medical restrictions prevent performance of the essential functions of the job, even though maximum medical improvement has not been achieved.

The Superintendent or designee will determine if any of the department's workers compensation claims meet one or more of the above mentioned criteria. This notice will be sent to the Superintendent or designee. The Superintendent or designee will evaluate, on a case-by-case basis, work accommodations in compliance with the provisions of the American with Disabilities Act (ADA,) and collective bargaining agreements.

After this evaluation, the Superintendent or designee will make a recommendation to either accommodate the employee in their current position or an alternate position, or to initiate the separation of the employees' service with the Board of Education. This may be accomplished by, but not limited to, service retirement, disability retirement or unvested separation.

The comprehensive Return-To-Work Program has been designed in order to minimize losses and produce better outcomes for both the employee and the Board of Education in case of a work related injury or illness. By fulfilling their roles in the process, participants will insure that the district and its employees realize the goals of reduced costs for work related injuries and illnesses and a more healthy and productive work force.

Another version of this policy to consider.

Personnel – Certified/Non-Certified

Return to Work

Full-time employees of the Board of Education (Board) who are, or could be, on leave of absence from their duties as a result of a work-related illness or injury may be eligible for the Return-to-Work Program upon written certification of a medical care provider. The medical care provider must certify that the employee may return to work with restrictions on physical requirements of the job in question, and that those restrictions are expected to last at least three days.

A restriction identifies a physical condition which prevents an employee from performing the full scope of his/her job duties as outlined in their job description. A temporary restriction is defined as those limitations placed on an injured employee by a physician which are of a relatively short duration and when the employee is expected to fully recover and to return to normal working conditions. A permanent restriction is defined as those limitations placed on an employee by a physician, which are expected to last more than 90 days and from which recovery is not expected. Those employees who fall into the “permanent” category are not eligible for participation in the Return-to-Work Program but may elect to seek alternative employment, or file for a “reasonable accommodation” under the Americans with Disabilities Act.

When an employee is approved for participation in the Return-to-Work Program, the primary consideration will be a modification of the employee’s normal job duties. A critical consideration is to place the injured employee in a position to perform productive work that is useful to the Board and achievable within the restrictions placed on the employee by the medical advisor.

Each situation will stand on its own merit. Once the employee has obtained a medical certification of restrictions from the physician, the Superintendent will review the circumstances and determine if an employee qualifies for the program. If so, the employee shall be provided tasks which fall within the physical restrictions identified by the treating physician. In no case will an employee authorized to participate in the Return-to-Work Program be placed in an area that will pose a health or safety risk to the Board, other staff, or the injured employee.

Procedure

Employees injured at work will seek or, if necessary, be brought to the medical care provider for initial treatment. If, after treatment, the employee is unable to return to work within three days, the employee will provide the medical care provider with this/her Job Description detailing the duties the employee is expected to perform under normal conditions. The employee will provide to the Superintendent of Schools, within three days following the injury, a statement from the medical provider of any restriction of duties and an expected return to work date.

If the care provider indicates that the employee is not able to return to his/her regular duties but is physically able to perform a modified duty assignment, then the employee will be required to report for modified duty.

Personnel – Certified/Non-Certified

Return to Work (continued)

The employee and principal will review the physical restrictions documented by the medical care provider and determine what job duties the employee can perform, as well as establish a work schedule and return to work date. Modified duty assignments will, to the extent practical, be related to the type of work normally performed by the employee.

Modified duty status may be continually monitored by CIRMA-care Nurse Case Managers. Employees will be assigned to the Return-to-Work Program until a physician provides a written release for the employee to return to work at his/her regular position. A maximum of 30 days in the Program will be permitted, but duration may be increased to 60 days if physical restrictions dictate and a satisfactory job performance has been demonstrated.

Employees do not waive any rights to Workers' Compensation benefits by participating in the Return-to-Work Program. Employees participating in the Return-to-Work Program will continue to be covered by the Workers' Compensation Act for all reasonable and necessary medical expenses and disability benefits related to the injury or illness.

Policy adopted:
cps 5/13

Sample policy to consider.

Personnel - Certified

Non-renewal/Suspension

Non-Renewal

Prior to obtaining tenure, a certified employee's contract may be non-renewed provided that the employee is notified in writing prior to May 1st by the Superintendent. A teacher so notified may request not later than three calendar days after such teacher receives such notice of non-renewal, a written statement of the reasons for non-renewal of the contract, and the district will furnish such a statement not later than four (4) calendar days of the receipt of the request. The teacher may also file with the Board of Education not later than (10) calendar days of receipt of the notice of non-renewal for a hearing before the Board or, if indicated in such request designated by the Board, before a single impartial hearing officer chosen by the teacher and the Superintendent. The hearing shall commence not later than fifteen calendar days after receipt of such request unless an extension, not to exceed fifteen calendar days, is mutually agreed upon.

A teacher who has not attained tenure shall not be entitled to a hearing concerning non-renewal if the reason for such non-renewal is either elimination of position or loss of position to another teacher. The Board shall rescind a non-renewal decision only if the Board finds such decision to be arbitrary and capricious.

Suspension

A certified employee may be suspended by the Board of Education for an alleged or actual violation of any of the reasons for termination in C.G.S. 10-151(c) or 10-151(d) when insufficient cause for dismissal is considered to exist, or may be suspended pending Board or legal action for dismissal of the employee on charges of violation of one or more of said causes for termination. The Superintendent may suspend an employee pending Board action when, in the opinion of the Superintendent, continuation of the employee in the position presents a clear danger to the students, staff, property or reputation of the district, or to the employee.

Legal Reference: Connecticut General Statutes
10-151(b) Employment of teachers. Definitions. Tenure, etc. (as amended by P.A. 12-116, An Act Concerning Educational Reform)
10-151(c) Employment of teachers. (as amended by P.A. 11-136, An Act Concerning Minor Revisions to the Education Statutes.)
Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012.
Connecticut's System for Educator Evaluation and Development (SEED)
Shanbrom v. Orange Board of Education, 2 Conn. L. Rpts. 396, 398 (1990)

Policy adopted:

rev 5/12

rev 3/13

Another version to consider, revised to reflect new legislation.

Personnel - Certified

Dismissal/Suspension

Suspension

The Board of Education may suspend a certified employee for an alleged or actual violation of any of the reasons for termination in Connecticut General Statute 10-151(b) when insufficient cause for dismissal is considered to exist, or may be suspended pending Board or legal action for dismissal of the employee on charges of violation of one or more of said causes for termination. The Superintendent may suspend an employee pending Board action when, in the opinion of the Superintendent continuation of the employee in the position presents a clear danger to the students, staff, property or reputation of the district or to the employee. The Board of Education may also suspend certified employees on the grounds of mental illness as determined by statutory requirements.

Dismissal/Termination

No certified employee shall be dismissed from the service of the schools without cause. The District will use the standards articulated by the State Department of Education for defining teacher effectiveness and ineffectiveness in the District's teacher evaluation plan. During the first four years of employment a certified employee may be dismissed provided that the employee is notified in writing prior to May 1st. A teacher so notified may request a written statement of the reasons for non-renewal of the contract, not later than three calendar days after such teacher receives the notice of non-renewal and the district will furnish such statement not later than five calendar days of the receipt of the request.

Procedures for a hearing on non-renewal of a contract shall be those given in C.G.S. 10-151(c) as amended. Beginning with and subsequent to the fifth year of continuous employment, no certified employee shall be terminated except for those reasons given in C.G.S. 10-151(b). If a tenured teacher is notified that termination is under consideration due to incompetence, the determination of incompetence or ineffectiveness will be based on evaluation of the teacher using teacher evaluation guidelines pursuant to section 10-151b, as amended. Procedures for termination shall be those itemized in C.G.S. 10-151(d), as amended.

Legal Reference: Connecticut General Statutes
 10-151(b) Employment of teachers. Definitions. Tenure, etc. (as amended by P.A. 12-116, An Act Concerning Educational Reform)
 10-151(c) Employment of teachers. (as amended by P.A. 11-136, An Act Concerning Minor Revisions to the Education Statutes
 Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012.
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 Shanbrom v. Orange Board of Education, 2 Conn. L. Rpts. 396, 398 (1990)

Policy adopted:

rev 5/12

rev 3/13

An expanded version of this policy, revised to reflect new legislation

Personnel - Certified

Administrative Leave/Suspension/Dismissal

Dismissal

1. Non-tenured Teachers

The contract for employment of a teacher who has not attained tenure may be terminated at any time for any of the reasons enumerated below:

- a. Inefficiency or incompetence, or ineffectiveness*

**Note: A teacher may be terminated, on or after July 1, 2014 on the grounds that he/she is “ineffective” provided that determination is based on evaluation of the teacher using teacher evaluation guidelines established pursuant to C.G.S. 10-151(b), as amended, by P.A. 12-116*

- b. Insubordination against reasonable rules of the Board of Education
- c. Moral misconduct
- d. Disability, as shown by competent medical evidence
- e. Elimination of the position to which the teacher was appointed or loss of a position to another teacher, in accordance with C.G.S 10-151(d)(5)
- f. Other due and sufficient cause

A novice teacher shall generally be deemed effective if said educator receives at least two sequential “proficient” ratings, one of which must be earned in the fourth year of the novice teacher’s career. A “below standard” rating shall only be permitted in the first year of a novice teacher’s career, assuming a pattern of growth of “developing” in year two and two sequential “proficient” ratings in years three and four. The Superintendent shall offer a contract to any educator he/she is deeming effective at the end of year four.

Otherwise, the contract of such teacher shall be continued into the next school year unless such teacher receives a written notice by May 1st in one school year that such contract will not be renewed for the following year. A teacher may request not later than three (3) calendar days after the teacher receives such notice of non-renewal or termination, statement of reason(s) therefore and the district will furnish such a statement not later than four (4) calendar days of the receipt of the request. The teacher is entitled to a hearing upon written request filed with the Board not later than ten (10) calendar days after receipt of notice. The hearing shall be conducted before the Board, a subcommittee of the Board, or if indicated in such request and if designated by the Board, before a single impartial hearing officer chosen by the teacher and the Superintendent in accordance with law. The hearing shall commence not later than fifteen (15) calendar days of such request unless the parties mutually agree to an extension not to exceed fifteen calendar days.

Personnel - Certified

Administrative Leave/Suspension/Dismissal

Dismissal (continued)

The impartial hearing officer or a subcommittee of the Board of Education of three or more Board members, if the Board designates a subcommittee to conduct hearings, shall submit written findings and recommendation to the Board for final disposition.

A teacher who has not attained tenure and whose contract is terminated for any of the reasons under 1(a-d), above, shall have the right to appeal in accordance with the provisions of subsection (e) of C.G.S. 10-151. No right of appeal shall exist if the reason for such non-renewal is either elimination of position or loss of position to another teacher. A non-tenured teacher is not entitled to a hearing concerning non-renewal if the reason for such non-renewal is either elimination of position or loss of position to another teacher.

2. Tenured Teachers

The contract for employment of a teacher who has attained tenure shall be continued from school year to school year, except that it may be terminated at any time for one or more of the following reasons:

- a. Inefficiency, incompetence, or ineffectiveness

**Note: A teacher may be terminated, on or after July 1, 2014 on the grounds that he/she is "ineffective" provided that determination is based on evaluation of the teacher using teacher evaluation guidelines established pursuant to C.G.S. 10-151(b), as amended, by P.A. 12-116*

- b. Insubordination against reasonable rules of the Board of Education
- c. Moral misconduct
- d. Disability, as shown by competent medical evidence
- e. Elimination of the position to which the teacher was appointed or loss of a position to another teacher, in accordance with C.G.S 10-151(d)(5)
- f. Other due and sufficient cause

A tenured teacher shall generally be deemed ineffective if said teacher receives at least two sequential "developing" ratings or one "below standard" rating at any time.

Personnel - Certified

Administrative Leave/Suspension/Dismissal

2. Tenured Teachers (continued)

Prior to terminating a contract the Board of Education shall vote to give the teacher concerned a written notice including the reason for such consideration of termination, that termination of such teacher is under consideration not later than ten calendar days after receipt of written notice that contract termination is under consideration, such teacher may file with such Board a written request for a hearing. Such hearing shall commence not later than fifteen calendar days after receipt of such request, unless the parties mutually agree to an extension not to exceed fifteen calendar days, before the Board of Education or a subcommittee of the Board or, if indicated in such request or if designated by the Board before a single impartial hearing officer chosen by the teacher and the Superintendent.

If the parties are unable to agree upon the choice of a hearing officer not later than five (5) calendar days after the decision to use a hearing officer, the officer shall be selected with the assistance of the American Arbitration Association. If the hearing officer is not selected with the assistance of such Association after five days, the hearing shall be held before the Board or a Board subcommittee.

When the reason for termination is incompetence or ineffectiveness, the hearing shall (a) address the question of whether the performance evaluation ratings of the teacher were determined in good faith according to the required evaluation procedures, (C.G.S. 10-15b as amended) and (b) were reasonable in light of the evidence presented. The hearing on incompetence and ineffectiveness is limited to twelve total hours of evidence and testimony, with each side allowed not more than six hours to present evidence and testimony. The Board, Board subcommittee or impartial hearing officer may extend the time period for evidence and testimony at the hearing when good cause is shown.

Within forty-five (45) calendar days after receipt of the request for a hearing, the hearing officer or Board subcommittee, unless the parties mutually agree to an extension, not to exceed fifteen (15) calendar days shall submit findings and recommendation to the Board of Education as to the disposition of the charges against the teacher, and shall send a copy of such findings and recommendation to the teacher. The Board of Education shall give the teacher concerned its written decision not later than fifteen (15) calendar days of receipt of the written recommendation. If the hearing is before the Board of Education, the Board shall render its decision not later than fifteen (15) calendar days after the close of such hearing, and shall send a copy of its decision to the teacher.

Any teacher aggrieved by the decision may appeal within thirty (30) calendar days of such decision to the Superior Court.

Personnel - Certified

Administrative Leave/Suspension/Dismissal

Suspension

The Superintendent may place an employee on Administrative Leave with pay or suspend an employee without pay in accordance with Policy 4117. The Superintendent may further bring a recommendation to the Board for action when, in the opinion of the Superintendent, continuation of the employee in the position presents a clear danger to the students, staff, or property of the school system.

(cf. 4115 – Evaluation and Support Program)

(cf. 4117 – Administrative Leave and Disciplinary Action/Suspension/Dismissal)

Legal Reference: Connecticut General Statutes

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

10-151(c) Employment of teachers. (as amended by PA 11-136)

P.A. 95-58 An Act Concerning Teacher Evaluations, Tenure and Dismissal.

P.A. 97-247 An Act Concerning Revisions to the Education Statutes.

Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012.

Connecticut's System for Educator Evaluation and Development (SEED)

Shanbrom v. Orange Board of Education, 2 Conn. L. Rpts. 396, 398 (1990)

Americans with Disabilities Act

Policy adopted:

cps 5/04

rev 7/11

rev 5/12

rev 3/13

A sample regulation, revised to reflect new legislation to consider.

Personnel - Certified

Non-Renewal Termination

I. Procedure for Recommendation of Non-Renewal or Termination

A. Non-Renewal of Probationary Contracts (non-tenure)

1. Recommendation to the Board and action by the Board to not renew the contract.

In the case of non-renewal of a non-tenure teacher's contract, the Superintendent of Schools shall, prior to May 1, present to the Board of Education a list of the names of those teachers, if any, whose contracts he/she recommends not be renewed by the Board of Education. Upon receipt of the Superintendent's recommendation, the Board of Education shall consider such recommendation in executive session and shall, vote on the question of individual contract renewal. The Board of Education may vote to not renew the teaching of any non-tenure, probationary teacher by a motion in the following form: "Be it resolved, that the contract of employment of _____ not be renewed upon its expiration on June 30, 20__ , and that the Superintendent is authorized to give written notice to _____ of this action."

2. Notice to the Employee.

Such notice as above authorized must be given to the teacher, in writing, no later than May 1. Notice will be served by first class registered mail, and may also be hand-delivered with delivery acknowledged by the teacher's signature on a copy of said notice.

B. Termination of Contracts (tenure or non-tenure)

1. The recommendation of termination to the Board and action by the Board.

The Board of Education may consider at any time during the school year the termination of any contract of employment of a certificated employee of the Board of Education upon recommendation of the Superintendent. Upon the recommendation that the teaching contract of any certified employee of the Board of Education be terminated, the Board of Education may vote to authorize the Superintendent to notify the employee concerned that termination of his or her employment contract is under consideration, by a motion in the following form: "Be it resolved, that the Superintendent notify in writing, _____, that termination of his (or her) contract of employment is under consideration."

Personnel - Certified

Non-Renewal Termination

B. Termination of Contracts (tenure or non-tenure) (continued)

2. Notice to the employee.

Such notice as above authorized will be in the following form: "This is to notify you that termination of your contract of employment is under consideration."

Notice will be served by first class registered mail.

II. Statement of Reasons

A. Non-Renewal or Termination of Probationary Teaching Contracts (Non-Tenured Personnel)

Upon receipt of notification of non-renewal, the employee concerned not later than three calendar days after receipt of such non-renewal notice request in writing, a statement of reasons. The District shall furnish such statement of reason(s) not later than four calendar days of the receipt of the written request.

B. Proposed Contract Termination (tenure)

The written notification of termination shall contain a statement of the reasons for such consideration of termination. The statement of reasons shall recite one or more of the six statutory reasons, with sufficient specificity to enable the teacher to understand the charges against him or her.

C. Determination of Effectiveness and Ineffectiveness

The District shall use the guidance provided by the State Department of Education in its model evaluation plan (SEED). Specifically:

1. A novice teacher shall generally be deemed effective if said educator receives at least two sequential "proficient" ratings, one of which must be earned in the fourth year of the novice teacher's career. A "below standard" rating shall only be permitted in the first year of a novice teacher's career, assuming a pattern of growth of "developing" in year two and two sequential "proficient" ratings in years three and four.
2. A tenured teacher shall generally be deemed ineffective if said teacher receives at least two sequential "developing" ratings or one "below standard" rating at any time.

Personnel - Certified

Non-Renewal Termination (continued)

III. Request for Hearing

A. Non-Renewal of Contract (non-tenure)

Upon receipt of notice of non-renewal the teacher may, upon written request filed not later than ten (10) calendar days after the receipt of said notice of termination or non-renewal, be entitled to a hearing before the Board of Education or, if indicated in such request and if designated by the Board, before an impartial hearing officer, chosen by the teacher and the Superintendent to be held within fifteen (15) calendar days of such request in accordance with the procedure outlined in Section IV for the conduct of such a hearing.

A teacher who has been non-renewed due to the elimination of his/her position or the loss of his/her position to another teacher shall not be entitled to a hearing.

B. Termination of Contract (tenure or non-tenure)

Not later than ten (10) calendar days of receipt of notice that contract termination is under consideration, the teacher concerned may request in writing, filed with the Board of Education, a hearing which will be held not later than fifteen (15) calendar days after receipt of such request by the Board of Education unless the parties mutually agree to an extension, not to exceed fifteen (15) calendar days. In lieu of such a hearing the teacher concerned may request, or the Board of Education may designate, that a hearing be held before a single impartial hearing officer if the parties mutually agree, established and conducted in accordance with the provisions of Section 10-151 of the Connecticut General Statutes, as amended. Either hearing shall be public if the teacher so requests or the Board of Education so designates.

Termination hearings for incompetence and ineffectiveness shall be limited to a total of twelve (12) hours of evidence and testimony, six for each side. The Board, Board sub-committee or hearing officer may extend the time for good cause shown. Hearings on termination for incompetence or ineffectiveness must address whether the teacher's performance ratings were (a) determined in good faith according to the required evaluation procedures and (b) reasonable in light of the evidence presented.

IV. Decision of the Board of Education

If a teacher dismissal hearing is held before the Board of Education, the Board shall render its decision not later than fifteen (15) calendar days of such hearing, and shall send a copy of its decision to the teacher concerned. A copy of a transcript of the proceedings of any termination hearing shall be furnished by the Board of Education, upon written request by the teacher, within fifteen (15) days of the Board's decision, provided the teacher shall assume the cost of any such copy.

Personnel - Certified

Non-Renewal Termination

IV. Decision of the Board of Education (continued)

If a termination hearing is held before a subcommittee of the Board or hearing officer, such bodies, within forty-five calendar days after receipt of the request for a hearing, unless the parties mutually agree to an extension not to exceed fifteen (15) calendar days, shall submit written findings and a recommendation to the Board of Education as to the disposition of the charges against the teacher. The teacher shall be given the decision of the Board of Education not later than fifteen (15) calendar days of receipt of the written recommendation of the impartial hearing panel, subcommittee or hearing officer.

Legal Reference: Connecticut General Statutes

10-151 Employment of Teachers Definitions (as amended by P.A. 11-136 and P.A. 12-116, An Act Concerning Educational Reform) Notice and hearing on failure to renew or termination of contract. Appeal

Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012.

Connecticut's System for Educator Evaluation and Development (SEED)

Regulation approved:

cps 11/00
rev 7/11
rev 5/12
rev 3/13

A sample policy to consider.

Personnel -- Certified

Suspension

It is the policy of the Board to use due process and comply with relevant portions of the collective bargaining agreement when disciplining and/or dismissing employees.

A. Progressive Discipline

Staff members will be disciplined according to the severity and frequency of the conduct at issue. Discipline may be in the form of verbal reprimand, written reprimand, plan of assistance or suspension depending on the circumstances of each case.

1. Verbal Reprimand:

The administrator will hold a conference with the employee. He/she will outline the nature of the problem and listen to any comments from the employee. The administrator will indicate compliance with specified procedures or cessation of certain conduct is required and future consequences if directive are ignored.

2. Written Reprimand:

The administrator will hold a conference with the employee. The employee may have a representative present. The administrator will outline the nature of the problem and listen to any comments from the employee or his/her representative. The administrator will indicate compliance with specified procedures or cessation of certain conduct is required and future consequences if directives are ignored. A "letter of reprimand" shall be written and placed in the employee's personnel file pursuant to provisions in Board policy or the collective bargaining agreement. Legal counsel is to be attained prior to the issuance of any written reprimand.

3. Plan of Assistance:

Performance deficiencies may require a written plan of assistance to aid improvement. The plan of assistance will incorporate the following elements:

- a. A written description of the problem or problems to be corrected;
- b. The method of methods which will be used to correct the problem;
- c. The length of time during which improvement or correction must occur; and
- d. Frequency and type of supervision to be provided.

The administrator will hold a conference with the employee to discuss the plan. The employee may have a representative present. The administrator will explain the plan of assistance and listen to any comments from the employee or his/her representative. The plan of assistance will be implemented as written or modified and implemented as modified.

Personnel -- Certified

Suspension (continued)

4. Suspension:

Employees may be suspended, without pay, as a disciplinary measure for up to 10 employment days for misconduct detrimental to the school district as defined in Board policy 4117.41.

Before invoking a suspension without pay, the Superintendent (and/or the Board) will conduct a hearing to determine whether the facts warrant such a suspension. The employee may have a representative present at the hearing.

Following are examples of actions that are considered misconduct. This list is representative only and not be considered inclusive.

- possessing, using, manufacturing, distribution, or dispensing any illegal drugs or alcohol while on duty on or off district property;
- interfering with other employees in the discharge of their duties;
- fighting or deliberately harming another;
- disregard for the safety of a fellow employee;
- being absent without approval;
- refusing to follow a supervisors instructions and directions; (insubordination)
- destroying school property intentionally;
- using obscene language which is unsuitable in the school setting,
- possessing weapons on school property without proper authorization, and
- behaving in any inappropriate manner to the extent of adversely affecting the employees ability to perform his/her work.

B. Suspension With Pay

The Board authorizes the Superintendent to suspend a teacher with pay during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the best interests of the School District or pending a Board hearing to suspend a teacher without pay.

The Superintendent shall meet with the teacher to present the allegations, and give the teacher an opportunity to refute the charges. The teacher will be told the dates and times the suspension will begin and the conditions under which it will end.

The requirement of policy 5141.4 pertaining to allegations of child abuse by a school employee will be followed as it relates to suspension.

An employee may be suspended pending the outcome of the dismissal hearing.

Policy adopted:

Optional.

Personnel -- Certified

Termination of Employment

The Board of Education is greatly concerned about former employees of school districts who have resigned their positions pursuant to settlement agreements after having been served with disciplinary charges or told they would be subjected to disciplinary action. Such termination or settlement agreements often prohibit the disclosure of their terms to prospective employers, thus preventing prospective employers from becoming fully apprised of the reason(s) the individuals left their former positions and taking appropriate action.

No school personnel or Board member, with the exception of the Superintendent of Schools and/or his or her designee, will make any statement concerning the reason(s) that an individual has left employment with the district. The Superintendent and his or her designee will seek legal counsel concerning the nature of statements which are permissible in the particular case.

The district will also report any serious misconduct to the appropriate authorities, including, but not limited to, the State Department of Education and local authorities.

Another version to consider:

In addition to non-renewal of non-tenured employees, the Board of Education may terminate either non-tenured or tenured employees in accordance with provisions of C.G.S. 10-151. The district will also report any serious misconduct which gives rise to certified employee termination to the appropriate authorities, including, but not limited to, the State Department of Education and local law enforcement authorities as appropriate.

Prior to recommending termination of any employee, the Superintendent will review the issues involved with the Board's attorney.

No school personnel or Board member, with the exception of the Superintendent will make any statement concerning the reason(s) that an individual has left employment with the system.

Policy adopted:

cps 5/13

Another version of this optional policy to consider.

Personnel -- Certified

Termination of Employment

In accordance with Connecticut General Statutes and/or the corresponding Collective Bargaining Agreement, personnel whose performance is deemed unsatisfactory shall be terminated or if necessary recommended by the Superintendent to the Board of Education for termination of employment.

Possession of Weapons

Employees possessing firearms or legally defined weaponry while on school premises will be subject to employment termination proceedings.

Legal Reference: Connecticut General Statutes

10-151c Employment of teachers.

Shanbrom v. Orange Board of Education, 2 Conn. L. Rpts. 396, 398 (1990)

Policy adopted:

cps 9/15

A sample policy to consider.

Personnel - Certified/Non-Certified

Exit Interviews

Version #1

It is the policy of the Board of Education to ask all certified and noncertified personnel terminating employment with the District to participate in an exit interview. Exit interviews are viewed by the Board of Education as a good way to gain insights into problems, difficulties and dissatisfactions that otherwise might not come to the school system's attention. Such interviews can also provide confirmation of suspected problems as well as information needed to begin to correct the problems.

Therefore, an employee who is separated from employment in the District will receive an exit interview. Continuation of insurance coverage, as allowed by law, forwarding address, return of District property, or any employee concerns may be discussed during the interview. The exit interview shall be conducted by the _____.

Version #2

When an employee transfers to another building and/or assignment, or terminates employment with the District, the employee may request and be granted an exit interview with the Principal and/or Superintendent, if agreed by all parties involved.

The District endorses the concept of exit interviews and believes valuable information can be gathered to benefit employees and the District. However, should there be extenuating circumstances; a request for an exit interview can be denied by the Superintendent.

Version #3

Should an employee find it necessary to resign from employment in the District, they should present a letter of resignation to the Superintendent no later than one month in advance of the last day of work.

The employee shall schedule an exit interview with the Principal/Superintendent before the last day of employment. An exit interview is considered one of the position responsibilities of the employee. This protects the employee's right to understand continuation of benefits and other necessary federal and state regulations. At this time the employee will also be requested to return all keys and District property.

Personnel - Certified/Non-Certified

Exit Interviews

Version #4

The District endorses the concept of exit interviews and believes valuable information can be gathered to benefit employees and the District. Such interviews provide an opportunity to solicit employees' comments about their work experience in the District and their reasons for leaving in addition to securing the return of District property and to guard against unjustified unemployment compensation.

Therefore, each school shall establish a procedure to ensure the return of all assigned District property and completion of the employees' responsibilities to the District prior to termination and release of final wage payments.

Provisions shall be made to allow terminating employees to submit comments to the Superintendent/Principal/Personnel Office concerning their work experiences in the District and their reasons for leaving.

Additional language to consider:

All separating employees shall have the right to an exit interview with the Principal/Superintendent. The personnel office shall be responsible for establishing and maintaining appropriate records of exit interviews.

In order to improve services, exit feedback will be shared, as appropriate, with those having had supervisory responsibility for the departing employee.

Whenever a classified (noncertified) employees leaves his/her job, for whatever reason, an exit evaluation and conference will be completed by the immediate supervisor.

Each employee leaving the District may arrange to meet with any supervisor or administrator to discuss the reasons for leaving and to identify any practices or policies which he/she feels are detrimental to the objectives of the District. To the extent possible, statements made by employees will be confidential.

Policy adopted:

INTERVIEW FORM

Interviewer: _____

Date: _____

Employee: _____

Position Title: _____

Supervisor: _____

1. What reasons/factors influenced your decision to leave?

2. What did you like about your position/work at _____ Dislike?

3. What did you like and dislike about your supervisor? (i.e. fair and impartial treatment, recognition, able to handle complaints, encouraged feedback, suggestions, etc.)

4. How did you get along with the other people in your school/department/etc.?

5. How do you feel about:

- Salary: _____
- Advancement: _____
- Training: _____
- Performance Appraisals: _____
- Paid time off (Holidays, Vacation) _____
- Other Benefits: _____

6. Do you have another job/where?

7. What improvements could be made to make _____ a better place to work?

8. Additional comments:

