

**BOE Policy Committee Agenda  
Wednesday, June 10, 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  
1 720-443-5698 (PIN: 738949101)**

**CALL TO ORDER**

**PUBLIC**

**PARTICIPATION**

**APPROVE MINUTES** May 27, 2020

**UNFINISHED NEW BUSINESS**

**Discussion and possible action:**

Item	Reports
<p><b>Policy 6114.8 – Emergencies and Disaster Preparedness (Pandemic/Epidemic Emergencies)</b> Newtown Health Director, Donna Culbert will review this policy for the BOE and give her recommendations.</p>	<ul style="list-style-type: none"> <li>• S. Connell will send this policy to D.Culbert for her review and recommendations</li> </ul>
<p><b>Policy 4000.1 – Title IX</b> After much discussion, the committee agreed that S. D’Eramo will edit this policy to align with A.Uberti’s draft of student policies on Sexual Harassment.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite S.D’Eramo to this virtual meeting to discuss this policy.</li> <li>• S. Connell will bring Shipman and Goodwin’s recommendations to the committee.</li> </ul>
<p><b>Policy 5145.6 – Student Grievance Procedure (Title IX)</b> A.Uberti will review this policy to confirm that it aligns with the other Title IX policies that Newtown currently has.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite A. Uberti to this virtual meeting to discuss this policy</li> </ul>
<p><b>Policy 4111.1 – Equal Employment Opportunity</b> S. D’Eramo will combine this policy with Policy 4111.3- Minority Requirements and bring her edits/recommendations to the committee.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite S.D’Eramo to this virtual meeting to discuss this policy.</li> </ul>

<p><b>Policy 4111.3 – Minority Requirements</b> S. D’Eramo will combine this policy with Policy 4111.1- Equal Employment Opportunity and bring her edits/recommendations to the committee.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite S.D’Eramo to this virtual meeting to discuss this policy.</li> </ul>
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**NEW BUSINESS**

**Discussion and possible action:**

Item	Reports
<p><b>Policy 4112 – Appointment and Conditions of Employment</b> This is an optional policy for review. Newtown does not have a current policy on this topic.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite S.D’Eramo to this virtual meeting to discuss this policy.</li> </ul>
<p><b>Policy 4112.11 – Non-Union Personnel</b> This is an optional policy for review. Newtown does not have a current policy on this topic.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite S.D’Eramo to this virtual meeting to discuss this policy.</li> </ul>
<p><b>Policy 4112.2 – Certification</b> This is an optional policy for review. Newtown does not have a current policy on this topic.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite S.D’Eramo to this virtual meeting to discuss this policy.</li> </ul>
<p><b>Policy 4112.4 – Health Examination</b> Newtown’s current version: Policy 4-102 Newtown does not have a current policy on this topic.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite S.D’Eramo to this virtual meeting to discuss this policy.</li> </ul>
<p><b>Policy 4112.421 – Pre-Employment Drug Screening Test</b> Newtown does not have a current policy on this topic.</p>	<ul style="list-style-type: none"> <li>• S. Connell will invite S.D’Eramo to this virtual meeting to discuss this policy.</li> </ul>
<p><b>Policy 6172.61 – Distance Education</b> Currently, Newtown has Policy 6172.6 – Virtual Education. L. Rodrigue requested a separate policy that outlines “Distance Education” because they are quite different. The committee agreed and asked S. Connell to reach out to CAFE for Policy 6172.61 – Distance Education</p>	<ul style="list-style-type: none"> <li>• S. Connell will bring CAFE’s sample policies to this virtual meeting to discuss.</li> </ul>
<p><b>Policy 9321.2 – Time, Place and Notification of Meetings / Electronic Board of Education Meetings</b> The committee will review this CAFE policy.</p>	<ul style="list-style-type: none"> <li>• Committee to review</li> </ul>

**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~~ isolated 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 Dr. Deidre Gifford

State Police (860) 824-5457

Newtown Police Department Chief James Viadero

**Area Health District:**

Director: Donna Culbert

**District School Nursing Staff:**

Nurse Supervisor: Anne Dalton

**School Medical Advisor: Dr. Ana Paula Machado**

## **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 Newtown 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~~ Newtown 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.

## **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.

**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.

**Germs 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 school 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.



# PANDEMIC EMERGENCY POLICIES

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UPDATE MAILING NO. 4

JUNE 18, 2020

At the onset of the COVID-19 Pandemic National Emergency, the CAFE Policy Service updated and reissued to districts, policy #6114.8, "Pandemic/Epidemic Emergencies." There are a number of "Appendices" and sample correspondences which accompany this policy and its accompanying administrative regulation which are not reprinted here at this time, due to limitations of space. They are available upon request.

In addition, a new policy was developed, #6114.81, "Emergency Suspension of Policy During Pandemic/Temporary Emergency Powers to Superintendent." This is reprinted and follows for your consideration. It can be easily updated should a reoccurrence of this pandemic occurs.

These policies are again presented in this publication due to the fact the entire theme of this issue pertains to issues related to the unprecedented nature of the current emergency situation. It is uncertain whether school districts will again witness and have to confront another appearance of this coronavirus before a vaccine is developed and provided to all to safeguard the population.

Also listed below are policies which do not have to be revised but are impacted by the cancellation of classes and school closure. What needs and has been changed is the manner in which they are implemented due to Executive Orders of the Governor and corresponding information provided by the Commissioner of Education and the State Department of Education.

This listing can serve as a checklist to some of the policy issues which must be confronted.

1. #9314: Suspension of Policy, Bylaws, Regulations
2. #9321: Time, Place, Notification of Meeting\*
3. #9322: Public and Executive Sessions\*
4. #9325: Meeting Conduct (Public Participation)\*
5. #9325.43: Attendance at Meetings via Electronic Communications\*
6. #9325.5: Requests for Information by Board Members
7. #9327: Electronic Mail Communications
8. #9327.1: Board Member Use of Social Media
9. #1120: Public Participation at Board Meetings\*
10. #1110.4: Auto-Notification System (Automatic Calls)
11. #1112.1: School News Releases
12. #1330/3315: Use of School Facilities
13. #2000.1: Board/Superintendent Relationship
14. #2131.1: Appointment of Designee for Superintendent
15. #2210: Administrative Leeway in Absence of Board Policy
16. #3112: Budget Calendar\*
17. #3141: Public Review of Budget\*
18. #3150: Adoption of Budget\*
19. #3170: Budget Administration
20. #3432: Budget and Expense Reports
21. #3511: Compliance with Section 504 Regulations
22. #3520.13: Student Data Protection & Privacy/Cloud-Based Issues\*
23. #3323: Bidding Requirements
24. #3541.23: Bus Contractors\*
25. #3542/#3542.31: Food Service/Free Meals\*
26. #4112.2: Certification\*



# PANDEMIC EMERGENCY POLICIES

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27. #4113.1: Load/Schedule/Hours of Employment
28. #4113.3: Work Year
29. #4115/4215: Evaluation/Supervision\*
30. #4116: Probationary/Tenure Status\*
31. #4118.5/4218.5: Acceptable Computer Use
32. #4131: Staff Development\*
33. #4152.6/4252.6: Family and Medical Leave\*
34. #5110: Attendance\*
35. #5113: Attendance & Excuses\*
36. #5123: Promotion/Retention
37. #5124: Reporting to Parents\*
38. #5125: Student Records; Confidentiality (FERPA requirements)
39. #5141.6: Crisis Management
40. #6111: School Calendar\*
41. #6112: School Day
42. #6114.8: Pandemic/Epidemic Emergencies
43. #6114.81: Emergency Suspension of Policy During Pandemic
44. #6141.321: Acceptable Computer Use
45. #6141.327: Electronic Resources
46. #6146: Graduation Requirements\*
47. #6146.1: Assessment Systems\*
48. #6146.2: Statewide Proficiency/Mastery Examinations\*
49. #6156.2: Off Site Computer Use
50. #6159 and/or #6171: Special Education\*

\*Indicates that the implementation of this policy impacted by Executive Orders of the Governor and corresponding information provided by the Commissioner of Education, the State Department of Education and/or the federal Department of Education.



*An optional and revised policy to consider on this issue.*

## **Instruction**

### **Emergencies and Disaster Preparedness**

#### **Pandemic/Epidemic Emergencies**

The Board of Education (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 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.

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 and the Connecticut Department of Public Health.

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 (school closing), lockdown, or shelter-in-place needs to be established. As soon as such a decision has been made, the school district shall notify the parents/guardians of all students.

## **Instruction**

### **Emergencies and Disaster Preparedness**

#### **Pandemic/Epidemic Emergencies (continued)**

In the event of an evacuation (school closing), the Superintendent is charged with determining when District schools 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 distance learning 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)



## **Instruction**

### **Emergencies and Disaster Preparedness**

#### **Pandemic/Epidemic Emergencies**

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:**

cps 1/07  
rev 12/09  
rev 2/20

*An administrative regulation to consider.*

## **Instruction**

### **Pandemic/Epidemic Emergencies**

#### **Introduction to Administrative Procedures for Pandemic Flu**

A pandemic is a global disease outbreak. A pandemic occurs when a new virus emerges for which people have little or no immunity. The disease spreads easily person-to-person, causes various levels of illness, and can sweep across the country and around the world in a very short time. Although pandemic events are extremely rare, the global mobility of our population and that of other countries raises the possibility of such an event and the school district must plan accordingly.

In consultation with the Connecticut Department of Public Health (DPH), Health District officials and other medical advisors and area school administrators, the following administrative guidelines have been developed. These guidelines need to be reviewed regularly and modified as necessary as additional knowledge and understanding of a pandemic event is expanded.

To locate the appropriate contact for the district's local health department or health district, contact:

<https://portal.ct.gov/dph/Local-Health-Admin/LHA/Local-Health-Administration---Site-Map>.

**The purpose of these administrative guidelines is to establish clear information and procedures that should be the core of a coordinated plan in order to plan for, respond to, mitigate, and recover from a possible pandemic event.**

#### **Exposure to a Pandemic-Causing Virus**

The Centers for Disease Control (CDC) has stated that the coronavirus is most often spread when an infected person comes into close contact with another person, usually through coughing or sneezing of the infected person. It is also believed the coronavirus can be spread from an infected person not showing symptoms. CDC believes symptoms may appear from 2 to 14 days after exposure to the virus. Flu-like symptoms such as cough, fever and difficulty breathing are indicators of exposure. Such symptoms can range from mild to very severe. Therefore, the best prevention, because a vaccine is not available, is to minimize the chances for exposure.

#### **Preventative Measures for Schools to Protect Students and Staff**

The DPH recommends schools consider the following to prevent the spread of influenza and other respiratory viruses:

1. Adhere to existing school health protocols for any staff/student(s) presenting as ill or any staff/student(s) who may have been exposed to a contagious disease. Follow established exclusion recommendations for acute respiratory illness (patients should be fever free for 24 hours without fever reducing medications before returning to school.)
2. Wash hands often with soap and water for at least 20 seconds. If soap and water are not available, use an alcohol-based hand sanitizer with at least 60% alcohol.

## **Instruction**

### **Pandemic/Epidemic Emergencies**

#### **Preventative Measures for Schools to Protect Students and Staff (continued)**

3. Provide adequate soap, paper towels and other cleaning supplies in bathrooms and other wash areas.
4. Avoid close contact with people who are sick and encourage families to keep ill students at home.
5. Remind students to cover their mouths and nose with a tissue or sleeve (not hands) when coughing or sneezing.
6. Have custodial staff clean and disinfect frequently touched objects and surfaces according to product directions and their facility's policy.
7. Strongly promote the annual flu shot for all students and staff.
8. Check the CDC website to determine whether students/staff should be permitted to travel on field trips to countries with a high incidence reported of a coronavirus outbreak.

The school district must stay informed, listen to public health messages and implement good public health practices to prevent the spread of respiratory viruses. The local health department should be contacted regarding questions about individuals who have recently traveled to countries with a high incidence of respiratory illnesses.

#### **School District Emergency Response**

In the event of a declared pandemic, a **four-level system** shall be used with guidelines to provide interventions and activities in which the district shall engage. These activities involve areas such as communication with parents and students, field trips and other school activities, school closings or modified school schedules, school access and instructional issues. Although it is important that staff be trained in and employ these procedures, it must also be understood that the administration may need to make changes on a case by case basis as new information or events rapidly evolve.

It is important that all plans be coordinated and aligned as much as possible with neighboring school districts, appropriate emergency medical services, public health, mental health, law enforcement, fire department and emergency management representatives.

In terms of the difficult decision to close schools, two main reasons exist for this action:

1. In the event where an increase in school absenteeism is noted between either or both students and staff, reporting to the School Medical Advisor and the local health department shall be communicated by the school nurse on a regularly scheduled basis.
  - a. Such communication will be made by the school nurse when observed illnesses or absences for respiratory, gastrointestinal or vaccine preventable illnesses are deemed to be excessive.

## Instruction

### Pandemic/Epidemic Emergencies

#### School District Emergency Response (continued)

- b. Reporting shall include influenza-like illness with symptoms of fever greater than 100 degrees F, AND sore throat or cough to the local health department and School Medical Advisor weekly during an outbreak.
  - c. Depending on illness or exposure, social distancing measures may be instituted including school closures.
2. There could be levels of absenteeism among staff and/or students that make it difficult to achieve the education mission of the school. The decision to close on this basis is an individual district decision made in conjunction with the Board of Education, the School Medical Advisor and the local health department. District schools may be closed if absenteeism is in the range of 30% to 40%.
3. Schools could close specifically to slow the spread of influenza. Close contact among many persons in schools make them a center for respiratory disease transmission. If school closing for this purpose is to be effective, it should be done early in an epidemic before absenteeism rates climb very high and in concert with other schools and agencies and upon the advice of the Connecticut Department of Education and/or the Connecticut Department of Public Health.
4. In addition, to be effective, students and staff must stay apart from each other when they are not in school. A decision for school closing for this reason is usually made under advice or command from state agencies or the local health department. The length of school closing shall be made under guidance from these agencies and can vary from several days to several weeks. Superintendents in the neighboring districts will work together to make decisions on how each school's closing impacts the other schools, in terms of transportation, child care, instruction, and family issues.

As new issues develop, the **Incident Coordination System** would be implemented and would involve the **Four Response Levels** contained within the District's crisis management plan. Districts will rely heavily on the advice of the local health district which, in turn, would be in communication with the State Department of Health. In addition, as stated previously, every effort would be made to closely coordinate and align these interventions with the neighboring school districts and communication among the Superintendents would be frequent and ongoing.

Regulation approved:

cps 12/09  
rev 2/20

*A new policy to consider on this issue.*

## **Instruction**

### **Emergencies and Disaster Preparedness**

#### **Pandemic/Epidemic Emergencies**

##### **Emergency Suspension of Policy During Pandemic**

The Board of Education (Board) is authorized by statute to govern the District, including the adoption, revision, and suspension of Board policies.

The Board, through this policy, acknowledges school closures in response to a pandemic/epidemic and designates the Superintendent of Schools or his/her designee to act as a liaison for the District to ensure the health and safety of students, staff, and the community.

The World Health Organization on March 11, 2020 characterized COVID-19 as a pandemic. Governor Lamont declared a state of emergency and directed implementation of appropriate plans and procedures in response to the novel coronavirus (COVID-19). This action included closure of all Connecticut public schools. President Trump declared a national state of emergency.

The Connecticut State Department of Education (CSDE) has authority to waive instructional hours and school days, to interpret graduation requirements, and to oversee the allocation of resources for nutrition, transportation, and other crucial aspects of public education and is providing written guidance to school districts on issues related to COVID -19, including but not limited to student attendance, distance/online learning, high school credit, meal distribution, and other issues.

##### **Temporary Powers Granted to Superintendent of Schools**

The Board grants to the Superintendent the following temporary powers to address the COVID-19 pandemic emergency:

1. Authority to temporarily waive such Board policies or provisions of Board policies as the Superintendent shall deem necessary to comply with guidance from appropriate health or governmental authorities or necessary for other effective response.
2. Authority to take any lawful actions necessary to ensure the continuation of public education, to provide for the health and safety of students and employees, or to respond to direction from appropriate health and government authorities. Such action may include, but are not limited to, adjustments to the curriculum and the provision of alternate educational program options; modifications to the school calendar; adjustments to the delivery of school-provided meals; limitations on access to District property; applying to any governmental body for financial or other aid as may be available; and applying to any governmental body for waiver of regulations or requirements, compliance with which is affected by the COVID-19 pandemic emergency.

## **Instruction**

### **Pandemic/Epidemic Emergencies**

#### **Emergency Suspension of Policy During Pandemic (continued)**

3. Authority to enter into contracts without Board approval for any dollar amount for the purchase of materials, equipment, supplies, or services for sanitation, cleaning, technology, or other needs directly related to the COVID-19 emergency situation, provided such action is consistent with all applicable State and Federal laws.
4. Authority to close any school facility without further action by this Board. Such closure shall continue during the emergency created by the COVID-19 pandemic until such time as the Superintendent, in consultation with appropriate health and government authorities, deems it in the best interests of the District and its students to open schools.
5. Authority based upon the needs of the District and the guidance from health and government agencies disseminated by CSDE, to direct staff assignments during District closures, including but not limited to essential employees who must report to work, employees who may be reassigned, and employees whose services are not needed.
6. Authority to limit access to public school grounds and District buildings during school closures.
7. Authority to waive the requirements requiring advertising for bids and competitive bid procedures for purchases which may be necessary due to the emergency. The Superintendent will document the reasons for which prompt remedial action is necessary to prevent physical injury to persons or to property of the District.

### **Suspension of Policies**

The Board hereby suspends provisions of its policies and/or whole policies, as identified by the Superintendent or designee, if such suspension is necessary to implement the written guidance from CSDE relating to containing COVID-19 for the duration identified in the Governor's order of school closure.

### **Consultation with Board of Education**

The Superintendent shall consult with and report to the Board as feasible, appropriate and timely regarding the emergency closure and efforts to implement written guidance from health and government agencies as disseminated by CSDE and other state agencies pertaining to this pandemic situation.

### **Board of Education Meetings**

In the interest of public health, the Board encourages the public to attend its open public meetings [**modify as feasible for your district**] via live streaming on television and/or the internet and to limit public comment to written comments. The Board reserves the right to adjust Board meeting dates, times, and locations during the District-wide emergency closure in a manner consistent with the Freedom of Information Act. Further, any or all Board members may attend Board meetings electronically.

**Instruction**

**Pandemic/Epidemic Emergencies**

**Emergency Suspension of Policy During Pandemic (continued)**

- (cf. 1120 – Public Participation at Board Meetings)
- (cf. 2210 – Administrative Leeway in Absence of Board Policy)
- (cf. 3323 – Soliciting Prices)
- (cf. 3542 – Food Service)
- (cf. 3542.31 – Free or Reduced Price Lunches)
- (cf. 5110 – Attendance)
- (cf. 5113 – Attendance and Excuses)
- (cf. 5118.1 – Homeless Students)
- (cf. 5141.22 – Communicable/Infectious Diseases)
- (cf. 5141.6 – Crisis Management Plan)
- (cf. 6111 – School Calendar)
- (cf. 6114 – Emergencies and Disaster Preparedness)
- (cf. 6114.6 – Emergency Closings)
- (cf. 6114.8 – Pandemic/Epidemic Emergency)
- (cf. 6146 – Graduation Requirements)
- (cf. 6159/6171 – Special Education)
- (cf. 6172.6 – Virtual/Online Courses)
- (cf. 9321 – Time, Place, Notification of Meetings)
- (cf. 9325 – Meeting Conduct)
- (cf. 9325.43 – Attendance at Meetings via Electronic Communications)

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

Policy adopted:  
cps 3/20

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

### **Title IX**

The Board of Education agrees to comply with Title IX of the Education Amendments of 1972 and designates the Assistant Superintendent of Schools as Title IX Coordinator. The Board shall annually notify all students, parents, and employees of the name, address, and phone number of the Coordinator and the procedure for processing complaints.

### **Title IX Coordinator**

The Title IX Coordinator for Newtown Board of Education (Assistant Superintendent of Schools) whose office is located at 3 Primrose Street, Newtown, CT 06470 and whose telephone number is (203) 426-7617

### **Sex Discrimination and Sexual Harassment in the Workplace**

It is the policy of the Board of Education to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex which has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.

#### **Definitions**

##### **Sex Discrimination**

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

##### **Sexual Harassment**

Sexual harassment is a form of sex discrimination. While it is difficult to define sexual harassment precisely, it does include any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.



Although not an exhaustive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:

1. Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses.
2. Unwelcome attention of a sexual nature, such as degrading, suggestive or lewd remarks or noises.
3. Dirty jokes, derogatory or pornographic posters, cartoons or drawings.
4. The threat or suggestion that continued employment advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment.
5. Circulating, showing, or exchanging emails, text messages, digital images or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Any infraction of this policy by supervisors or co-workers should be reported immediately to the Title IX Coordinator, the Assistant Superintendent of Schools, in accordance with the district's sex discrimination and sexual harassment complaint procedure. Retaliation against any employee for complaining about sex discrimination or sexual harassment is prohibited under this policy and illegal under state and federal law. Violations of this policy will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

The school district will provide training for all employees on federal and state sexual harassment laws and remedies available to victims and will provide periodic supplemental training to employees. The district will publish its policy and complaint procedures to staff and employees in an effort to maintain an environment free of sex discrimination and sexual harassment. The district will also post a notice regarding sexual harassment in a conspicuous place readily available for viewing by employees. The district will email this notice to employees within three months of hire with the subject line "Sexual Harassment Policy" or words of similar import.

Any employee who believes that he or she has been discriminated against or sexually harassed in the workplace in violation of this policy may also file a complaint with the Southwest Region Office of the Connecticut Commission on Human Rights and Opportunities, 350 Fairfield Avenue, Bridgeport, CT 06604 (Telephone: 203-579-6246) and/or the Equal Employment Opportunity Commission, Boston Area Office, JFK Federal Building 15 New Sudbury Street, Boston, MA 02203-0506 (Telephone: 800-669-4000).

Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within 300 days of the date when the alleged discrimination/harassment occurred.

Remedies for sex discrimination and sexual harassment include cease and desist orders, back pay, compensatory damages, punitive damages, hiring, promotion or reinstatement.

## **Complaint Procedure**

It is the express policy of the Board of Education to encourage victims of sexual discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Any employee who feels that he/she has been sexually harassed or otherwise discriminated against on the basis of sex should submit any such complaint to the Title IX Coordinator. If the Title IX Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent, who shall investigate or appoint a designee to do so.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified. "Days" as used in these regulations, shall mean days when school is in session. During vacation periods or summer months when school is not in session, "days" shall mean calendar days other than Saturdays, Sundays and holidays.

The Title IX Coordinator shall inform the complainant in writing of his/her actions within fifteen (15) days of the receipt of such complaint.

If the complainant is not satisfied with the actions of the Title IX Coordinator, within ten (10) days, the complainant may appeal the action of the Title IX Coordinator in writing to the Board of Education. The Board 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 practice(s) deemed discriminatory. The Board shall notify the complainant in writing of its decision within ten (10) days after such a hearing.

Confidentiality will be maintained by all persons involved in the investigation to the extent possible and reprisals or retaliation that occur as a result of the good faith reporting of charges of sex discrimination or sexual harassment will result in disciplinary action against the retaliator.

### **Legal References:**

United States Constitution, Article XIV  
Title VII, Civil Rights Act of 1964, 42 U.S.C. 2000-e2(a).  
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.  
Title IX of the Education Amendments of 1972, 20 USCS § 1681, et seq.  
Title IX of the Education Amendments of 1972, 34 CFR § 106, et seq.  
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)  
Connecticut General Statutes §46a-60 Discriminatory employment practices prohibited.  
Conn. Agencies Regs. §§46a-54-200 through 46a-54-207  
Constitution of the State of Connecticut, Article I, Section 20.  
Public Act 19-16, "An Act Combatting Sexual Assault and Sexual Harassment."  
Public Act 19-93, "An Act Concerning Sexual Harassment and Sexual Assault."

Policy adopted:

**COMPLAINT FORM REGARDING SEX DISCRIMINATION  
AND SEXUAL HARASSMENT  
(PERSONNEL)**

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the discriminator(s) or harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location where such discrimination/harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the discrimination/harassment \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**District Title IX Coordinator  
Assistant Superintendent  
3 Primrose Street, Newtown, CT 06470  
(203) 426-7617**

[To be posted in a conspicuous place readily available for viewing by employees and emailed to employees within three months of hire with the subject line "Sexual Harassment Policy" or words of similar import]

**SEXUAL HARASSMENT IS ILLEGAL**  
*and is prohibited by*  
**The Connecticut Discrimination Employment Practices Act, and**  
**Title VII of the Civil Rights Act of 1964**

Sexual harassment means: "Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

Examples of sexual harassment include:

- Unwelcome sexual advances
- Suggestive or lewd remarks
- Unwanted hugs, touches, or kisses
- Requests for sexual favors
- Retaliation for complaining about sexual harassment
- Derogatory or pornographic posters, cartoons or drawings

Remedies for sexual harassment may include:

- Cease and desist orders
- Back pay
- Compensatory damages
- Punitive damages
- Hiring, promotion or reinstatement

Retaliation against any employee for complaining about sexual harassment is prohibited under this policy and is illegal. Violation of this policy is grounds for discipline, including discharge. Individuals who engage in acts of sexual harassment may be subject to civil and criminal penalties.

An infraction of this policy by supervisors or co-workers should be reported immediately to the district Title IX Coordinator (Assistant Superintendent of Schools), or Superintendent if the Title IX Coordinator is the subject of the complaint. Confidentiality will be maintained to the extent possible.

If you feel you have been discriminated against, contact the Southwest Region Office of the Connecticut Commission on Human Rights and Opportunities at (203) 579-6246, CT Toll Free 1-800-477-5737, or online at [www.ct.gov/CHRO](http://www.ct.gov/CHRO)

Connecticut law requires that a written complaint be filed with the Commission within 300 days of the date when the alleged harassment/discrimination occurred.

*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:



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

### **Equal Employment Opportunity/ Plan for Minority Recruitment and Selection**

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, and directs the Superintendent to enact a planning process that supports efforts to encourage, recruit, employ, and retain a qualified diverse staff.

The Board 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. Additionally, no advertisement of employment opportunities may by intent or design restrict employment based upon discrimination as defined by law.

In compliance with all applicable state statutes pertaining to a written plan for 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 community organizations and educational institutions, to publicize job openings within the school district and to solicit referrals of racially and ethnically diverse candidates.
3. Maintain, or expand as appropriate, the help-wanted advertising to include print and/or broadcast media that is targeted to diverse applicants.
4. Utilize the Connecticut Regional Education Service Centers (RESCs) and Connecticut Regional Educational Application Placement (CT REAP) websites to publicize available positions within the District.
5. Participate in local job fairs, including those that are sponsored by community organizations that embrace and celebrate diversity.
6. Annually review the effectiveness of this plan and the efforts to employ and retain a highly qualified, racially and ethnically diverse staff.

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

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:

DRAFT

*Sample policy to consider.*

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

### **Appointment and Conditions of Employment**

The \_\_\_\_\_ Board of Education delegates the Superintendent the authority to hire certified (except administration), and supplementary positions. In the case of administrative or supervisory personnel, the Superintendent shall nominate a candidate to the Board.

The Superintendent also has the authority to hire support and substitute personnel. On a monthly basis at a minimum, the Superintendent shall notify the Board of those individuals who have been hired.

The Superintendent shall make it an object of paramount interest to secure competent teachers and other employees for the schools. For each vacancy, the Superintendent shall select the ablest and best qualified candidate available. The Superintendent shall ensure that all certified personnel to be employed meet state requirements for the position.

The Superintendent shall conduct an annual review of supplemental pay positions to determine their continued need.

The following guidelines shall be observed in hiring personnel:

1. Residence shall not be a factor.
2. No member of the immediate family of any member of the Board of Education shall be employed in any continuing capacity by the Board. This is not to be construed as requiring the resignation of any employee should a member of his/her immediate family be elected to the Board of Education.
3. Relatives of professional administrative or supervisory personnel shall not serve under the supervision of the administrator or supervisor to whom they are related. This is not to be construed as requiring the resignation of any person already in the employ of the Board of Education.
4. Temporary appointments of a relative as described in paragraphs 2) and 3) above may be made.

Legal Reference: Connecticut General Statutes  
10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal.  
10-153 Discrimination on account of marital status.  
10-155f Residency requirement prohibited.  
46a-60 Discriminatory employment practices prohibited.  
Title VII, Civil Rights Act as amended by Title IX, Equal Employment Opportunity

Policy adopted:  
cps 5/04

*Westport's version of this policy to consider.*

## **Personnel -- Certified**

### **Hiring of Certified Staff**

It is the policy of the Board of Education to appoint the most qualified applicants to positions of employment within the District's Schools. All finalists for the positions of Building Principals and Central Office administrative positions shall be interviewed by the Board of Education prior to any vote of the Board to approve candidates for these positions. The Board of Education shall make such appointments in accordance with the procedures set forth in Section 10-151 of the Connecticut General Statutes, and in accordance with any applicable collective bargaining agreement.

The Superintendent of Schools shall be responsible for appointments to all other positions requiring a certificate issued by the State Board of Education.

Legal Reference: Connecticut General Statutes  
10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal.

*A succinct version of this policy to consider.*

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

### **Appointment and Conditions of Employment**

The Superintendent or his/her designee shall select all employees and execute all contracts with them as the agent of the \_\_\_\_\_ Board of Education.

Legal Reference: Connecticut General Statutes  
10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal.  
10-153 Discrimination on account of marital status.  
10-155f Residency requirement prohibited.  
46a-60 Discriminatory employment practices prohibited.  
Title VII, Civil Rights Act as amended by Title IX, Equal Employment Opportunity

Policy adopted:

cps 9/15

*Sample policy to consider.*

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

### **Non-Union Personnel**

The Superintendent of Schools is responsible for the annual review of all non-union personnel employed by the Board of Education. The Superintendent will make recommendations to the Board concerning all working conditions for non-union personnel.

**Policy adopted:**

cps 12/03

*A version originally developed by Ridgefield to consider/modify.*

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

### **Non-Represented Employees**

#### **Definitions and Categories of Non-Represented Employees**

Non-represented employees are those employees of the Board who are not members of a bargaining unit.

Non-administrative employees are those Board employees whose job is not classified as administrative.

Administrative employees are those Board employees whose job is classified as administrative.

Non-certified employees are those Board employees whose job description does not require certification from the State Department of Education.

Certified employees are those Board employees whose job description requires certification from the State Department of Education.

#### **Terms of Employment for Non-Represented/Non-Administrative Employees**

The category “Non-Represented/Non-Administrative Employees” includes, by way of example confidential secretaries, school nurses and occupational and physical therapists.

The Superintendent, with the approval of the Board, shall set the salaries and other terms of employment for all non-represented/non-administrative employees in accordance with the following guidelines.

#### **Salaries**

After the initial salary is established during the hiring process, employees are eligible for an annual salary increase each July 1<sup>st</sup>. The amount of increase will be determined by consideration of the employee’s performance in the preceding year and the increases that have been awarded to the bargaining unit to which the employees’ job classification is related.

#### **Benefits Other Than Pension:**

Employees who work twenty-seven and one-half (27.5) or more hours per week are eligible for benefits. The benefits (other than pension) employees receive are determined by the benefits set forth in the collective bargaining agreements to which the employees’ job classification is related. For this purpose, Secretaries are related to the agreement between the Board and the Educational Secretaries Association; Nurses employed prior to July 1, 1976 are related to the agreement between the Board and the NEA-Ridgefield; Nurses employed on or after July 1, 1976 are related to the agreement between the Board and the Educational Secretaries Association; Occupational and Physical Therapists are related to the agreement between the

Board and the NEA-Ridgefield.

**P4112.11(b)**  
**4212.11**

## **Personnel - Non-Certified**

### **Non-Represented Employees**

#### **Terms of Employment for Non-Represented/Non-Administrative Employees (continued)**

##### **Pension**

Eligible employees are covered by the Town of Ridgefield Pension Plan for Non-Union Employees. Exception: The Executive Secretary to the Superintendent/Board and Secretary to the Director of Personnel who were hired before July 1, 2005 are covered by the Town of Ridgefield Pension Plan for the Educational Secretaries' bargaining unit.

When they are hired, non-represented/non-administrative employees received an initial letter of appointment that outlines their salary and benefits. Annually thereafter, they receive a notice of continued employment setting forth their assignment and salary for the upcoming year.



Policy adopted:  
cps 3/14

February 14, 2011

RIDGEFIELD PUBLIC SCHOOLS  
Ridgefield, Connecticut

*A "good practice" recommended policy.*

## **Personnel -- Certified**

### **Certification**

Every instructional employee shall be certified according to the provisions of applicable state law.

It is the responsibility of the employee to submit proof of appropriate certification to the school system prior to the commencement of employment with the \_\_\_\_\_ Public Schools. The school system will maintain a record of the employee's credential as required by law.

It shall be the sole responsibility of the certified employee to see that his/her credentials for certification are completed before the date of expiration and to file the completed certification with the school system.

In the event of a lapse in certification, employee's status shall be immediately changed to "Substitute" (per diem) with no benefits, and his/her salary will be reduced to the current rate of pay for substitutes. If employee fails to obtain appropriate certification within 40 days s/he may be subject to termination of employment. If, within a reasonable period of time following a lapse in certification, employee provides evidence of appropriate certification, the employee's salary and benefits shall be reinstated, retroactive to the effective date of certification.



### ***Optional language:***

*Upon application, a teacher from another state who has taught under an appropriate certificate in such other state, U.S. possessions or territories of the District of Columbia or the Commonwealth of Puerto Rico for two or more years in the past ten years, is nationally board certified, and satisfies the requirements of the appropriate interstate agreement shall be issued a teaching certification by the State Board of Education as permitted by statute. Such teacher shall be exempt from completing the beginning educator program based on such teaching experience upon a showing of effectiveness as a teacher, as determined by the State Board of Education, which may include, but not be limited to, a demonstrated record of improving student achievement.*

*Also, upon application, a teacher from an approved Connecticut private school shall be subject to the same provisions as listed above.*

### **Distinguished Educator Designation**

The Board of Education encourages certified staff to aspire and to achieve the designation of "Distinguished Educator."

## Personnel -- Certified

### Certification

#### Distinguished Educator Designation (continued)

To achieve this designation, the individual must hold a professional educator certificate, have taught successfully for at least five years, have advanced education in addition to a master's degree, that can include training in mentorship or coaching teachers, and meets the performance requirements established by the State Board of Education. Teachers, so designated, will be considered eligible to serve as mentors for the District's teacher education and mentoring program.

Legal Reference: Connecticut General Statutes

10-145b Teaching certificate (as amended by P.A. 12-116 An Act Concerning Educational Reform, P.A. 15-108 An Act Concerning Teacher Certification Requirements for Shortage Areas, Interstate Agreements for Teacher Certification Reciprocity, Minority Teacher Recruitment and Retention and Cultural Competency Instruction and PA 17-173 An Act Concerning Minor Revisions and Additions to the Education Statutes and PA 17-68, An Act Concerning Various Revisions and Additions to the Education Statutes)

10-146c Interstate agreements to facilitate educator certification (as amended by P.A. 15-108)

10-145d State board regulations for teacher certificates et. al. (as amended by P.A. 12-116, An Act Concerning Educational Reform and P.A. 15-108)

10-145o Teacher education and mentoring program (as amended by P.A. 12-116, An Act Concerning Educational Reform)

34 C.F.R. 200.55 – Federal Regulations Regarding Highly Qualified Teachers

Policy adopted:

rev 12/09

rev 5/12

rev 7/15

rev 6/17

*Optional policy to consider.*

## **Personnel -- Certified**

### **Physical Examinations**

#### **New Personnel**

All new certified personnel shall submit to the Office of the Superintendent of Schools evidence of a physical examination obtained no earlier than six months prior to the date of employment and no later than thirty days after the date of employment.

*Optional: All new staff with a risk for having latent TB infection shall also have baseline skin testing for tuberculosis at the time of employment, and the result recorded in the employee health record.*

#### **Employed Personnel**

The Superintendent of Schools may require an employee to obtain a physical examination at any time.

#### **Specific Procedures**

1. Physical examination forms will be supplied by the Superintendent's office, and it is required that they be used in all instances.
2. Full and complete results of the physical examinations will be maintained in the administering doctor's office. Only a statement attesting to the individual's health and submitted by the examining doctor will be kept on file in the Superintendent's office.
3. Physical examinations may be administered by an individual's family physician and the District shall pay that portion of the cost which is equal to the cost of the examination administered by the District Physician. The remainder of the cost will be borne by the individual.
4. Physical examinations, when required by Board Policy, may be requested by an individual to be administered by the District physician and the expense shall be borne by the District. The request should be made to the Office of the Superintendent of Schools.
5. The cost of a physical examination required for an individual by the Superintendent of Schools shall be borne by the District.

#### **Policy adopted:**

rev 11/05

rev 9/11

*Another version, from Marlborough, to consider.*

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

### **Health Examinations**

1. Each applicant for employment shall, as a condition of employment, have a physical examination where a physician clears them for work, prior to his/her assuming duties within the school system or in any case within 30 days of assumption of duties. The results of such examination shall be recorded by the examining physician on the form provided by the schools and filed in the individual's personal school file.
2. Each employee shall have a physical examination once every three years. The results of such examination shall be recorded by the examining physician on the form provided by the school and filed in the individual's personal school file. The Board of Education reserves the right to require additional physical and/or mental examinations, at any time and as deemed necessary by the Board of Education, Superintendent, or school medical advisor, in order to evaluate the employee's ability to perform his/her assigned duties.

Policy adopted:

**MARLBOROUGH PUBLIC SCHOOLS**  
Marlborough, Connecticut

cps 11/00

**Marlborough School District  
Health Examination Report**

Individual Name \_\_\_\_\_ Date of Examination \_\_\_\_\_  
Address \_\_\_\_\_  
School Position \_\_\_\_\_

**To The Examining Physician:**

The Marlborough Board of Education requires that all applicants for employment receive a pre-employment physical examination, and then one every three years thereafter.

The Board of Education states that the physical examination include the following:

**Check:**

- 1. Health History
- 2. General physical and health examination
- 3. Urinalysis
- \* 4. A chest x-ray (preferably a 14" x 17" celluloid film)  
Note type of test and result

A serologic test for syphilis, and other blood tests should be included at the discretion of the examining physician. Any additional examination would be at your discretion. Thank you for your cooperation.

\_\_\_\_\_  
Joseph J. Reardon  
Superintendent of Schools

In my opinion the examinee is physically and mentally capable of performing the duties assigned to him/her within this school system.

In my opinion the examinee is physically and mentally capable of performing the duties assigned to him/her but has the following disabilities or limitations: (Please indicate whether they are correctable or if a modification in the work program should be made.)

\_\_\_\_\_  
\_\_\_\_\_

On the basis of this examination, I feel the examinee is not presently capable of performing the work assigned to the above school position for the following reason(s).

\_\_\_\_\_  
\_\_\_\_\_

I certify that the examinee is free of communicable disease which might be transmitted to

the school population.

Signed \_\_\_\_\_ M.D.

Address:

Revised 8/2000

cps 11/00

**P4112.4**

**4212.4**

*A more restrictive approach to this policy topic, developed by Region #6.*

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

### **Physical Examinations**

### **Employees with AIDS**

The Board of Education recognizes that employees afflicted with Acquired Immune Deficiency Syndrome (AIDS) have rights established by law. The Board also recognizes that it has a responsibility to assure that the public school provides a safe environment for all of its students and employees.

Normally, with the approval of the employee's physician and the school medical advisor, employees with AIDS will be allowed to continue working in their regular setting and will be eligible for all rights and privileges provided by law and existing policy of the Regional School District No. 6 Board of Education.

Under certain circumstances, an employee with AIDS may pose a risk of transmission to others, and therefore, will not be qualified to continue working in the regular setting. The school medical advisor, in consultation with the employee, the employee's physician and other interested parties, shall determine whether the employee can appropriately work in the regular setting according to the following factors:

- the nature of the risk (how the disease is transmitted)
- the duration of the risk (how long the employee will be infectious)
- the severity of the risk (the harm if the disease is transmitted to third persons)
- the probability of transmission
- the employee's ability to fulfill the requirements of work in his/her regular setting

An employee with AIDS, as with any other immunodeficient employee, may need to be removed from the regular work setting for his/her own protection when cases of measles or chicken pox are occurring in the school population. This decision should be made by the employee's physician and the employee in consultation with the School Medical Advisor and the Superintendent of Schools.

If the employment of an infected employee is discontinued, said employee shall be entitled to use any available sick leave and to receive any available medical disability benefits provided by contract.

The school must respect the privacy of the individual; therefore, knowledge that an employee is afflicted with AIDS should be confined to those persons with a direct need to know.

This policy is to be reviewed and revised by the Board of Education as substantiated medical information becomes available.

Policy adopted:

September 10, 2003

REGIONAL SCHOOL DISTRICT NO. 6  
Goshen – Morris – Warren

cps 10/03



*Another version to consider.*

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

### **Health Examinations**

Each new employee, other than day-to-day substitutes, tutors, support staff working less than 20 hours per week, and those individuals who fill supplemental pay positions exclusively, shall have a physical examination by the physician of his/her choice prior, if possible, to assuming his/her duties within the school system or in any case within 30 days of assumption of duties. All new certified personnel shall submit to the Office of the Superintendent of Schools evidence of a physical examination obtained no earlier than six months prior to the date of employment and no later than thirty days after the date of employment. The \_\_\_\_\_ Board of Education will pay up to \$75.00 per required physical examination. The results of such examination shall be recorded by the examining physician on the form provided by the school and the completed form shall be retained in the employee's personnel file.

The information provided by the physician shall be limited to a statement indicating the physical capability of the employee to perform his/her assigned tasks. Health history, general physical examination, chest x-ray or tuberculin test and urinalysis should be included in this examination. Blood tests would be conducted at the discretion of the examining physician.

When there has been a warning given to the employee that his/her performance has been unsatisfactory, the Superintendent of Schools may require additional medical examinations, as he/she deems necessary, to evaluate the employee's ability to perform assigned duties. Such additional medical examination will be performed by a physician selected by the Superintendent of Schools and the Board of Education will bear all costs of these examinations.

### **Food Handlers**

All personnel working in cafeterias shall be required to have a physical examination within 30 days of the assumption of duties, regardless of the number of hours worked.

Food Handlers and cafeteria workers shall not be allowed to work if they are ill with intestinal or respiratory illness, or streptococcal infection. The School Medical Adviser reserves the right to require medical examination before any such employee may return to work.

Legal Reference: Connecticut General Statutes

10-207(c) Duties of medical advisers

Americans with Disabilities Act of 1990

Policy adopted:  
cps 5/04

*A version from New Fairfield to consider.*

## **Personnel -- Certified**

### **Health Examination**

All employees upon initial employment shall present evidence of a health examination and a chest x-ray, skin test, or other tests designated as acceptable by the chief school medical advisor to determine that they are free of active tuberculosis.

All employees are urged to keep themselves in good physical condition so that they will be a good example to the students and so that they will be able to perform their duties effectively.

All employees are advised to have a health examination at least once every three years.

The Superintendent may require an independent medical examination of any employee by a physician selected by the Board, under the following conditions, subject to the limitations set forth, if any, in the applicable bargaining unit agreement:

- a) whenever the Superintendent has grounds to believe that the performance of the employee is adversely affected by illness of any kind;
- b) whenever the Superintendent has grounds to believe that the health/safety of students or other employees may be at risk due to the illness of an employee;
- c) whenever the Superintendent has grounds to believe the employee may have abused sick leave or other leave policies;
- d) as a condition of approval for a medically-related leave of absence such as sick leave, maternity leave, FMLA or worker's compensation leave;
- e) as a condition of approval for continuation or extension of such leave;
- f) as a condition of approval for return to duty from such leave.

School volunteers who work with students on a regularly scheduled basis may be required to have a tuberculin test at the discretion of the Superintendent and the chief school medical advisor.

(cf. 4118.14 - Disabilities)

Policy adopted:

**NEW FAIRFIELD PUBLIC SCHOOLS**  
New Fairfield, Connecticut

cps 12/06

*New material (regulation) to review.*

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

### **Health Examination**

#### **Chest X-Ray or Intradermal Test**

All employees upon initial employment shall present evidence of having submitted to examination (chest x-ray, skin test, or other tests designated as acceptable by the County Health Department) to determine that they are free of active tuberculosis prior to commencing service and every four (4) years thereafter or more often if directed by the Board of Education upon recommendation of the local Health Officer or District Medical Advisor.

**or**

All employed personnel (to include all bus drivers on contract, substitute teachers, teacher aides and lunch aides) are required to have a preemployment physical examination which must include a tuberculin skin test (Mantoux Test) or an Interferon Gamma Release Assays (IGRAs) blood test.

Those who react positively are required to have a chest xray and will be referred to their private physician or the local health department for evaluation and treatment. Once an individual has had a positive skin test, no further skin tests are indicated. However, serial chest x-rays may be necessary based upon the decision of the individual's private physician, the school physician, or the county health department.

Those with a negative reaction to the tuberculin test need not have further skin tests unless they have one of the following risk factors.

- a. were born in a high risk country\* of the world and do not have a record of a tuberculin test (TST or IGRA) performed in the U.S.;
- b. travel to a high risk country\* staying at least a week with substantial contact with the indigenous population since the previously required examination;
- c. extensive contact with persons who have recently come to the United States since the previously required examination;
- d.. contact with persons suspected to have tuberculosis; or
- e. lives with anyone who has been in a homeless shelter, jail or prison, uses illegal drugs or has an HIV infection.

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

### **Health Examination**

#### **Chest X-Ray or Intradermal Test (continued)**

The Superintendent may require a medical examination of any certified/non-certified employee whenever the Superintendent has grounds to believe that the performance of the employee is adversely affected by illness of any kind.

\*See attached list of countries

(cf. 4118.14 - Disabilities)

Regulation approved:

cps rev. 11/01

cps rev. 11/05

cps rev. 9/11

List of High Risk<sup>1</sup> Tuberculosis Countries

Afganistan	Georgia	Paraguay
Algeria	Ghana	Peru
Angola	Guam	Philippines
Anguilla	Guatemala	Poland
Argentina	Guinea	Portugal
Armenia	Guinea-Bissau	Qatar
Azerbaijan	Guyana	Republic of Korea
Bahrain	Haiti	Republic of Moldova
Bangladesh	Honduras	Romania
Belarus	India	Russian Federation
Belize	Indonesia	Rwanda
Benin	Iraq	Saint Vincent and the Grenadines
Bhutan	Japan	Sao Tome and Principe
Bolivia (Plurinational State of)	Kazakhstan	Senegal
Bosnia and Herzegovina	Kenya	Serbia
Botswana	Kiribati	Seychelles
Brazil	Kuwait	Sierra Leone
Brunei Darussalam	Kyrgyzstan	Singapore
Bulgaria	Lao Peoples Democratic Republic	Solomon Islands
Burkina Faso	Latvia	Somalia
Burundi	Lesotho	South Africa
Cambodia	Liberia	Sri Lanka
Cameroon	Libyan Arab Jamahiriya	Sudan
Cape Verde	Madagascar	Suriname
Central African Republic	Malawi	Swaziland
Chad	Malaysia	Syrian Arab Republic
China	Maldives	Tajikistan
China, Hong Kong Sp. Admin. Region	Mali	Thailand
China, Macao Administrative Region	Marshall Islands	The former Yugoslav Rep. of Macedonia
Colombia	Mauritius	Timor-Leste
Comoros	Micronesia (Federated States of)	Togo
Cong	Mongolia	Tonga
Cook Islands	Montenegro	Trinidad and Tobago
Cote d'Ivoire	Morocco	Tunisia
Croatia	Mozambique	Turkey
Democratic People's Rep. of Korea	Myanmar	Turkmenistan
Democratic Republic of the Congo	Namibia	Tuvalu
Djibouti	Nepal	Uganda
Dominican Republic	New Caledonia	Ukraine
Ecuador	Nicaragua	United Republic of Tanzania
El Salvador	Niger	Uruguay
Equatorial Guinea	Northern Mariana Islands	Uzbekistan
Eritrea	Pakistan	Vanuatu
Estonia	Palau	Venezuela (Bolivarian Republic of)
French Polynesia	Panama	Viet Nam
Gabon	Papua New Guinea	Yemen
Gambia	Paraguay	Zambia/Zimbabwe

<sup>1</sup>Greater than 20/100,000 populationEstimates can be found at <http://apps.who.int/ghodata/?vid=500>

*Branford's version of this regulation to consider/modify.*

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

### **Health Examinations**

All employed personnel (to include all bus drivers on contract, substitute teachers, teacher aides and lunch aides) are required to have a preemployment physical examination which must include a tuberculin test (Mantoux Test).

Those who react positively are required to have a chest xray and will be referred to their private physician or the local health department for evaluation and treatment. Once an individual has had a positive skin test, no further skin tests are indicated. However, serial chest x-rays may be necessary based upon the decision of the individual's private physician, the school physician, or the county health department.

Those with a negative reaction to the tuberculin test need not have further skin tests, unless they have one of the following risk factors:

- a. travel to a high risk country since the previously required skin test
- b. extensive contact with persons who have recently come to the U.S. since the previously required examination.
- c. contact with persons suspected to have tuberculosis
- d. have been incarcerated
- e. have been living in a homeless shelter
- f. have HIV infection

The Superintendent may require a medical examination of any certified employee whenever the Superintendent has grounds to believe that the performance of the employee is adversely affected by illness of any kind.

Legal Reference: Connecticut General Statutes

10207 Duties of medical advisers

Regulation approved:

**BRANFORD PUBLIC SCHOOLS**  
Branford, Connecticut

cps 11/01

*Another sample regulation to consider.*

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

### **Health Examinations**

The \_\_\_\_\_ Board of Education requires that each new employee, other than day-to-day substitutes, tutors, support staff working less than 20 hours per week, and those individuals who fill supplemental pay positions exclusively, shall have a pre-employment physical examination by a physician selected by the Superintendent of Schools.

The Board of Education states that the physical examination includes the following:

- Health history
- General physical and health examination
- Chest x-ray (preferably a 14" x 17" celluloid film) or tuberculin test Blood tests at the discretion of the examining physician
- Urinalysis
- Drug screening (per contract agreement)

Any additional examinations would be at the examining physician's discretion.

The duties of the position held or applied for should be considered in evaluating and reporting on the examination.

The detailed findings and related data should be kept in the examining physician's files. The Board of Education recognizes the confidentiality of such records.

The information provided by the physician shall include a statement indicating the physical capability of the employee to perform his/her assigned duties.

### **Tuberculin Testing**

All employed personnel (including bus drivers employed by a transportation contractor) shall have a tuberculin test and/or a chest x-ray at the time of employment. A valid tuberculin test either a TST (Tuberculin Skin Test) or an IGRA (Interferon gamma release assays blood test) is one which has been administered within one year prior to the date of employment. It is the employee's responsibility to provide proof of a valid tuberculin test. The medical service selected by the Board shall provide a tuberculin tine test if the applicant is unable to supply such proof. Written reports of tuberculin testing shall be maintained in the employee's personnel file. Those who react positively to the tuberculin test will be referred by the medical service personnel to their private physician for evaluation and appropriate treatment.

Regulation approved:

cps 4/09

rev 9/11

## HEALTH EXAMINATION - INITIAL EMPLOYMENT OF PERSONNEL

### Purpose

The health examination requirement, upon initial employment, is both a protection for the individual in terms of the ability to perform the requirements of the assignment as well as for the school district in order to protect the health of students and others at work.

There is no intent that this requirement will be used to deny employment because of a particular handicap or condition of health unless it can be established by examination that:

- a. the health condition would be dangerous in the performance of assigned duties
- b. the health condition would be hazardous to the health of others

### Requirements

As a condition of initial employment, each employee shall file with the Office of the Superintendent a written report of a health examination secured through a designated physician's service selected and paid for by the Board of Education. The report will become part of the employee's personnel file available only to the School Medical Advisor and the Superintendent. The written report will consist of a comprehensive statement of the appointee's fitness for duty.

This requirement is applicable to full- or part-time appointees unless the assignment is for less than ninety (90) days.

### Exemption

An exemption may be made if such examination procedure is contrary to the religious beliefs of the appointee and is so stated in writing. However, certification from a recognized source indicating that the appointee is free of certain communicable diseases will be required.

Reference: CGS 1-20a

Adopted 1/22/80

Amended 10/10/95



*A sample policy from Killingly. Please be aware that the legal references contain statutes applicable only to the private sector, not public employers/employees.*

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

### **Pre-Employment Drug Screening Test**

All prospective employees shall be advised in writing at the time of application that it is the intent of the Board of Education to conduct drug screening at the time of appointment. Prospective employees shall be required to submit to and successfully complete an initial drug screening test as a condition of employment. The drug screening test outlined in this section shall not preclude the Board of Education from administering and conducting similar tests under different conditions in accordance with federal and state laws.

#### **1. Testing Procedures**

- A. Applicants subject to testing must, prior to testing, sign a consent authorizing the test, authorizing the release of test results to the school department's medical officer, and authorizing the disclosure of the results by said medical officer to the person or persons in charge of employment. Applicants who refuse to submit to such a test shall be denied employment.
- B. Any applicants who test positive in the preemployment drug screening test shall be given a copy of the positive test results. Further, the applicant may be denied employment and may be ineligible for employment for 12 months unless the applicant adequately establishes a legal basis for the use of the drug with respect to which the applicant tested positive. Testing procedures shall be in accordance with federal and state law. (CGS Sec. 3151u).
- C. The results of any such test shall be confidential and shall not be disclosed by the Board of Education or the person or persons in charge of employment to any person other than any such employee to whom such disclosure is necessary. Additionally, the results shall be maintained along with other employee medical records and shall be subject to the privacy protections provided for by law.

Legal Reference: Connecticut General Statutes  
Sec. 3151u Drug Testing: Requirements  
Sec. 3151v Drug Testing: Prospective Employees  
Sec. 3151w Drug Testing: Observation Prohibited. Privacy of Results  
Sec. 3151aa Drug Testing: Effect of Collective Bargaining Agreement

Policy adopted:

**KILLINGLY PUBLIC SCHOOLS**  
Danielson, Connecticut



# DISTANCE LEARNING PLAN DUE TO HEALTH-BASED CLOSURE

PAGE 1

UPDATE MAILING NO. 4

JUNE 18, 2020

The coronavirus pandemic has led almost every U.S. state to close schools, most for the rest of the academic year, in a major disruption to the public education system. The closures have impacted nearly 55 million public school students nationwide, according to data from Education Week. As schools closed and more students and their parent/guardians are at home for extended periods of time, online/distance learning seems to be growing exponentially.

School closures have forced millions of teachers, students and parents to prepare for remote instruction, often in a rushed and chaotic state. How those plans have been implemented so far, and the extent to which distance learning is in effect, depends on who you ask, or their socioeconomic status.

According to a recent Gallup poll conducted online, 83 percent of parents of K-12 students say their child is currently partaking in an online distance learning program offered by their schools. This figure, based on a survey of 621 parents taken in early April, is up from 65 percent from the period of March 23 to 26. During that same period, Gallup found, the percentage of parents who said their children are not receiving any instruction declined from 11 percent to 4 percent. As the survey was conducted online, it does not fully represent the experiences of families across the country.

The rapid spread of the coronavirus has presented unprecedented challenges to educators in the United States, as well as around the world. There is no blueprint pertaining to how to deal with a health crisis of this magnitude. Leaders of state and district education systems are on the front lines. They must determine how to protect the health of school communities, meet

students' basic needs, minimize disruptions, and provide academic instructions all while responding to breaking developments in real time.

Switching to virtual/distance education is one method to reduce the spread of coronavirus. However, this move also can cause challenges for students who are not able to access internet-based education. Numerous school districts in Connecticut have risen to this challenge to provide the needed resources. Distance learning is being provided, depending on the district utilizing three popular instructional approaches. These three approaches include digital, project-based, and lesson packets, or a combination of such.

Initially, some districts in Connecticut and around the nation were developing plans to offer nontraditional instructional days in lieu of school cancellations. Such plans could include allowing students to check out or borrow a device, pre-loading content onto a device or jump drive, parking a Wi-Fi bus in the community, having agreements with a local utility company or internet service provider, assigning project-based work and alternating assignments/paper packets.



The state of Pennsylvania, prior to the pandemic school closures, allowed for flexible instruction days that can be online or

offline. Districts that opt to use technology to offer remote instruction, must provide accommodations for students and staff who do not have access to technological devices or internet in order to receive plan approval.



# DISTANCE LEARNING PLAN DUE TO HEALTH-BASED CLOSURE

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The unexpected growth in virtual distance learning as a result of pandemic school closures has, however, revealed layers of inequity. Education leaders are tackling the unexpected challenge of providing distance learning as the primary mode of instruction for lengthy periods of time. The question is, “How can school systems that struggle to deliver equitable results in a standard brick and mortar setting overcome the added challenges inherent in distance learning?”

Educators recognize the moral obligation schools have to give all children a real opportunity to learn, even in these unprecedented times, even if it becomes complicated. This challenge can also be a tremendous opportunity. Plato proclaimed that “necessity is the mother of innovation.” Our state is meeting the challenge in providing the necessary resources.

With this innovative spirit in mind, there are two questions education leaders can ask to tackle to address the equity issues presented by this transition to distance learning.

It is important to have a clear definition of what successful distance learning should look like. To define success, presume that every single student has the necessary technology, time, motivation, and support to participate in distance learning. Then, consider how success would be measured. Consideration must be given to what success would look like in a digital context; equipping children with the tools and resources they need to meet educational goals.

It is recognized that the presumption of every student having the necessary technology, time, motivation, and support to participate in distance learning is simply not real-life. Rural and low-income communities have less access to broadband internet access than their urban, suburban,

and more affluent counterparts. This gap needs to be closed.

Across the country, internet providers are making internet access available for one or two months for free for low-income families with a K-12 student in the household. Maintaining connectivity is important enough of a priority for leaders to create more formal, long-term versions of these public-private partnerships to extend well-beyond the current crisis we are in. Getting devices in the hands of every K-12 student may be more challenging. But with districts across the country increasingly moving towards providing devices for each child, the prospect of ensuring every child has a device at home is far from impossible.

Achieving equity in distance learning will require a focus on student populations who often already have reduced opportunities for academic success in the traditional in-person education model.



## Policy Implications

CABE previously developed a policy, #6172.6, pertaining to distance learning and online courses. That policy specifically pertains to online distance education opportunities for students to take courses or engage in educational experiences that were not available in their current school or to supplement the programs offered by the local school district. Some of these programs could be taken for local credits.



# DISTANCE LEARNING PLAN DUE TO HEALTH-BASED CLOSURE

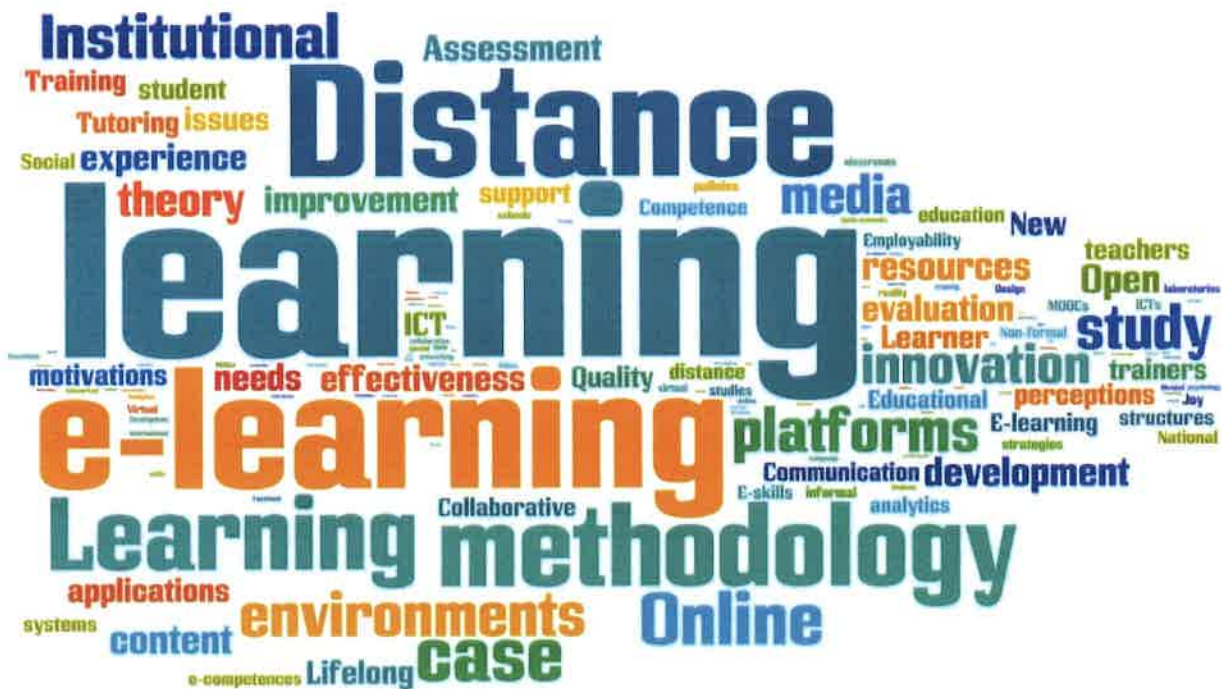
PAGE 3

However, the content of this policy is not directed to a situation in which a student's total educational experience is not taking place within their assigned school and classroom due to a protracted school closure and cancellation of classes due to a pandemic health emergency.

Therefore, a new policy pertaining to the situation school systems and their students are experiencing as a result of the COVID-19 pandemic has been developed. Policy #6172.61, "Distance Learning Plan Due to Health-Based School Closure," has been prepared and follows for your consideration and use, with locally determined modifications.

This new sample policy details a school district's plan to provide distance learning options in the event schools must be closed and classes cancelled due to an emergency health situation. This policy provides for equitable access to instruction for all students. Provisions are also included for appropriate special education and related services for students with disabilities. However, situations and resources vary by district. Therefore, this policy must be modified to fit the local situation.

In addition to this new policy the next section of this *Update* contains a sample copy of policy #6142.3291, "One to One Tablet Program," and some administrative regulations. This policy topic contains useful information to be considered in the implementation of a distance learning environment as the result of school closure and cancellation of classes.



*A sample policy which details a school district's plan to provide distance learning options in the event schools must be closed and classes cancelled due to an emergency health situation. This policy provides for equitable access to instruction for all students. Provisions are included for appropriate special education and related services for students with disabilities. Situations and resources vary by district. Therefore, this policy must be modified to fit the local situation.*

## **Instruction**

### **Distance Education**

#### **Distance Learning Plan Due to Health-Based School Closure**

This policy outlines \_\_\_\_\_ District plan to provide distance learning options in the event that the school District must be closed due to an emergency health situation. This action plan allows District Schools to operate remotely while continuing to provide meaningful instruction to students through the use of a variety of instructional resources.

The Board of Education (Board) seeks to ensure fluid operation during a time when classes must be cancelled due to a health emergency, as well as provide equitable access for all students. A distance learning day is a remote school day where students and staff have an opportunity to explore and engage in meaningful learning experiences that are: (a) aligned to the curriculum, (b) connected to standards, and (c) relevant to the current instructional sequence. While nothing replaces the genuine human interactions that happen authentically in the classroom between students and teachers, distance learning will support continuity of instruction in the event of a health-related closure.

Distance learning school days will run as detailed in the section below entitled "Scheduling." The schedule will allow teaching staff adequate time to present the learning experience to support students as they (a) access information, (b) prioritize their day, and (c) communicate with their teacher(s). Teachers will be available during the hours listed below.

#### **Goals of the Distance Learning Program**

The Board, by its adoption of this policy, establishes the following goals for the distance learning program:

1. To ensure the continuity of instruction if and when a pandemic negatively impacts the District's ability to maintain daily operations.
2. To continue to provide students with an authentic, meaningful, and comprehensive school experience.
3. To mitigate or completely eliminate possible exposure to and spread of pandemic influenza among students, parents, guardians, employees, and community members.
4. To ensure compliance with all federal and state statutes and regulations and Board policies and administrative regulations, as may be amended by state and federal authorities.

## Instruction

### Distance Education

#### Distance Learning Plan Due to Health-Based School Closure (continued)

#### Key Components of the Distance Learning Program

The Board, by its adoption of this policy, establishes the following key components for the distance learning program:

1. **Equitable Access:** To provide equitable instruction, the District will ensure that all students have access to instructional materials [and electronic devices].
  - a. In grades PK-5, the District will provide all students with a special packet that includes all needed lessons/instructional materials. While students in PK-5 will not be required to log-in to a device, they will have the option of accessing on-line supplemental lessons and games/activities. Data about access to the Internet and the availability of digital devices for student use at home is to be collected by the District. In the event that a student does not have access to a computer or Wi-Fi at home, the District will provide a device and/or a hotspot for student use. Each District/school webpage shall contain a link which will connect students to online resources.
  - b. In grades 6-12, the District will ensure that all students have access to a device during the day. Data about access to the Internet and the availability of digital devices for student use at home is to be collected by the District. In the event that a student does not have access to a computer or Wi-Fi at home, the District will provide a device and/or a hotspot for student use.
  - c. Information provided on District and/or school websites shall be available in a number of language choices.

**Note:** *It is recognized that some districts have provided computers/Chromebooks to students in various grade configurations. Therefore, items "a" and "b" above should be modified to reflect the availability of electronic devices provided by the district to students in support of a distance learning program.*

2. **Communication**

- a. Upon a directive from the Governor and/or Connecticut State Department of Education (CSDE) notification will be sent to parents/guardians utilizing the District's emergency notification/communication system. Detailed instructions will also be posted on the school and District websites.
- b. On the first day of closure, the school buildings shall/may remain open for a portion of the day to allow staff and students to gather personal items and collect necessary learning materials. Instruction will not occur and there will not be supervision.

## **Instruction**

### **Distance Education**

#### **Distance Learning Plan Due to Health-Based School Closure**

#### **Key Components of the Distance Learning Program (continued)**

- c. On the second day of closure, all schools will be closed until further notice to students, parents/guardians, staff, and the public. No entry will be allowed. Distance learning will commence. In the event an immediate directive from a State official is provided, the District will provide additional guidance, as necessary, at that time.

### **3. Attendance**

The Board recognizes that during a prolonged school closure it will be problematic to compile statistics as to whether individual students are “in attendance.” The District will treat a student’s attendance record for the year in conformity with any “Attendance Guidance” provided by the Commissioner of Education and the Connecticut State Department of Education.

*Alternate:* The Board directs the Superintendent or his/her designee to develop a plan to verify and track student attendance as related to the provided distance learning activities. Parents/guardians must report the days their child(ren) are unable to participate in the provided distance learning activities due to illness or other specified reason. A means of reporting absences must be made available to parents/guardians.

### **4. Harassment, Intimidation, and Bullying**

During distance learning days, the District will adhere to all aspects of our Harassment Intimidation and Bullying policies and procedures.

### **5. Time Schedules**

Teachers will be available via email during the posted hours of school operation. *(This section needs to be modified to reflect the local district’s grade configurations and time schedules. This is presented as a sample only.)* The distance learning school days will operate as follows:

- a. Elementary School(s) (Grades K-5): 8:55 a.m. to 3:25 p.m. Teachers may not be available between 11:30 and 1:00 for planning and/or lunch.
- b. Preschool: 9:00 to 11:30 for AM Preschool; 12:30 to 3:00 for PM Preschool; 9:00 a.m. to 3:00 p.m. for Full Day Preschool. Teachers may not be available from 11:30 to 12:30 for planning and/or lunch.
- c. Middle School(s) (Grades 6-8): 8:00 a.m. to 2:45 p.m. Teachers may not be available during their scheduled planning and/or lunch periods.

## **Instruction**

### **Distance Education**

#### **Distance Learning Plan Due to Health-Based School Closure**

#### **Key Components of the Distance Learning Program (continued)**

- d. High School(s) (Grades 9-12): 7:40 a.m. to 2:25 p.m. The school's webpage is to be consulted for the appropriate schedule. Teachers may not be available during their scheduled planning and/or lunch periods. Thirty (30) minutes daily will be set aside for physical activity.

**Note:** *The time schedules above may need to be altered to reflect bargaining unit agreements between the Board and staff and any memorandums of understanding entered into as a result of the emergency situation.*

#### **6. School Nutrition Benefits**

Any student who receives free and reduced school lunch shall be afforded the opportunity to pick up a nutritional school lunch prepared by the food service provider/department. The schedule for availability and locations of pickup shall be posted on the District and school websites and through the District's emergency notification system.

#### **7. Resources to Support Instruction** *(Modify to reflect local district practices)*

The District shall utilize varied resources to support student learning. These include, but are not limited to, the following:

- a. The posting on the school's website a webpage devoted to relevant online resources and digital subscriptions.
- b. Teacher utilization of Google Apps for Education, District e-mail, and other online platforms for instruction.
- c. *Add additional local district resources here.*

#### **8. Instruction: Student Responsibilities** *(Modify to reflect the local district's plan and expectations)*

- a. At the PK-5 level, students will be provided with a packet of meaningful learning activities in the core content areas. In addition, students will have access to **[optional]** digital resources to be used at home.



## **Instruction**

### **Distance Education**

#### **Distance Learning Plan Due to Health-Based School Closure**

##### **Key Components of the Distance Learning Program (continued)**

- b. At the Grade 6-12 level students are expected to log into their teacher's Google Classroom or other platform to identify the expected work for the day and may be asked to collaborate virtually with other classmates on assignments. Students without a school approved excuse will be held responsible for all work not completed by the assigned deadline. Deadlines will be assigned at the discretion of the classroom teacher and assignments will be returned either graded or with feedback in a timely manner.

## **9. Special Education**

- a. The District will provide distance learning options to address the provision of appropriate special education and related services for identified students with disabilities. Programs and services shall be provided to students ages three through 21, in concert with the requirements of federal and state law; such requirements which may be amended by governmental action, with modifications that may be unavoidable due to the health crisis. It is recognized that the District may not be able to provide all services in the same manner as they are typically provided.
- b. Students will continue to receive provisions of their IEP requirements and will be provided with a free and appropriate program (FAPE) encompassing special education and related services to the greatest extent possible under the circumstances. What is appropriate and reasonable will include the individual child's circumstances as well as the circumstances related to the pandemic/epidemic emergency.
- c. Appropriately certified professional staff members will continue to implement these programs through distance learning opportunities. All special education programming will be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate.
- d. All disabled students with an in-class resource center program documented in the IEP will be provided with modifications to meet their needs based on the distance learning options afforded to their general education counterparts.
- e. All students with pull out replacement center programs documented in the IEP will be provided with appropriate materials and instruction by their special education teachers to meet their needs based on the distance learning options appropriate to their IEPs and learning abilities.
- f. All students with self-contained programs documented in the IEP will be provided with appropriate materials and instruction by their special education teachers to meet their needs based on the distance learning options appropriate to their IEPs and learning abilities.

## **Instruction**

### **Distance Education**

#### **Distance Learning Plan Due to Health-Based School Closure**

##### **Key Components of the Distance Learning Program (continued)**

- g. The Board acknowledges that classroom and one-to-one instructional aides will not be available to support a student during a health-related closure.
- h. Related Services (Counseling, Speech-Language, Physical Therapy, Occupational Therapy): Counseling, Speech, Physical and Occupational Therapy activities will be provided to students by therapist(s) via emailed activities that have been individualized based on IEP goals. Additional activities will be scheduled and provided based on individualized needs.
- i. Speech language services and counseling services may be delivered to special education students through the use of electronic communication or a virtual or online platform, as appropriate.
- j. Out of District Programs: In the event that District schools are closed and private out-of-district schools remain open, students who are transported by a private company should attend school unless otherwise indicated by the out-of-district placement. In the event that the student is transported to the out-of-district placement by district transportation and the buses remain non-operational due to the closing, the parents will be asked to drive their child to the school and will be reimbursed for transportation according to Board policy for days the child is in attendance during this health-related closure.

In the event that District schools are open and private out-of-district schools are closed, the District will collaborate with the out-of-district placement to offer appropriate meaningful learning activities for completion at home.

- k. Referrals and Evaluations: Traditional timelines will be adhered to via the Supervisor of Special Services and meetings will be held remotely. The District will make every effort to ensure that evaluations are completed within the statutory timelines. Timelines may be impacted due to extended school closures. (*Days that schools are closed are not counted as "school days" for the initial evaluation timeline. The timeline pauses during the school closure.*) Child Study Team members will contact parents if evaluations fall outside of the legally mandated timeframes.
- l. Annual Reviews and Reevaluations: These shall take place once District schools reopen. Parent/Guardians and adult students may agree in writing that a reevaluation is not necessary. IEPs that lapse during the school closure shall remain in effect until a new IEP is developed. When school personnel and parents/guardians agree that a PPT meeting is necessary during the time of school closure, it shall be held via alternate means such as video conferencing or conference call.

## **Instruction**

### **Distance Education**

#### **Distance Learning Plan Due to Health-Based School Closure**

##### **Key Components of the Distance Learning Program (continued)**

- m. Due Process Hearings/Activities: The District will comply with and operate within any extension provided by the Commissioner of Education for all state statutory and regulatory time requirements related to special education due process activities.
- n. Communication: The District's special education staff shall provide information through a variety of methods, including family phone calls, emails, and video conferences. Also, at least one member of a child's team (special education teacher, speech therapist, psychologist) is to be in contact with the respective parent/guardian at least weekly (unless less frequent contacts have been requested).

#### **10. Staff Responsibilities**

The Board expects the teaching staff to be available through email and online between the posted times; to read and respond to emails during noted hours; and to adhere to all district policies as may be modified due to the nature and length of the pandemic; and to report any instances of students at risk, threats made, or any other meaningful information to District Administrators.

Paraprofessionals will receive instructions from the appropriate Supervisor of Special Services and/or their building Principals. Professional development modules via online programs will be made available in order to provide aides with ongoing educational opportunities.

District administrators will work from home to assist in the daily operation of all aspects of distance learning. In the event that the District is placed under general quarantine, administrative responsibilities will be determined by the Superintendent of Schools. Virtual planning meetings may be necessary.

#### **11. Monitoring Student Engagement**

The Board considers student engagement extremely important. It is important to ensure that all students are engaged and are connected to the resources they need. District and school administrators shall have regular connections with students and families. District and school staff shall check-in and confirm whether families have access to information and services; are safe and supported; and are prepared to support their child's learning through the District's continued learning efforts.

## **Instruction**

### **Distance Education**

#### **Distance Learning Plan Due to Health-Based School Closure**

##### **Key Components of the Distance Learning Program (continued)**

In order to monitor student engagement in continued learning, the Board expects the following actions to take place:

- a. Teachers and support staff are to connect with all students to maintain their relationships, assist with issues related to assignments, and encourage full participation in the continued learning opportunities. Connections should be documented and tracked as appropriate.
- b. Student support staff shall identify students who were chronically absent prior to the school closure/cancellation of classes or otherwise identified as needing additional support to determine if such supports can continue virtually. The option to refer a student exhibiting inadequate engagement to the District's team responsible for school attendance should be considered as necessary.
- c. School administrators and support staff are to reach out to students who are not signing into online learning or engaging in other continued learning opportunities. Families are to be contacted by school staff to ensure safety and well-being and connect students to the continued learning opportunities and technology they may require.

## **12. Grades**

The grading and reporting systems to be used shall be developed by the administration and faculty and is subject to the approval of the Superintendent and/or Board of Education. Due to the circumstances presented during a time of lengthy school closure and cancellation of classes, a "pass/fail" system should receive strong consideration with an option to include "pass with distinction."

**Alternate language: The Board of Education shall approve the grading and reporting systems as developed by the administration and faculty and upon the recommendation of the Superintendent of Schools.**

(cf. 0523 – Equity and Diversity)

(cf. 3520.13 – Student Data Protection & Privacy/Cloud-Based Issues)

(cf. 5131.81 – Use of Electronic Devices)

(cf. 5131.911 – Bullying)

(cf. 5131.913 – Cyberbullying)

(cf. 5141.4 – Reporting of Child Abuse and Neglect)

(cf. 6114.8 – Pandemic/Epidemic Emergencies)

(cf. 6114.81 – Emergency Suspension of Policy During Pandemic)

## **Instruction**

### **Distance Education**

#### **Distance Learning Plan Due to Health-Based School Closure**

- (cf. 6141.321 – Acceptable Computer Use)
- (cf. 6141.323 – Filtering Access to Electronic Networks)
- (cf. 6141.324 – Posting of Student Work/Photographs)
- (cf. 6141.327 –Electronic Resources)
- (cf. 6141.3291 – One-to-One Tablet Program)
- (cf. 6141.326 – Online Social Networking)
- (cf. 6141.328 – Bring Your Own Device)
- (cf. 6141.329 – Electronic Reading (e-reader) Devices)
- (cf. 6146.1 – Assessment Systems)
- (cf. 6156.2 – Off-Site Computer Use)
- (cf. 6172.6 – Virtual/Online Course; Distance Education)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

18 U.S.C. §§2510-2522, Electronic Communication Privacy Act.

P.L. No. 110-385, Protecting Children in the 21<sup>st</sup> Century Act.

Policy adopted:

cps 6/20

## **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



# ELECTRONIC MEETINGS OF THE BOARD OF EDUCATION

PAGE 1

UT DATE MAILING NO. 4

JUNE 18, 2020

The COVID-19 outbreak changed the daily reality for schools, boards of education, staff and students. Across the U.S. just a few months ago board members would take their seats and parents, students, teachers, and citizens would file in to attend the meeting of the local board of education. During time for public comment, speakers would line up and take turns at the same microphone. That became unthinkable as a result of the COVID-19 pandemic which has upended most aspects of American life, including how the public's business is conducted.

School boards and other governing bodies in Connecticut as across the country have moved to virtual meetings to maintain the social distancing considered crucial to slowing the spread of the virus. In some cases, boards of education are operating under different rules as the result of Executive Orders by Connecticut's Governor, guidance promulgated by the Commissioner of Education and the State Department of Education and some changes and/or suspensions of some local board policies and bylaws.

The transition to electronically held meetings of boards of education has varied across Connecticut and the nation. Districts are trying to observe the public records and open meetings laws. There have been a few situations reported across the nation which raised questions about transparency. "Even a crisis as profound as this one cannot be an excuse to start doing business in the dark," said David Snyder, executive director of the First Amendment Coalition, a California-based nonprofit. "Transparency is more essential now than it has been in a very long time."

So-called "sunshine laws" vary by state, but they, such as Connecticut's Freedom of Information Act, require public agencies to

publicize board meetings in advance and make them accessible to the public. The COVID-19 crisis has forced boards of education into the uncharted territory of trying to conduct business meetings virtually.

Before COVID-19, public board meetings in Connecticut essentially required a physical quorum, enough members had to attend in person for a meeting to proceed. As the virus's spread limited public gatherings, it became necessary for boards of education to meet electronically through video or telephone conference call. This has created challenges for school boards as they carry out their duties during the epidemic, which has wiped out in-person schooling at districts nationwide. School boards and other public agencies can't ignore open records and meeting laws even if certain policies are suspended during an emergency like COVID-19.

School districts have taken additional steps to adapt to the new virtual reality. Some school boards, when considering budgets for the next school year, urged the public to send in questions ahead of meetings. Replicating public comment periods has proven more difficult, even for more technologically-savvy school districts that regularly stream public meetings. Most Connecticut school districts provide an opportunity to comment during open meetings, even though it is not legally mandated.



## ELECTRONIC MEETINGS OF THE BOARD OF EDUCATION

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Prior to the COVID-19 situation, a common problem for boards of education was getting enough members in attendance at a board meeting in order to have a quorum. In addition, there would be times, for valid reasons such as illness or being out of town, which prevented a board member's attendance and participation at a board meeting. Therefore, prior to the current pandemic emergency, some boards of education adopted bylaw language provided by CUBE, allowing a board member to participate by electronic means

Connecticut's Freedom of Information Act ("FOIA"), enacted in 1975, defines "meetings" to expressly include proceedings "whether in person or by means of electronic equipment." Therefore, the FOIA permits board members to participate in board meetings electronically. Connecticut's Freedom of Information Commission ("FOIC") provided some general principles to be followed when a board, via an adopted bylaw, permits a member to participate in a meeting electronically. These principles have been incorporated in CUBE's model policy language.

In order to be compliant with the FOIA, a meeting of a board of education, as a public agency, is required to be conducted in such a manner that every person in attendance has the opportunity to observe all of the discussions and actions transpiring at the meeting. When a meeting is held electronically, some specific conditions must be met.

All Board members in attendance at the meeting, regardless of location, must be able to hear and identify adequately all participants in the proceedings, including their individual remarks and votes. Electronic participation by board members that allows the public to monitor the conduct of the meeting and the individual

participation in the meeting by such members does not violate the FOIA. Also, the members of the public "attending" the electronic meeting must be able to hear what the board member is stating when he or she speaks and votes.

Further, while not required by the FOIA, it is recommended that the board have in place a policy or bylaw permitting a board member to participate electronically in a meeting.

CUBE took this position previously, in the case of a traditional board of education meeting to announce the quorum of its members physically. It permits a board member to participate electronically with valid participation. CUBE previously stated, does not require that a board have a bylaw in place before permitting such electronic participation.



Attorney Mark J. Sommaruga stated, "However, it is much preferred that a board err on the side of caution and have in place bylaws to address the circumstances and procedures for electronic participation in meetings by members. Having such bylaws will address possible issues with respect to violations of any parliamentary procedures previously adopted by the board." He also added that, "regardless of whether a board could "suspend the rules" in order to allow electronic participation by a board member, it is better to be safe than sorry and have explicit bylaws in place on this issue."



# ELECTRONIC MEETINGS OF THE BOARD OF EDUCATION

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## Policy Implications

CABE previously made available several versions of recommended policy #9325.43, “Attendance at Meetings via Electronic Communications.” This policy pertains to those times when a member of a board of education may not be able to attend and be physically present at an officially posted meeting of the board. It dealt for the first time with the question of whether it is legally possible for a board member to attend and participate in the meeting of the board by electronic means. As stated above, the Freedom of Information Act allows for participation by electronic means. That policy/bylaw answers questions pertaining to the number to be allowed at any meeting to be involved electronically, the conditions to be met regarding such involvement, issues of voting, and the conditions to prompt such electronic participation.

The COVID-19 situation changed the parameters concerning electronic participation. Now, the entire board meeting would be held with the electronic participation of all of the board members. The meeting, due to the requirements of social distancing, could no longer be held at a location with board members to be physically present.

Therefore, a new policy has been developed to correspond to such a situation as we still evolve from the current pandemic situation and to handle such a situation in the future.

Policy #9321.2, “Electronic Board of Education Meetings,” has been developed and follows for your consideration and use. In light of the pandemic situation, this is considered a recommended policy for inclusion in a board of education policy manual.



June 2020

*Suggested and recommended bylaw to consider.*

## **Bylaws of the Board**

### **Time, Place and Notification of Meetings**

#### **Electronic Board of Education Meetings**

#### **Definitions**

**“Meeting”** This means any hearing or other proceeding of a public agency, any convening or assembly of a quorum of a multimember public agency, and any communication by or to a quorum of a multimember public agency, whether in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power.

**Alternate definition:** A **“meeting”** is defined as a hearing or other proceeding of the Board, any convening or assembly of a quorum of the Board and any communication by or to a quorum of the Board, whether in person or by means of electronic equipment to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction, or advocacy power. Communications between and among a quorum of members convening on electronically linked personal computers or by telephone conference call are subject to the Freedom of Information Act.

**“Public Notice”** Each Board member and each person who has duly requested such notification shall be notified no later than twenty-four hours in advance of the meeting of the time, date, location, and the agenda of any regular or special meeting. The twenty-four hour notice shall also be posted in the Board office, delivered to newspapers designated by the Board, and filed with the Town Clerk, except that such notice is not required where the time, date, and location of the meeting has been published in the annual list of meetings approved by the Board and filed with the Town Clerk not later than January 31 of each year in accordance with law. The meeting agenda must be filed at least twenty-four hours before the meeting convenes. (In an emergency meeting, the Board may proceed to conduct business if and to the extent required by the emergency.) The expectation shall also be adhered to in the event of a Board meeting held through electronic means as described in this bylaw.

**“Voting”** All Board actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded in the minutes of the meeting. Proxy voting shall not be permitted. Voice voting must occur in the event of a BOE meeting held through electronic means as described in this bylaw. Votes will be verbalized into the record by the Board Secretary. Abstentions shall not be counted as votes but shall be recorded.

**“Internet (Chat) Discussions”** In the event of a Board meeting held through electronic means as described in this bylaw, under no circumstances are members of the Board to have private chats while engaged in the public session of the meeting. All comments, inquiries, and votes must occur in the public forum for all to hear. All Board member(s) are expected to comply with the guidance of this bylaw.

## **Bylaws of the Board**

### **Time, Place and Notification of Meetings**

#### **Electronic Board of Education Meetings (continued)**

##### **Policy Statement**

In accordance with an Executive Order by the Governor of Connecticut, the \_\_\_\_\_ Board of Education Board (Board) acknowledges, that in the event of a prohibition on public meetings for health & safety reasons, business of the Board may still need to occur. In this event where pressing business of the Board is required such as, but not limited to, personnel issues, budget hearings, approval of bills payments, policies etc., a meeting through electronic means will be permitted.

In accordance with Connecticut's Freedom of Information Act (FOIA) the following provisions will be implemented so that a meeting can occur:

1. Board of Education members shall make every attempt to participate through a technology portal where they can be viewable, or at a minimum heard, for each other and members of the public. The Board of Education will accomplish this through use of an electronic videoconferencing program, such as, but not limited to, ZOOM, GoToMeeting, WebEx, OnBoard, where members of the public can call and/or submit comments or questions electronically.
2. Notice of the Board meeting's virtual location shall be published through the traditional means and outlets as well as being noticed on the District website and in the Board of Education Office no less than 24 hours in advance.
3. The District shall post the agenda for the meeting no later than 24 hours in advance for review and reference by members of the public. The agenda will also be posted on the District website.
4. Members of the public will be provided an opportunity to make comments in the place so designated in the agenda for the meeting. These comments will be submitted through the means allowed by the videoconferencing software used by the District to host the meeting. [All comments will be read into the record by the Board Chairperson or designee announcing both the member of the public and his/her address as is customary to provide with comments.] In the event that additional information can be provided by a member of the Board or the Superintendent, it will/may be provided.
5. Under these circumstances when a Board of Education meeting needs to be held under the circumstances described above, a recording of the meeting with video will be posted in the same way that the audio is posted for traditional, in-person meetings of the Board. These recordings will not stand as the minutes, only the written record as approved will do so.

## **Bylaws of the Board**

### **Time, Place and Notification of Meetings**

#### **Electronic Board of Education Meetings**

##### **Policy Statement (continued)**

6. Executive session will still be held, when necessary and for the statutorily allowed reasons, in a second videoconferencing meeting open only to Board of Education members, and those individuals determined by the Board to be necessary to participate in such executive session.
7. Under no circumstances other than an Executive order prohibiting in person gatherings, does the Board of Education approve of holding its meetings electronically. The Board recognizes that there may be times when a Board member, for good reason, is unable to be physically present at a Board Meeting. In conformity with Board Bylaw #9325.43, a Board member may participate in the meeting electronically, subject to the conditions in the aforementioned bylaw.

##### **Version #2**

In accordance with a State of Connecticut Executive Order, public Board of Education meetings will be held virtually through electronic teleconferencing. The live public comment portion of the meeting shall be temporarily suspended. However, members of the public can submit their comments to be added to the public record by emailing the Board of Education at \_\_\_\_\_ . All members of the Board of Education receive emails at this address.

Options and instructions on how to access Board of Education virtual meetings will be posted on the District's website. A recording of Board meetings shall be made available within seven (7) days on the Board's Website and/or \_\_\_\_\_ .

##### **Version #3**

The \_\_\_\_\_ Board of Education (Board) shall take the steps necessary to ensure that it will satisfy the conditions set forth in an Executive Order in order to hold Board meetings and proceedings remotely by videoconference until such time that in-person public meetings are safe to resume. The public can view remote Board meetings and proceedings in real time on the District's website and on Cable Channel \_\_\_\_\_. In addition, remote Board meetings and proceedings will be recorded, and such recordings will be posted on the District's website within seven days of the meeting or proceeding and made available within a reasonable time in the District's offices. Consistent with Board Policy 1120, the Board of Education welcomes public participation in its meetings, including meetings held remotely pursuant to an Executive Order.

## **Bylaws of the Board**

### **Time, Place and Notification of Meetings**

#### **Electronic Board of Education Meetings**

##### **Version #3** (continued)

The procedure for public comment during such remote meetings is as follows:

- At certain time(s) during the meeting, the Board Chairperson will invite the public to submit written comments using a Google form during a certain designated period (a “Submission Period”). Each Submission Period will be 5 minutes long, unless otherwise indicated by the Board Chairperson at the beginning of the Submission Period.
- The public may submit written comments during a Submission Period until the Board Chairperson indicates that the Submission Period has ended. During each Submission Period, the Board Chairperson will issue a “last call” for public comments shortly before the Submission Period ends.
- The Board Chairperson, or designee, will read aloud the comments received during a Submission Period in the order in which such comments were received (a “Reading Period”). Each Reading Period will be 15 minutes long, unless otherwise indicated by the Board Chairperson at the beginning of the Reading Period.
- Any comments submitted during a Submission Period for which there was no time during a Reading Period to read aloud, along with all comments submitted during any Submission Period, will be posted no later than the end of the following business day in the View Live and Archived Meetings section on the District’s website.

The guidelines for public participation in Board meetings held remotely pursuant to an Executive Order will be consistent with the guidelines set forth in District policy and administrative regulations.

(cf. 1120 - Public Participation at Board of Education Meeting)

(cf. 9321 - Time, Place, Notification of Meetings)

(cf. 9322 - Public and Executive Sessions)

(cf. 9323 - Construction of the Agenda)

(cf. 9324 - Advance Delivery of Meeting Materials)

(cf. 9325 - Meeting Conduct)

(cf. 9325.1 - Quorum)

(cf. 9325.2 - Order of Business)

(cf. 9325.4 - Vote Recording)

(cf. 9325.43 - Attendance at Meetings via Electronic Communications)

(cf. 9326 - Minutes/Taping/Broadcasting)

(cf. 9326.1 - Taping/Recording Board Meetings)

(cf. 9327 - Electronic Mail Communications)

(cf. 9327.1 - Board Member Use of Social Networks)



## **Bylaws of the Board**

### **Time, Place and Notification of Meetings**

#### **Electronic Board of Education Meetings**

- Legal Reference: Connecticut General Statutes
- 1-200 (2) Definitions. "Meeting."
  - 1-206 Denial of access to public records or meetings.
  - 1-225 Meetings of government agencies to be public, as amended by June 11 Special Session, PA 08-3.
  - 1-226 Broadcasting or photographing meetings.
  - 1-227 Mailing of notice of meetings to persons filing written request.
  - 1-228 Adjournment of meetings. Notice.
  - 1-229 Continued hearings. Notice.
  - 1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.
  - 1-232 Conduct of meetings.
  - 10-218 Officers. Meetings.
  - 10-238 Petition for hearing by board of education.

Bylaw adopted by the Board:

cps 6/20

## Hosting Web Meetings

### Setting up

- This is not a tutorial on how to run meetings.
- There are numerous websites dedicated to teaching you how to work with your particular product.
- Start with the service provider's website.
- To do this right you need a tech support person who is familiar with the program you are using.
- There needs to be someone running the back-end of the meeting (someone who is not a participant – most likely the technology support person).
- Participants cannot effectively run the meeting.
- Things will go wrong.

### Making Your Meetings Effective

- Get Zoom Pro Version (or similar software program).
- Take time to set up the meeting correctly.
- Have the chairperson use a headset (microphone and headphones).
- Learn the system and practice (take advantage of online training).
- Precede meeting with comments.
  - Acknowledge it's an experiment.
  - Take notes and work to correct issues as they come up.
  - MUTE!!! Unless directed to talk.
- Use video whenever possible.

### Advice to Chair

- Look in the camera.
- Assign a host who can lead.
- Limit discussion.
- Meet only when necessary.
- Set the tone for the online meeting.

If the Board of Education is contemplating holding completely virtual school Board or committee meetings, here are some considerations that are recommended to be discussed with the school attorney.

- Ensure that the Board meeting will be conducted in compliance with the Freedom of Information Act.
  - How will the public be able to attend and participate via a remote connection?
    - Consider using a virtual meeting platform such as Zoom, GoTo Meeting, Skype or other platforms that will allow for connection by any member of the public and provide a mechanism for attendees to indicate that they would like to speak and offer comment during the public comment portion of the meeting.
    - Provide helpful directions on the website for easy connection and participation.
    - If the school Board already provides livestreaming of its Board meetings, ensure a mechanism is established for the public to provide public comment appropriately.
    - Ensure that accommodations are made available for individuals with disabilities in your school community.
  - Encourage virtual connection by the public, but as an option, if possible, under safe distancing requirements, consider setting up a physical location where the virtual meeting will be available for public participation, for those individuals in your school community who may not have ability to connect online.
  - Ensure that an individual, such as the Board Secretary, Board Chairperson, or Superintendent, is present to set up and start the virtual meeting, call it to order and take the roll call.
- Include the news media in planning and advertising for the virtual meeting. This will assist in communicating to the school community and also demonstrate that the Board is meeting virtually for the health and safety of individuals, not to avoid transparency to the public.
- Ensure all school Board members have appropriate technology, devices and Internet connections, to participate in the virtual meeting. Also consider the availability of these resources in the school community and provide a list of public venues where community members may be able to connect.
- Discuss with the school attorney how Executive Sessions may be handled.

CABE encourages school Boards to work with their school attorney in establishing practices that meet the needs of the individual school Board members, the District and the school community in conducting the business of the Board and prioritizing the health and safety of the school community.

# Participation Guidelines

## Emergency Guidelines Governing the Conduct of Remote Public Board Meetings and Provisions for Remote Public Participation

The purposes of these Emergency Guidelines are to:

1. Permit the Board to conduct essential business while taking appropriate measures consistent with the guidance from the President of the United States, the United States Centers for Disease Control, the Connecticut Department of Public Health, the Governor of Connecticut, the Commissioner of Education, and the State Department of Education to mitigate the contagion and spread of coronavirus; and
2. Promote expeditious public meetings that will allow Board members, the Superintendent of Schools and other Officers of the school district to maximize time spent directly addressing the needs of the students and families during a public health emergency.

These Emergency Guidelines address the manner in which the Board will conduct its public meetings to practice social distancing below the number of \_\_\_\_ people as recommended by the United States Center for Disease Control and any Executive Orders of the Governor and to comply with recommended social distancing and social isolation practices to mitigate contagion and protect and promote the health and well-being of the general public, Board employees, students, staff and members of the Board of Education.

### **Electronic Meetings, Quorum and Designated Broadcast Location**

#### **Electronic Board Meetings and Quorum**

The \_\_\_\_\_ Board of Education's regular meetings will not require the physical presence of a quorum of Board members or any number of Board members at a single meeting location or any one location. The Board may conduct its public meetings and executive sessions via telephone, teleconference, closed-circuit television or via other electronic media at multiple locations provided that the meeting shall be simulcast to the general public via live-streaming or other means to permit the general public to monitor the conduct of its business and to engage in public participation. An electronic recording of the virtual meeting shall be preserved.

### **Public Participation at Board Meetings**

#### **Observing the Board Meeting**

Members of the public may view the Board meeting via live stream by selecting "Watch the Board Meeting live" on the Board's website. They will not be invited into the designated meeting locations from which each or any of the Board members are participating in the meeting.

**Number of Speakers**

The Board will allocate no more than 15 speaking slots to members of the general public to speak to the Board via electronic/telephonic means. Each speaker will be allocated up to two (2) minutes to speak. Public participation shall occur via telephone, teleconference or other electronic means.

**Speaker Sign Up**

Members of the public, employees of the district, Governance Council, Council members and members of other groups wishing to speak must register in advance of the day of the meeting or by such other time noted in the meeting agenda published by the Board.

Advance registration prior to the Board meeting during this period shall be available by telephone or online.

[*Optional:* To ensure equity of access to address the Board, an individual may not speak at two (2) consecutive Board Meetings. In the event a speaker registers to speak at a consecutive Board Meeting, the speaker will not be called to address the Board.]

**Written Comments**

Members of the public may submit written comments via email to the Board of Education at \_\_\_\_\_ (mail address) or \_\_\_\_\_ (email address).

**Recordings**

The Board records the public portion of each Board meeting. These recordings shall be aired on local cable channels for the convenience of the public.