



## POLICY COMMITTEE MEETING

Monday, September 9, 2024 5:30 PM  
Glastonbury Town Hall, Meeting Room A  
Glastonbury Town Hall  
2155 Main Street  
Glastonbury, CT 06033

1. Review of Board of Education Policy and Regulation #5131.9 Bullying Prevention and Intervention
2. Review of Board of Education Policy and Regulation #5141.4 Suspected Abuse and/or Neglect of Children
3. Review of Board of Education Policy and Regulation #5114 Student Discipline - Exclusion
4. Review of Board of Education Policy and Regulation #4118.11/4218.11 Non-discrimination
5. Review of Board of Education Policy and Regulation #4118.12/4218.12 and 5141.6 Sexual Harassment
6. Review Board of Education Policy #3000 Business and Non-Instructional Operations
7. Review of Board of Education Policy and Regulation #4152.6/4252.6 Family Medical Leave of Absence
8. Review of Board of Education Policy #2131 Superintendent of Schools - Recruitment and Appointment
9. Review of Board of Education Policy #9130 - Committees - Standing and Special

**BULLYING PREVENTION AND INTERVENTION POLICY**

The Glastonbury Board of Education is committed to creating and maintaining safe, supportive, and inclusive learning environments that are physically, emotionally and intellectually safe and thus free from bullying, teen dating violence, harassment and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function, or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior or teen dating violence shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

For the purposes of this policy, "Bullying" means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

Bullying shall include, but need not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

For purposes of this policy, "Cyberbullying" means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

For the purposes of this policy, "Teen Dating Violence: means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

The Glastonbury Board of Education shall make the approved Safe School Climate Plan available and will include the plan in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks on an annual basis at the start of each school year.

## BULLYING PREVENTION AND INTERVENTION POLICY (continued)

As provided by state law, such Safe School Climate Plan shall:

1. enable students to ~~anonymously~~ **confidentially** report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually at the beginning of each school year of the process by which students may make such reports;
2. enable the parents or guardians of students to file written reports of suspected bullying;
3. require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
4. require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
5. require the safe school climate specialist to review any ~~anonymous~~ **confidential** reports, except that no disciplinary action shall be taken solely on the basis of an ~~anonymous~~ **confidential** report;
6. include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;
7. provide for the inclusion of language in student codes of conduct concerning bullying;
8. require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty- eight hours after the completion of the investigation;
9. require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed to a separate meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and to explain policies and procedures in place and to prevent further acts of bullying
10. require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in section IX (9) to discuss specific interventions undertaken by the school to prevent further acts of bullying;

**BULLYING PREVENTION AND INTERVENTION POLICY (continued)**

11. establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Connecticut State Department of Education (CSDE) and in such manner as prescribed by the Commissioner of Education;
12. direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
13. prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
14. direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
15. require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
16. prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
17. require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's Safe School Climate Plan; and
18. require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a.

The notification required pursuant to section (8) (above) and the invitation required pursuant to section (9) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this regulation or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations

As required by state law, the Board, after consultation with the Connecticut Department of Education and the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative, shall provide on the Board's website training materials to school administrators regarding the prevention and intervention in

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**BULLYING PREVENTION AND INTERVENTION POLICY (continued)**

discrimination against and targeted harassment of students based on such students' (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

**Legal References:**

Public Act 19-166

Public Act 21-95

Conn. Gen. Stat. § 10-145a

Conn. Gen. Stat. § 10-145o

Conn. Gen. Stat. § 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. § 10-222q

Conn. Gen. Stat. § 10-222r

Conn. Gen. Stat. §§ 10-233a through 10-233f

Connecticut State Department of Education Circular Letter C-8,  
Series 2008-2009 (March 16, 2009)

Public Act 23-167 An Act Concerning Transparency in Education §4

Adopted: March 10, 2003

Revised: February 14, 2005

Revised: May 11, 2009

Revised: November 14, 2011

Revised: September 22, 2014

Revised: February 25, 2019

Revised: January 24, 2022

Revised: April 1, 2024

**Revised:**

## SAFE SCHOOL CLIMATE PLAN

Bullying behavior and teen dating violence are strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. The district's commitment to addressing bullying behavior and teen dating violence, however, involves a multi-faceted approach, which includes education and the promotion of a school atmosphere in which bullying will not be tolerated by students or school staff.

### **I. Prohibition against Bullying and Retaliation**

- A. The Board expressly prohibits any form of bullying behavior and teen dating violence on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- C. The Board further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process.
- D. In addition to prohibiting student acts which constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- E. Students who engage in bullying behavior in violation of Board Policy and the Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

## II. Definition of Bullying

“**Bullying**” means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

## III. Other Definitions

- A. “**Cyberbullying**” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. “**Electronic communication**” means any transfer of signs, signals, writing, images, sounds,
  - i. data or intelligence of any nature transmitted in whole or in part by a wire, radio,
  - ii. electromagnetic, photo electronic or photo-optical system;
- C. “**Emotional intelligence**” means the ability to (1) perceive, recognize and understand emotions in oneself or others, (2) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communications, (3) understand and identify emotions, and (4) manage emotions in oneself and others.
- D. “**Hostile environment**” means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- E. “**Mobile electronic device**” means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- F. “**Outside of the school setting**” means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;
- G. “**Positive school climate**” means a school climate in which (1) the norms, values, expectations and beliefs that support feelings of social, emotional and physical safety are promoted, (2) students, parents, and guardians of students and school employees feel engaged and respected and work together to develop and contribute to a shared school vision, (3) educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning, and (4) each person feels comfortable contributing to the operation of the school and care of the physical environment of the school.

H. **"Prevention and intervention strategy"** may include, but is not limited to,

- 1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education,
- 2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts,
- 3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur,
- 4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school,
- 5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees,
- 6) school-wide training related to safe school climate,
- 7) student peer training, education and support, and
- 8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions and
- 9) culturally competent school based curriculum focusing on social-emotional learning, self-awareness and self-regulation. "Interventions with the bullied child" include referrals to a school counselor, psychologist or other appropriate social or mental health service and periodic follow-up by the safe school climate specialist with the bullied child.

I. **"School climate"** ~~means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.~~ means the quality and character of the school life, with a particular focus on the quality of the relationships within the school community, and which is based on patterns of people's experiences of school life and that reflects the norms, goals, values, interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.

J. **"School employee"** means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

K. **"School-Sponsored Activity"** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

- L. **“Social and emotional learning”** means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills and responsible decision-making.
- M. **“Teen dating violence”** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship

#### **IV. Leadership and Administrative Responsibilities**

##### **A. Safe School Climate Coordinator**

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator (“Coordinator”). The Coordinator shall:

1. be responsible for implementing the district’s Safe School Climate Plan (“Plan”);
2. collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
3. provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying;
4. meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying the school district and to make recommendations concerning amendments to the district’s Plan.

##### **B. Safe School Climate Specialist**

For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school (or principal’s designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

#### **V. Development and Review of Safe School Climate Plan**

- A. For the school year commencing July 1, 2012 and each school year thereafter, the Principal of each school shall establish a committee or designate at least one existing committee (“Committee”) in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include:
- (1) at least one parent/guardian of a student enrolled in the school, as appointed by the school principal;
  - (2) school personnel, including, but not limited to, at least one teacher selected by the exclusive bargaining representative for certified employees;
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- (3) medical and mental health personnel assigned to such school; and in the case of a committee for a high school, at least one student enrolled at such high school who is selected by the students of such school in a manner determined by the school principal.

B. The Committee shall:

- 1) receive copies of completed reports following bullying investigations;
- 2) identify and address patterns of bullying among students in the school;
- 3) review and amend school policies relating to bullying;
- 4) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school;
- 5) educate students, school employees and parents/guardians on issues relating to bullying;
- 6) collaborate with the Coordinator in the collection of data regarding bullying;
- 7) implement the provisions of the school security and safety plan, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying, and
- 8) perform any other duties as determined by the Principal that are related to prevention, identification and response to school bullying.

C. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.

D. The Board shall make such plan available on the district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

E. On or before July 1, 2012 and biennially thereafter, each school in the district will complete an assessment using school climate assessment instruments provided by the district. The assessment results will be collected and reported to the CSDE.

## VI. Procedures for Reporting and Investigating Complaints of Bullying

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist (i.e. building principal), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.
- B. Students may make ~~anonymous~~ **confidential** reports of bullying to any school employee. Should a student request anonymity when making a report, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. ~~Anonymous~~ **Confidential** complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the complaint, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an ~~anonymous~~ **confidential** complaint.
- C. The Safe School Specialist shall be responsible for reviewing any ~~anonymous~~ **confidential** reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- D. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, **not later than one (1) school day** after such school employee witnesses or receives a report of bullying. The school employee shall then file a **written report not later than two (2) school days** after making such oral report.
- E. Parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed should receive prompt notice that such investigation has commenced.

- F. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

## VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall also invite the parents or guardians of the student who commits any verified act of bullying and the parents or guardian of the student against whom such act was directed to a separate meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and the policies and procedures in place and to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A., as it must include a description of the school's response to such acts, along with consequences, as appropriate.
- C. In an instance where bullying is verified, the Safe School Climate Specialist or designee shall require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting to discuss specific interventions undertaken by the school to prevent further acts of bullying.
- D. If bullying is verified, the Safe School Climate Specialist or designee, **as timely as possible**, shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- E. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.

**F. Notice to Law Enforcement**

If the Principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the Principal or his/her designee, may consult with the school resource office, if any, and other individuals the principal or designee deems appropriate.

- G. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color, national origin, sex, sexual orientation, age or disability), the Safe School Climate Specialist or designee shall also coordinate any investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator etc.)

**VIII. Teen Dating Violence**

- A. The school strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The school recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.
- B. Students and parents (or guardians of students) may bring verbal or written complaints regarding teen dating violence to any building administrator. The building administrator shall review and address the complaint, which may include referral of the complaint to the Safe School Climate Specialist and/or Title IX Coordinator.
- C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

**IX. Documentation and Maintenance of Log**

- A. Each school shall maintain written complaints of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without written prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.

- B. The Principal of each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.
- C. The Principal of each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

## **X. Other Prevention and Intervention Strategies**

- A. Bullying behavior can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level of “bullying”, as defined above, will generally warrant disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program administrator or his/her designee). No disciplinary action may be taken solely on the basis of an ~~anonymous~~ **confidential** complaint.
- B. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial actions as determined by the responsible administrator.
- C. The following sets forth possible interventions which may also be utilized to enforce the Board’s prohibition against bullying:
  - i. Non-disciplinary interventions

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and

therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

ii. Disciplinary interventions

When acts of bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. ~~Anonymous~~ Confidential complaints, however, shall not be the basis for disciplinary action.

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's Student Discipline policy.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with the Board's Student Discipline policy. This consequence shall normally be reserved for serious incidents of bullying and/or when past interventions have not been successful in eliminating bullying behavior.

iii. Interventions for bullied students and victims of teen dating violence.

The building principal (or other responsible program administrator) or his/her designee shall intervene in order to address multiple incidents of bullying against a single individual. Intervention strategies for a bullied student may include the following:

- a. Referral to a school counselor, psychologist or other appropriate social or mental health service;
  - b. Increased supervision and monitoring of student to observe and intervene in bullying situations;
  - c. Encouragement of student to seek help when victimized or witnessing victimization;
  - d. Peer mediation where appropriate;
  - e. Student Safety Support plan.
  - f. Restitution and/or restorative interventions; and
  - g. Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.
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## iv. General Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. While no specific action is required, and school needs for specific prevention and intervention strategies may vary from time to time, the following list of potential prevention and intervention strategies shall serve as a resource for administrators, teachers and other professional employees in each school:

- a. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying, including any such program identified by the Department of Education;
- b. school rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- c. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur;
- d. Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students and culturally competent curriculum focusing on social-emotional learning, self-awareness and self-regulation;
- e. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- f. School-wide training related to safe school climate, which training may include Title IX/Sexual harassment training, Section 504/ADA Training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- g. Student peer training, education and support; and
- h. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- i. Respectful responses to bullying concerns raised by students, parents or staff;

- j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying, with a focus in evidence based practices concerning same;
  - k. Use of peers to help ameliorate the plight of victims and include them in group activities;
  - l. Avoidance of sex-role stereotyping;
  - m. Continuing awareness and involvement on the part of staff and parents with regards to prevention and intervention strategies;
  - n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
  - o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
  - p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.
  - q. Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, harassing, humiliating or intimidating another student, even if such conduct does not meet the formal definition of “bullying.”

## **XI. Annual Notice and Training**

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school district’s safe school climate plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.

- D. Any person appointed by the district to serve as district safe school climate coordinator shall complete mental health and first aid training offered by the Commissioner of Mental Health and Addiction Services.

## **XII. School Climate Assessments**

On and after July 1, 2012, and biennially thereafter, the Board shall require each school in the district to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Department.

Legal References:

Public Act 19-166

Public Act 21-95

Conn. Gen. Stat. § 10-145a

Conn. Gen. Stat. § 10-145o

Conn. Gen. Stat. § 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. § 10-222q

Conn. Gen. Stat. § 10-222r

Conn. Gen. Stat. §§ 10-233a through 10-233f

Connecticut State Department of Education Circular Letter C-8,  
Series 2008-2009 (March 16, 2009)

Public Act 23-167 An Act Concerning Transparency in Education §4

Adopted: March 10, 2003

Revised: February 14, 2005

Revised: May 11, 2009

Revised: November 14, 2011

Revised: September 22, 2014

Revised: February 25, 2019

Revised: January 24, 2022

Revised: April 1, 2024

Revised:

**Suspected Abuse and/or Neglect of Children**

The Glastonbury Board of Education recognizes its legal and ethical obligations in the reporting of suspected child abuse/neglect or at-risk children. All Glastonbury Public School employees who have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk of serious harm or sexually assaulted, are required to report such to the appropriate authority, in accordance with the procedures set forth in accompanying regulations.

Legal Reference: Connecticut General Statutes:

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

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

10-221s Investigations of Child abuse and neglect. Disciplinary action (as amended by PA 16-180)

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

Section 17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA-96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-101a Report of abuse or neglect by mandated reports. (as amended by PA 02-106, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-102 Report of danger of abuse. (as amended by PA 02-106)

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

Section 10-151 Teacher Tenure Act

PA 11-93 An Act Concerning the Response of School Districts and the Department of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.

PA 15-205 An Act Protecting School Children

PA 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.

## Policy

Adopted: October, 1981

Revised: July, 1992

Amended: November, 1997

Revised: February 28, 2005

Revised: May 14, 2012

Revised: December 10, 2012

Revised: October 17, 2016

Revised: February 25, 2019

**Suspected Abuse and/or Neglect of Children**

It is the policy of the Board of Education to require not only school employees who are required by law to report suspected child abuse and/or neglect, but to all employees of the Glastonbury Public Schools to report suspected abuse, neglect, and/or sexual assault in accordance with the procedures set forth below.

Connecticut General Statutes §17a-101 et. seq., and its purpose, it is the policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, or imminent risk of serious harm, in accordance with the procedures set forth in this policy. Mandated reporters, including all Glastonbury Public School employees, the Superintendent, administrators, teachers, substitute teachers, guidance counselors, school counselors, paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists, social workers and licensed behavior analysts either employed by the Glastonbury Public Schools or working in one of the District schools, or any person who, in the performance of his or her duties, has regular contact with students and provides services to or on behalf of students enrolled in Glastonbury Public Schools, who has reasonable cause to suspect or believe that a child:

1. Is in danger of or has been abused;
2. Has had non-accidental physical injuries or physical injuries which are at variance with the history given for them, inflicted by a person responsible for the child's health, welfare or care, or by a person given access to such child by a responsible person;
3. Has been neglected;
4. Has been placed in imminent risk of serious harm;
5. Has been sexually assaulted.

Such individual(s) who have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk or serious harm, or sexually assaulted by a school employee is required to report such abuse, neglect, or risk and/or sexual assault to the Department of Children and Families.

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

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

**Suspected Abuse and/or Neglect of Children (continued)****I. DEFINITIONS**

1. **Child Abuse:** Injuries, (other than by accidental means), including those at variance with the history given for them, or a condition which is the result of maltreatment such as malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment inflicted upon a child under the age of 18 by a person responsible for his/her health, welfare or care, or by a person given access to a child by the responsible person.
2. **Physical Abuse:** Physical injury inflicted other than by accident. The injury may not be intentional: it may result from overdiscipline of physical punishment inappropriate to the child's age or condition. Physical abuse would include, but not be limited to:
  - Any injury requiring attention.
  - Severe bruising (e.g. old and new bruise in combination, bruises on several areas).
  - Any punishment involving hitting with a closed fist or an instrument, kicking, inflicting burns, or throwing a child.
3. **Sexual Abuse:** Any form of sexual activity imposed upon a child by a person in a position of power, authority and/or influence over the child. The activity may be coercive or non-coercive and may range from sexual exploitation, voyeurism, exposure to pornographic material and videotapes, to fondling and intercourse.
4. **Emotional Abuse:** Failure to provide a loving environment in which children can thrive, learn and develop. It may include threatening, scapegoating, rejection, etc.
5. **Child Neglect:** Any child under the age of eighteen who has been abandoned, or is being denied proper care and attention, physically, educationally, emotionally, or morally, or is being permitted to live under conditions, circumstances or associations injurious to his/her well being or has been abused. **Exception:** The treatment of any child by an accredited Christian Science practitioner shall not, of itself, constitute neglect or maltreatment.
6. **Child at Risk:** Reasonable cause to believe or suspect a child is in danger of being abused where there is no reasonable cause to suspect that such abuse has actually occurred. Imminent risk of serious harm to a student by an act or failure to act on the part of a person responsible for such student's health, welfare or care.
7. **"School employee"** (A) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, licensed behavior analysts, nurse, physician, school paraprofessional or coach employed by the Board or who is working in a Board elementary, middle or high school; or (B) any other person who, in the performance of his or her duties, has regular contact with

**Suspected Abuse and/or Neglect of Children (continued)**

students and who provides services to or on behalf of students enrolled in the Glastonbury Public Schools, pursuant to a contract with the Board.

8. **“Statutory mandated reporter”**: an individual required by Connecticut General Statutes Section 17a-101 to report suspected abuse and/or neglect of children. In the public school context, the term “statutory mandated reporter” includes all school employees, as defined in # 7 above.
9. **Immunity from Liability**: Any person, institution or agency which, in good faith, makes a suspected abuse report shall be immune from any liability, civil or criminal, which might otherwise be incurred and shall have the same immunity with respect to any judicial proceeding which results from such report.

**II. REPORTING PROCEDURES FOR STATUTORY MANDATED REPORTERS**

A. The following procedures apply to statutory mandated reporters.

1. When an employee of the Board of Education suspects or believes that a child has been abused, neglected, or has been placed in imminent risk of serious harm, the following steps shall be taken:
  - a) The employee shall, immediately, upon having reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent danger of serious harm, or has had non-accidental physical injury or injury which is at variance with history or such injury, and in no case later than twelve (12) hours after having such a suspicion or belief, make an oral report by telephone or in person to the, Commissioner of Children and Families, ~~the Glastonbury police~~ and Building Principal or his/her designee. **The Glastonbury Police Department may also be called.** The Department of Children and Families has established a 24 hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.
  - b) A mandated reporter may make the required oral report electronically in the manner prescribed by the Commissioner of Children and Families. An employee making an electronic report shall respond to further inquiries from the Commissioner of Children and Families or designee made within twenty-four hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee.
  - c) Online reports may be made to the Careline by mandated reporters if the report is of non-emergent nature. A non-emergent situation is one in which a report is mandated but the child is not in immediate risk. (Note: Mandated reporters reporting electronically when they reasonably suspect that a child has been abused, neglected or

**Suspected Abuse and/or Neglect of Children (continued)**

- placed at risk of imminent harm in a “non-emergent” situation, can do so without risk that they will be subject to a failure to report finding and subsequent penalties.)
- d) If a report prepared in accordance with Section (a) above concerns suspected abuse or neglect by a Glastonbury Public Schools employee, the Superintendent/designee shall immediately notify the child’s parent/guardian that such a report has been made.
  - e) Within 48 hours of making an oral report, the employee shall submit a written report to the Commissioner of Children and Families, or his/her representative containing all of the required information. The written report should be submitted on the DCF-136 form or any other form designated for that purpose.
  - f) The employee shall immediately submit a copy of the written report to the Principal and/or Superintendent/designee. If the building Principal is the alleged perpetrator of the abuse/neglect then the employee shall notify the Superintendent/designee directly.
  - g) If a report prepared in accordance with Section (b) above, concerns suspected abuse, neglect or sexual assault by a school employee who possesses a certificate, permit or authorization issued by the State Board of Education, the Commissioner of Children and Families shall submit a copy of the written report to the Commissioner of Education, or his/her or his/her designee.

**Oral and written reports should include:**

- The names and addresses of the child and his/her parents or other person responsible for his/her care;
- The age of the child;
- The gender of the child;
- The nature and extent of the child’s injury or injuries, maltreatment or neglect;
- The approximate date and time the injury or injuries, maltreatment or neglect occurred;
- Information concerning any previous injury or injuries, maltreatment or neglect known to the reporter;
- The circumstances under which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- The name of the person or persons suspected of being responsible for causing such injury or injuries, maltreatment or neglect;
- The reason such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
- Any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
- Whatever action, if any, was taken to treat, provide shelter or otherwise assist the child

**Suspected Abuse and/or Neglect of Children (continued)****A. Disciplinary Action for Failure to Follow Policy**

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

Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony unless such individual is under eighteen years of age or educated in a district school other than part of an adult education program.

**B. Non-discrimination Policy**

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

**C. Training**

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

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

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

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

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

**Suspected Abuse and/or Neglect of Children (continued)****Establishment of the Confidential Rapid Response Team**

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

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

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

**D. Foster Care**

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

**III. INVESTIGATION OF THE REPORT**

The Superintendent/designee shall thoroughly investigate reports of suspected abuse and neglect if/when such report involves an employee of the Board of Education or other individual under the control of the board, provided that such investigation does not interfere with or impede the investigation by the Department of Children and Families or by a law enforcement agency. To the extent feasible, this investigation shall be coordinated with the Commission of Children and Families or the police in order to minimize the number of interviews of any child and to share information with other persons authorized to conduct an investigation of child abuse and neglect.

In all other cases, the Department of Children and Families shall be responsible for conducting the investigation with the cooperation and collaboration of the Glastonbury Public Schools, as appropriate.

When the Glastonbury Public Schools is conducting an investigation involving suspected abuse, neglect, or sexual assault by an employee of the Glastonbury Public Schools or other individual under the control of the Board, the Superintendent's investigation shall include an opportunity for the individual suspected of abuse, neglect, or sexual assault to be heard with respect to the

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**Suspected Abuse and/or Neglect of Children (continued)**

allegations contained in the report. During the course of such investigation the superintendent/designee may suspend a Board employee with pay or may place the employee on leave with pay, pending the outcome of the investigation. However, the Superintendent/designee must suspend a public school employee (in a position requiring a certificate) when the investigation produces evidence that the employee abused a child. Suspension will be with pay until the Board of Education completes the investigation and takes action.

Any person reporting child abuse, neglect, or sexual assault or having information relevant to alleged abuse or neglect, shall provide the Superintendent/designee with all information related to the investigation that is in the possession or control of such person, except as expressly prohibited by state or federal law.

**A. Evidence of Abuse by School Employees**

After an investigation has been completed by DCF and the Commissioner of Children and Families, based upon results of such investigation, has reasonable cause to believe that a child has been abused, neglected, or sexually assaulted by an employee who has been entrusted with the care of a child or has recommended that such employee be placed on the Department of Children and Families abuse and neglect registry, the Commissioner shall notify within five (5) working days after the completion of the investigation into child abuse, neglect, or sexual assault by a school employee the Superintendent and the Commissioner of Education of such finding and shall provide records, whether or not created by the Department of Children and Families, concerning such investigation to the Superintendent the school employee and the Commissioner of Education. The Superintendent shall suspend the employee, if not previously suspended, with pay and without diminution or termination of benefits if DCF has reasonable cause that the employee abused, neglected, or sexually assaulted a child and recommends the employee be placed on the DCF Child abuse and neglect registry.

Not later than seventy-two (72) hours after such a suspension the Superintendent/designee shall notify the Board of Education and the Commissioner of Education, or his/her representative, of the reasons for and the conditions of the suspension. The Superintendent/designee shall disclose records received from the Department of Children and Families to the Commissioner of Education and the Board of Education or its attorney for the purposes of review of employment status, certification permit or authorization. Any decision of the Superintendent/designee concerning such suspension shall remain in effect until the Board of Education acts pursuant to the provisions of Connecticut General Statutes. The Commissioner of Education shall also be notified if such certified person resigns from his/her employment in the District.

**Suspected Abuse and/or Neglect of Children (continued)**

Regardless of the outcome of any investigation by the Commissioner of Children and Families and/or the police, the Superintendent/designee and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the superintendent/designee's investigation produces evidence that a child has been abused by a certified, permit or authorized school staff member.

If the contract of employment of such certified school employee is terminated as a result of an investigation into reports of abuse, child neglect, or sexually assault the Superintendent/designee shall notify the Commissioner of Education, or his/her representative, within seventy-two (72) hours after such termination. Upon receipt of such notice from the superintendent/designee, the Commissioner of Education may commence certification revocation proceedings. It is recommended that Superintendent/designees file a Request to Revoke the terminated employee's certificate.

If a school employee is convicted of a crime involving an act of child abuse, neglect, or sexual assault the state's attorney shall notify, in writing, the Superintendent/designee of the school District in which the person is employed and the Commissioner of Education. Upon such notification, the certificate of the certified educator is automatically revoked.

**B. Evidence of Abuse or Neglect by Any Other Employee or Independent Contractor of the Board of Education.**

If the investigation by the Superintendent/designee and/or the Commissioner of Children and Families produces evidence that a child has been abused by a non-certified school staff member, the Superintendent/designee and/or the Board, as appropriate, may take disciplinary action, starting with suspension, up to and including termination of employment. The suspension shall remain in effect until the incident of abuse has been satisfactorily resolved by the local Board of Education.

**Records**

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

The Board shall provide to the Commissioner of Children and Families, upon request for the purposes of an investigation by the Commissioner of Children and Families of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept in Glastonbury Public Schools files. Such records shall include, but not be limited to,

**Suspected Abuse and/or Neglect of Children (continued)**

supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of such Board of Education, and records of the personal misconduct of such teacher. (*"Teacher" includes each certified professional employee below the rank of Superintendent employed by a Board of Education in a position requiring a certificate issued by the State Board of Education.*)

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

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

**Delegation of Authority by Superintendent**

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

**Special Reporting Procedures concerning Suspected Abuse or Neglect of Intellectually Disabled Persons**

In addition to the reporting procedures set forth above, Connecticut General Statutes required that certain school personnel, including teachers, licensed nurses, psychologists and social workers, report any suspected abuse or neglect of intellectually disabled persons over the age of 18.

**1. Definitions**

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

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

**Suspected Abuse and/or Neglect of Children (continued)**

2. **Reporting Procedures.** If an employee has reasonable cause to suspect that an intellectually disabled person has been abused or neglected, he/she shall, within five (5) calendar days make an oral report to the Director of the Office of Protection and
3. Advocacy for Persons with Disabilities, to be followed by a written report within five (5) calendar days, or shall immediately notify the Superintendent in order for the Superintendent to make such oral and written reports to the office of Protection and Advocacy. In the event that an employee makes a report to the Office of Protection and Advocacy, the employee shall immediately notify the Superintendent.
4. **Contents of Report.** Any such report shall contain the following information:
  - a) The name and address of the allegedly abused or neglected person;
  - b) A statement from the reporter indicating a belief that the person is intellectually disabled, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;
  - c) Information concerning the nature and extent of the abuse or neglect; and
  - d) Any additional information, which the reporter believes, would be helpful in investigating the report or in protecting the intellectually disabled person.
5. **Investigation of Report.** If the suspected abuser is a school employee, the superintendent shall thoroughly investigate the report following the procedures regarding the investigation of reports of child abuse set forth.

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

**Disciplinary Action for Failure to Follow Policy**

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

**Non-Discrimination Policy**

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

**Training**

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

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**Suspected Abuse and/or Neglect of Children (continued)**

every three years. Employees hired before July 1, 2011 must complete the refresher training program by July 1, 2012 and must retake it once every three years thereafter.

**Foster Care**

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

**Hiring Prohibitions**

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

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

Legal References: Connecticut General Statutes

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

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

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

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

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93 and PA 15-205)

17a-101a Report of abuse or neglect by mandated reports. (as amended by PA 02-106, PA 11-93 PA 15-205,PA 18-15 and PA 18-17)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-101i Abuse of child by school employee or staff member of public or private institution or facility providing care for children. Suspension. Notification of state's attorney re: conviction. Boards of education to adopt written policy re: reporting of child abuse by school employee.

17a-102 Report of danger of abuse. (as amended by PA 02-106)

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

10-151 Teacher Tenure Act

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School

District. *Section 17a-103 Section 53a-65*

PA 15-205 An Act Protecting School Children

PA 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.

Regulation

Approved: October, 1981

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Amended: November, 1997

Revised: December 18, 2000

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Revised: March 9, 2015

Revised: October 17, 2016

Revised: February 25, 2019

Revised: August 10, 2022

Revised:

**School Discipline - Exclusion**

It is the belief of the Glastonbury Board of Education that reasonable discipline is essential to a sound educational program. While self-disciplining is desired, not all students are always responsible or mature enough to maintain self-control or avoid interfering with the rights of others. This recognition requires that the Board of Education adopt a policy to ensure that certain standards of discipline are maintained. Corporal punishment is not permitted in the Glastonbury Public Schools.

It is the responsibility of the administration to establish and communicate annually to students, parents/guardians, or any other person having legal responsibility for a student, standards of discipline, reasons for exclusion from school, and procedures to ensure due process.

All suspensions shall be reported to the superintendent/designee. Monthly reports of suspensions will be submitted to the Board of Education.

**Policy**

Approved: October, 1981

Revised: August, 1993

Revised: July 1989

Revised: December 7, 1998

Revised: July 16, 2001

Revised: January 24, 2005

Revised: July 14, 2014

I. Definitions

- A. Exclusion means any denial of public school privileges to a student for disciplinary purposes.
- B. Emergency means a situation in which the continued presence of the student in school posed such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such pupil as possible.
- C. School Sponsored Activity means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
- D. Removal is the exclusion of a student for a class period of ninety minutes or less.
- E. In-School Suspension means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed; and further provided no student shall be suspended more than fifteen (15) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- F. Informal Hearing: Meeting where student is informed of the reasons for disciplinary action and given the opportunity to explain the situation.
- G. Suspension means the exclusion from school **privileges** and/or transportation services ~~for not more than ten (10) consecutive school days~~, provided such ~~suspension~~ **exclusion** shall not extend beyond the end of the school year in which such suspension is imposed. **An out-of-school suspension for students in grades 3-12 shall not exceed ten days. An out-of-school suspension imposed for children in preschool to second grade shall not exceed five days.**

All suspensions shall be in-school suspensions unless the administration determines for any student in grades three through twelve, inclusive, that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student (grades three to twelve, inclusive) shall be excluded from school during the period of suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary ~~problems~~ **issues** that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary ~~problems~~ **issues** through means other than out-of-school suspension or expulsion, including positive support strategies; and further provided no pupil shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such pupil is granted a formal expulsion hearing.

A student in grades preschool to two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent or sexual nature that

endangers persons. In addition a person's duty as a mandated reporter to report suspected child abuse or neglect is not limited by this provision.

- H. Expulsion shall be defined as an exclusion of a student from school privileges for any student in grades three to twelve, inclusive, for more than ten (10) consecutive school days. The expulsion period may not extend beyond 180 consecutive days. Such period may extend to the school year following the school year in which the expulsion was imposed.

Unless an emergency exists, no student shall be expelled without a formal hearing provided whenever such student is a minor, the notice shall also be given to the parents or guardians of the student at least five (5) business days before such hearing, not including the day of the hearing. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning the parent's or guardian's and the student's legal rights and concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services. An attorney or other advocate may represent any student subject to expulsion proceedings. The parent or guardian of the student shall have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

- I. Gang Activity means any group of two or more persons whose purpose includes commission of illegal acts.
- J. School Days shall mean days when school is in session for the students. Notwithstanding the foregoing, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.
- K. Weapon means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under section 29-38 of the Connecticut General Statutes.
- L. Martial Arts Weapon means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- M. Electronic Defense Weapon means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.

Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

## II. Behavior Leading to Disciplinary Action, Including Suspension and/or Expulsion

Students may be disciplined for conduct on school grounds or at any school-sponsored activity (including on a school bus) that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violative of a publicized policy of the Board.

Conduct which may lead to disciplinary action (including but not limited to suspension and/or expulsion) includes, but is not limited to the following:

- A. Willfully striking or assaulting a student, members of the school staff or others.
- B. Theft or other acts of dishonesty.
- C. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.
- D. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers or disruptive classroom behavior.
- E. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
- F. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
- G. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.
- H. A walk-out from or sit-in within a classroom or school building or school grounds.
- I. Blackmailing, threatening, bullying, teen dating violence, intimidation or coercion of school staff or students.
- J. Bullying: the repeated use by one or more students of a written, verbal or electronic communication, such as cyber-bullying, or a physical act or gesture directed at another student attending school in the same district that:

1. causes physical or emotional harm to such student or damage to such student's property;
2. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
3. creates a hostile environment at school for such student;
4. infringes on the rights of such student at school; or
5. substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. (Board Policy 5131.9)

Cyberbullying: any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications. (Board Policy 5131.9)

Teen Dating Violence: any act of physical, emotional or sexual abuse including stalking, harassing and threatening, that occurs between two students who are currently in or have recently been in a dating relationship. (Board Policy 5131.9)

- K. The use of threatening language or gestures attempting to intimidate others.
- L. Engaging in conduct or wearing clothing showing membership or affiliation with a gang (Board Policy 5131.8).
- M. Possession of any weapon, including but not limited to deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, parts of weapons, or facsimile, whether loaded or unloaded, whether functional or not, or any other dangerous object. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
- N. Possession of any ammunition for any weapon described above in paragraph L.
- O. Engaging in ritualistic activities that may disrupt the educational process including but not limited to witchcraft and occult activities.
- P. Hazing, tor any act that injures, degrades or disgraces a student or staff member. (cf. 5131.91)

- Q. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.
- R. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.
- S. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.
- T. 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.
- U. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.
- V. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.
- W. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
- X. Explosive/Fire – Possession or ignition of any fireworks combustible or other explosive materials, possession of flammable material with intention of igniting or causing a fire, or ignition of any material causing a fire, including matches and lighters.
- Y. Unauthorized possession, distribution, sale, use, consumption or aiding in the procurement of tobacco, drugs, narcotics, or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or items represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances. For the purpose of this Paragraph 15, the term “drugs” shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law. Unauthorized use or possession of such substances shall mean use or possession without a valid prescription.
- Z. Possession of paraphernalia used or designed to be used in the consumption, sale, transfer or distribution of tobacco, drugs, narcotics, or alcoholic beverages. Tobacco paraphernalia includes, but is not limited to, cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco products, such as electronic cigarettes and electronic

cigarette supplies. Drug paraphernalia includes, but is not limited to, any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. Alcoholic beverages includes, but is not limited to, stills, shot glasses, kegs, and alcohol containers.

- AA. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
- BB. The willful destruction of real, personal or school property, such as cutting, defacing or otherwise damaging property in any way.
- CC. Accumulation of offenses. Such as school and class tardiness, class or study hall cutting or failure to attend detention.
- DD. Deliberate trespassing on school grounds while on out-of-school suspension or expulsion.
- EE. Making "Bomb Threats", false or real, to the public schools or to the police.
- FF. Repeated and/or intentional defiance.
- GG. Throwing snowballs, rocks, sticks and/or other objects which cause harm to persons or property.
- HH. Violation of transportation regulations and repeated and/or intentional defiance of student transportation rules on school grounds or at any school-sponsored activity.
- II. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process.
- JJ. Leaving or attempting to leave school grounds, school transportation or a school-sponsored activity without authorization.
- KK. Use of or copying of the academic work of another individual and presenting it as the student's own work without proper attribution or any other form of academic dishonesty, cheating or plagiarism.

- LL. Any act of harassment, not limited to harassment based on an individual's gender, sexual orientation, race, color, religion, disability, national origin or ancestry. Harassment is defined as unwanted and unwelcome behavior that interferes with a student's right to learn. (Board of Education Sexual Harassment Policy #5141.6 and Acceptable Use Policy #6141.2)
- MM. Possession and/or use of radio, walkman, CD player, Blackberry, personal data assistant computer game, beeper, paging device, cellular phone, Smartphone, laser pointer, walkie-talkie, mobile or handheld device, or similar electronic device in school or at a school-sponsored activity without the permission of the principal/designee.
- NN. Unauthorized use or misuse on and off campus of any school computer, computer system, computer software, website, Internet connection or similar school property or system, or the use of such property or system for unauthorized or non-school related purposes.
- OO. "Off Campus" occurrence, where there is a reasonable likelihood that return of the student would be seriously disruptive to the educational process and school operations. In making a determination of whether an off-campus occurrence is seriously disruptive, the Board may consider among other factors: whether the off-campus occurrence was in close proximity to the public school; involved other students from the school or gang involvement; involved violent conduct, threats of violence or use of weapons or facsimile and whether injuries occurred; and/or involved the use of alcohol or drugs. Seriously disruptive of the educational process, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
- PP. Any action prohibited by any Federal or State law which would indicate that the student presents a danger to any person in the school community or school property.

### III. Procedures Governing Removal from Class

A student may be removed from a class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal at once. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal/designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of such removal from class.

**IV. Procedures Governing In-School Suspension**

- A. The principal/designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy or seriously disrupts the educational process or in other appropriate circumstances as determined by the principal/designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal/designee.
- C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the in-school suspension.

**V. Procedures Governing Suspension**

- A. The principal/designee of a school, or the administrative staff of the school, shall have the right to suspend any student in grades three to twelve for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In such cases, the following procedures shall be followed.
  - 1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal/designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the exclusion as possible.
  - 2. If suspended, such suspension shall be an in-school suspension unless, during the informal hearing, the principal or designee determines that the student: (a) poses such a danger to persons or property or such a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (b) the administration determines that an out-of-school suspension is appropriate based on evidence of (i) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (ii) previous efforts by the administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies.
  - 3. Evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal/designee, but only considered in the determination of the length of suspension.

4. By telephone, the principal/designee shall make reasonable attempts immediately to notify the parents/guardian of a minor student following the suspension and state the cause(s) leading to the suspension.
5. Whether or not telephone contact is made with the parent/guardian of such minor student, the principal/designee shall forward a letter to such parent/guardian to the last address reported on school records (or to a newer address if known by the principal/designee), within one school day of the suspension action where practicable, and offering the parent/guardian and opportunity for a conference to discuss same.
6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the suspension.
7. Not later than twenty-four (24) hours after the start of the suspension, notice of the original suspension and reason for the suspension shall be transmitted by the principal/designee to the superintendent/designee.
8. The student shall be allowed to complete any class work, including examinations, without penalty, which was missed while under suspension. The school administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.
9. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative record if the pupil graduates from high school. In cases where the student's period of suspension is shortened or waived the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions requires by the administration.
10. If the student has not previously been suspended or expelled, and the administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
11. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
12. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

- B. In cases where the student has already been suspended, or such suspension will result in the student being suspended more than ten (10) times or fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall prior to suspension, be granted a formal hearing before the Board of Education. The principal/designee shall report the student to the superintendent/designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

#### VI. Procedures Governing Expulsion

- A. A principal may consider recommendation of expulsion of a student in a case where he/she has cause to believe the student has engaged in conduct on school grounds or at a school sponsored activity which is violative of a publicized Board policy and is seriously disruptive of the educational process or endangers persons or property or whose conduct off school grounds is violative of such policy and is seriously disruptive of the educational process.
- B. Mandatory Expulsion: The principal must recommend expulsion, grades preschool, and kindergarten to twelve, inclusive, proceedings in all cases against any student whom the administration reasonably believes:
1. Was in possession on school property or at a school sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 UCS § 921 as amended from time to time; or
  2. Was, while off school grounds, in possession of a firearm as defined in 18 USC § 921, in violation of Connecticut General Statutes 29-35, or possessed and used a firearm as defined in 18 USC § 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime; under chapter 952 of the Connecticut General Statutes; or
  3. Was engaged on or off school grounds in offering for sale, or distribution a controlled substance (as defined in Connecticut General Statutes 21a-240(9), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Connecticut General Statutes 21a-277 and 21a-278. Distribution may mean an exchange without money transferring from one to another.

A student enrolled in a preschool program provided by the Board of Education, state or local charter school or interdistrict magnet school shall not be expelled from such school except that a student shall be expelled for one calendar year from such preschool program pursuant to the mandatory expulsion requirement in compliance with the Gun-Free School Act, as described in this section.

As used in this section, a firearm as defined in 18 USC § 921 means (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver or any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device (any explosive, incendiary, poisonous gas, bomb, rocket, missile, mine, grenade or similar device), or (e) any weapon other than a shotgun or shotgun shell particularly suited for sporting purposes (that will or may be converted to expel a projectile by explosive or other propellant having a barrel with a bore of more than ½ inch in diameter). The term

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“destructive device” also includes any combination of parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A “destructive device” does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon. “Deadly Weapon” means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death. “Dangerous Instrument” means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a “vehicle”. “Martial Arts Weapon” means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or Chinese star.

- C. Upon receipt of an expulsion recommendation, the superintendent/designee may conduct an inquiry concerning the expulsion recommendation.

If the superintendent/designee determines that a student should or must be expelled, the superintendent/designee shall forward his/her recommendation to the Board of Education for action.

In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student for one (1) full calendar year for: the conduct described in Section VI(B). For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

- D. Procedures for Expulsion Hearings Conducted by the Board of Education.

1. Except in an emergency situation the Board shall, prior to expelling the student, conduct a hearing to be governed by the procedures outlined. Herein and consistent with requirements of Connecticut General Statutes § 10-233d and the applicable provisions of the Uniform Administrative Procedures Act, Connecticut General Statutes § 4-176e to 4-180a, and 4-181a. Whenever an emergency exists, the hearing provided for above shall be held as soon as possible after the expulsion.
2. Expulsion hearings conducted by the Board may be heard by any three (3) or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three affirmative votes to expel are cast. Alternatively, the Board may appoint an impartial hearing composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve.
3. Written notice of the expulsion hearing must be given within a reasonable time prior to that hearing, to the student, or if a minor, to his/her parent/guardian or person legally responsible for

the student. A copy of this Board policy on student discipline shall also be given to the, to the student, or if a minor, to his/her parent/guardian or person legally responsible for the student, at the time the notice is sent that an expulsion hearing will be convened.

The written notice of the expulsion hearing shall inform the student of the following: The date, time, place and nature of the hearing.

- a) The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
  - b) A short, plain description of the conduct alleged by the administration.
  - c) The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
  - d) The student may cross-examine witnesses called by the Administration.
  - e) The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
  - f) Information about free or reduced-rate legal services and how to access such services.
4. A student may be represented by any third party of his/her choice, including an attorney, at his/her own expense or expense of his/her parents/guardians.
  5. A student is entitled to the services of a translator or interpreter, to be provided by the Board, whenever the student or his/her parent/guardian do not speak the English language or is handicapped.
  6. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the administration or the student.
  7. The hearing will be conducted in executive session. A verbatim record of the hearing will be made either by a recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
  8. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration. In the first part of the hearing, the charges will be introduced into the record by the superintendent/designee.
  9. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.

10. Each witness for the administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, the Presiding Officer and by Board members.
11. After the administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross-examination and questioning by the Presiding Officer and/or the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he/she will be sworn and subject to cross-examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the administration and then by the student and/or his/her representative.
12. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the superintendent/designee.
13. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.
14. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the superintendent/designee for a recommendation as to the discipline to be imposed.
15. Evidence of past disciplinary problems which have led to the removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity being offered.
16. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The superintendent/designee may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
17. The Board shall make findings as to the truth of the charges, if the student has denied them, and in all cases the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information. The Board shall report its final decision in writing to the student, or if the student is a minor, also to the parents/guardians, stating the reasons on which the decision is based and the disciplinary action to be imposed.

Said decision shall be based solely on the evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

18. The Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
19. Notice of expulsion and the conduct for which the student was expelled, shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion based upon the possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record if the student graduates from high school.

Presence on School Grounds and Participation in School-Sponsored Activities During Expulsion:

During the period of expulsion, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational program provided by the district in accordance with this policy, unless the Superintendent specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

Stipulated Agreements:

In lieu of the procedures used in this section, the Administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on his or her own behalf.

Whenever the Board expels a student, it shall offer any such student under sixteen (16) years of age an alternative education program. The Board will provide an alternative education program to a sixteen (16) to eighteen (18) year old student expelled for the first time, if he/she requests it and if he/she agrees to the conditions set by the Board. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least sixteen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program. The Board of Education is not required to offer an alternative education program to any pupil between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that, (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school sponsored activity. The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required as described in this policy.

1. When a student enrolls in the Glastonbury Public Schools during the period of expulsion from another school district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing. The Board may adopt the decision of the pupil expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board which shall be limited to a determination of whether the conduct which was the basis of the expulsion from the other school district would also warrant expulsion by the Board.

When a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by the Board, the notice of the pending expulsion hearing shall be included on the student's cumulative educational record and the

2. Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of expulsion shall be included on the student's cumulative record and shall be expunged in accordance with VI D (19).
3. If the pupil enrolls in the Glastonbury Public Schools while an expulsion hearing is pending in another school district, such student shall not be excluded from school, pending completion of such expulsion hearing, unless an emergency exists as defined above. The Board shall retain the authority to suspend the pupil or to conduct its own expulsion hearing.
4. Procedures concerning students who have previously been identified as having one or more disabilities under the IDEA (Individuals with Disabilities Education Act) and/or Section 504 of the Rehabilitation Act will adhere to state and federal regulations under the IDEA and/or Section 504.

(cf. 5131.5 Vandalism)

(cf. 5131.8 Gang Activity)

(cf. 5131.9 Bullying Behavior)

(cf. 5131.91 Hazing)

Legal Reference: Connecticut General Statutes

Sections:

4-177 through 4-181a, Contested Cases, Notice, Records

29-35, Permits for Carrying Guns

29-38, Weapons in a Vehicle without a Permit

10-233a-f, Suspension and Expulsion of Students

21a-240, Definition (Controlled Substances)

21a-278, Penalty for Controlled Substances

## 53-206, Carrying Dangerous Weapons

53a-3, Definition

10-76b, Due Process Procedures

20 USC Section 8921

Individuals with Disabilities Act (IDEA) as amended by 20 USC § 1415

Elementary and Secondary Schools Act of 1965 as amended by 20 USC §6301

Free Schools Act of 1994

Honig vs. Doe, 484 U.S. 305 (1988)

18 USC § 921

PA 14-234 Section 10-222

PA 11-126, PA 14-299 and PA 15-96.

PA 15-96 An Act Prohibiting Out-of-School suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two.

PA 19-91 An Act Concerning Various Revisions and Additions to the Education Status

**Public Act 24-45 An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth, Sections 13-14****Public Act 24-93 An Act Concerning Various and Assorted Revisions to the Education Statutes, Section 11 and Section 12**

## Regulation

Adopted: January 24, 2005

Revised: July 14, 2014

Revised: March 26, 2015

Revised: August 31, 2015

Revised: October 22, 2019

**Revised:**

## **Nondiscrimination**

In compliance with regulations of Title VI of the Civil Rights Act 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, the Civil Rights Act of 1987 and the American with Disabilities Act, the Glastonbury board of Education adopts the following Equal Employment Opportunity and Equal Education Opportunity Policy. The Glastonbury Board of Education prohibits acts of discrimination in all matters dealing with employees and applicants for positions with the school district and endorses the principle of equal employment opportunity in all actions affecting employees and applicants. As an equal opportunity employer, the Glastonbury Board of Education declares that no discrimination based on race, creed, color, national origin, gender, sexual orientation, religion, gender identity or expression, marital status, veteran status, disability, or age will exist in the school district with regard to employment, screening candidates for employment or in retention and promotion of employees. **Glastonbury Public Schools as a matter of policy provides educational opportunities without regard to race, creed, color, national origin, religion, gender, sexual orientation, gender identity or expression, marital status, veteran status, civil air patrol status, age, or disability. In addition, the Glastonbury Board of Education does not permit or condone discrimination based on race, creed, color, national origin, religion, gender, sexual orientation, gender identity or expression, marital status, veteran status, civil air patrol status, age, or disability in employment matters or assignment in programs or services provided. The compliance officers for the Glastonbury Public Schools have the responsibility to monitor compliance with this policy.**

Sexual harassment has been established as a form of sexual discrimination as defined by Glastonbury Board of Education Policy 4118.12, in accordance with federal and state law. The District recognizes that it is a discriminatory practice to request, on an initial employment application, a prospective employee's age, date of birth, dates of attendance at or date of graduation from an educational institution on an initial employment application, unless requesting or requiring such information is based on a bona fide occupational qualification or need, or when such information is required to comply with any provision of state or federal law.

"Race" is inclusive of ethnic traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. "Protective hairstyles" includes, but is not limited to, wigs, head wraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

## **Equity Statement**

**At Glastonbury Public Schools, we believe in fostering a community where equity is a lived reality. We are committed to creating an educational system that is just and responsive. Through intentional policies and inclusive practices, we will provide opportunities, support, and access for all members of our school community to thrive. We recognize there may be times we fall short and injustices may occur. Our response to those instances is how we will be measured.**

## **Equal Education Opportunity**

Pursuant to the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to

discrimination under any program of the Glastonbury Board of Education.

The Civil Rights Compliance Officers for the Glastonbury Board of Education have the responsibility to monitor the compliance of this policy. The names and location of the Civil Rights Compliance Officers are posted in each school annually.

Areas, in which employees/applicants shall not be discriminated against, include but are not limited to:

- Hiring and Promotion
- Compensation
- Job Assignments
- Leaves of Absence
- Fringe Benefits
- Labor Organization
- Contracts or Professional Agreement

Legal Reference: 10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (as amended by PA 21-2 §441.)

46a-51 Definitions as amended by PA 17-127 and PA 21-2)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69)

P.A. 11-55 An Act Concerning Discrimination

10-153 Discrimination on account of marital status

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

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*

Connecticut General Statutes § 10-15c and § 46a-81a, *et seq.*

Discrimination on basis of sexual orientation

Section 504 of the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706 (7) (b).

Public Act 11-55 An Act Concerning Discrimination

American Disability Act of 1989, as amended by the ADA Amendments Act of 2008 Civil Rights Act of 1987.

Title IX Final Rule, May 6, 2020

**2024 Amendments to the U.S. Department of Education’s Title IX Regulations (“Final Rule”)**

Policy

Adopted: October, 1981

Revised: November 14, 2005

Revised: August 12, 2013

Revised: May 22, 2018

## Personnel - Certified/Classified

Policy: 4118.11(b)  
4218.11(b)  
Revised

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Revised: October 4, 2021

Revised: April 25, 2022

Revised:

## **DISCRIMINATION COMPLAINTS (PERSONNEL)**

Any employee or employment applicant who feels that he/she has been discriminated against on the basis race, creed, color, national origin, gender, sexual orientation, religion, gender identity or expression, marital status, veteran status, disability, **civil air patrol status**, or age may discuss and/or file a grievance with the appropriate compliance officer (Title VI, Title IX, ADA, and Section 504) of the Glastonbury Public Schools. Reporting should take place, in writing, within forty (40) calendar days of the alleged discrimination.

The compliance officer will commence an effective, thorough, objective and complete investigation of the complaint within ten (10) working days after receipt of the complaint. The compliance officer will consult with all individuals reasonably believed to have relevant information, including the complainant and the alleged violator, any witnesses to the conduct, and the victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigation process, due process rights will be upheld. No reprisals will be taken or permitted for truthfully asserting a complaint.

The compliance officer shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to the complainant, the alleged violator, and, as appropriate, to all others directly concerned within fifteen (15) working days after receiving the complaint.

If the complainant is not satisfied with the decision of the compliance officer, an appeal in writing may be made to the Glastonbury Board of Education within ten (10) days of receipt of the decision.

The Board within thirty (30) working days, will investigate the complaint and may conduct a hearing to gather additional information. The Board will give a written response within ten (10) working days following the completion of the hearing.

Legal Reference: 10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (as amended by PA 21-2 §441.)

46a-51 Definitions as amended by PA 17-127 and PA 21-2)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69)

P.A. 11-55 An Act Concerning Discrimination

10-153 Discrimination on account of marital status

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Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*

Connecticut General Statutes § 10-15c and § 46a-81a, *et seq.*

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Public Act 11-55 An Act Concerning Discrimination

American Disability Act of 1989, as amended by the ADA Amendments Act of 2008 Civil Rights Act of 1987.

Title IX Final Rule, May 6, 2020

**2024 Amendments to the U.S. Department of Education's Title IX Regulations ("Final Rule")**

Regulation

Adopted: March 26, 2012

Revised: August 12, 2013

Revised: October 4, 2021

Revised: April 25, 2022

**Revised:**

## Sexual Harassment

~~Sexual harassment is illegal and will not be tolerated among the employees or students of the Glastonbury Public Schools. Employees and students are expected to adhere to a standard of conduct that is respectful and courteous to fellow employees, students and to the public.~~

The Glastonbury Public Schools prohibits any form of sex-based discrimination or sex-based harassment in all Board of Education programs and activities. All students, staff, and third parties under the Board’s authority are expected to maintain a work and educational environment free from sex-based harassment, insults, or intimidation on the basis of sex stereotypes, sex characteristics, sexual orientation, gender identity, and pregnancy or related conditions.

Should sexual harassment be alleged, it is the policy of the Glastonbury Board of Education that it shall be thoroughly investigated, that there shall be no retaliation against the alleged victim of the harassment, and that the allegation shall be appropriately addressed.

Legal References: Title VII of the Civil Rights Act of 1964  
Regulations, 1980 Equal Employment Opportunity Commission (EEOC)  
Connecticut General Statutes §46a-60(a)(8)  
Connecticut General Statutes §10-151  
Public Act 19-16, State of Connecticut  
Title IX, Final Rule, August 1, 2024

### Policy

Approved: June 15, 1992  
Revised: November 22, 1993  
Revised: March 14, 1994  
Revised: November 14, 2005  
Revised: January 9, 2020  
Revised:

## Sexual Harassment

Under federal law and the Connecticut General Statutes §46a-60(a)(8), sexual harassment is defined as “any unwelcome sexual advance or request for sexual favor or any **other verbal of physical** conduct of a sexual nature” made by someone from or in the work or educational setting. Sexual harassment occurs 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 an employment decision affecting such individual;
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, or
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.
5. Such conduct is responsible for limiting a student’s ability to participate in or benefit from the education program, or to create a hostile or abusive educational environment.

Types of unacceptable sexual conduct include:

1. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, unwanted physical contact, touching, pinching, coerced sexual intercourse, impeding or blocking movement, leering, gestures, suggestive or insulting sounds, display of sexually suggestive objects, pictures or cartoons.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Coercive sexual behavior used to control, influence, or affect the career, salary and/or work environment of another employee, such as threats or reprisal; implying or withholding support for an appointment, promotion, transfer, or change of assignment; suggesting a poor performance report will be prepared; or suggesting probation will be failed.
4. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g., scholarships, financial aid, work study job).
5. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation, or a hostile or offensive working environment.

## Sexual Harassment

6. Inappropriate attention of a sexual nature from peer(s), i.e., student to student, employee to employee.
7. Inappropriate use of AI to create and/or post deepfaked images or voices of any employee or student.

### **I. Sexual Harassment of Employees**

The superintendent/designee is designated as the complaint officer, and is primarily responsible for handling and processing all sexual harassment complaints and investigations in accordance with the following procedures:

1. Any employee who believes he or she has been the subject of sexual harassment should report, orally or in writing, the alleged act immediately to the complaint officer, who is responsible for investigating such allegations. The complaint should include the date(s) of the alleged harassment, name(s) of the harasser(s), when harassment occurred, and detailed statement of circumstances constituting the alleged harassment.

If the employee is uncomfortable for any reason with discussing the matter with the complaint officer, the employee should contact another supervisor or administrator to discuss the matter. This representative will then, at the employee's request, act as liaison between the employee and the complaint officer.

If the alleged harasser is the Superintendent of Schools, the complainant should report to the Board of Education Chair, who will serve as the complaint officer or assign a designee.

2. The complaint officer will commence an effective, thorough, objective and complete investigation of the complaint within ten (10) working days after receipt of the complaint. The complaint officer will consult with all individuals reasonably believed to have relevant information, including the complainant and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigation process, the due process rights of the alleged harasser will be upheld. No reprisals will be taken or permitted for truthfully asserting a complaint.
3. The complaint officer shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to

## Sexual Harassment

the complainant, the alleged harasser, and, as appropriate, to all others directly concerned within fifteen (15) working days after receiving the complaint.

4. If the complainant or alleged harasser is not satisfied with the decision of the complaint officer, an appeal in writing may be made to the Glastonbury Board of Education within ten (10) days of receipt of the decision.
5. The Glastonbury Board of Education, within thirty (30) working days, will investigate the complaint and may conduct a hearing to gather additional information. The Glastonbury Board of Education will give a written response within ten (10) working days following completion of the hearing or within thirty (30) working days after receiving the appeal if a hearing is not held.

If after a thorough investigation the Board of Education believes sexual harassment has occurred, the Board will take appropriate actions to ensure that the harassment ceases and will not recur. Actions taken in response to allegations of harassment may include reassignment, transfer, disciplinary action up to, and including discharge and referral to the police.

The harasser and any other employees, if appropriate, will be informed that additional action shall be taken if further acts of harassment or retaliation occur.

## **II. Sexual Harassment of Students**

### **1. When the offender is an adult within the school setting.**

Definition: Sexual harassment is any sexual behavior or inappropriate sexual comment from an adult towards a student. Examples of sexual conduct include sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g., scholarships, financial aid, work study job); and all other types of sexual conduct previously described.

Any student or parent/guardian of a student who believes that the student has been the victim of sexual harassment by an adult, or has questions or concerns about this issue, should seek the help of the building administrator/designee or another adult whom they trust, such as a teacher, counselor, nurse, or psychologist, who should elicit the following, as well as any other relevant information:

- Name of complainant
- Date of complaint
- Date(s) of alleged harassment/discrimination
- Names of alleged harasser(s) or discriminator(s)

## Sexual Harassment

- Location where such alleged harassment/discriminator(s) occurred
- Names of any witness(es) to the alleged harassment/discrimination
- Detailed statement of the circumstances constituting the alleged harassment/discrimination

This information is to be forwarded immediately to the principal/designee.

The complainant or parent/guardian will be provided with a copy of this policy and its regulations and be made aware of his/her rights. A follow-up will occur to include a prompt and discreet investigation within ten (10) working days or as required by law. The principal/designee shall report the results of the investigation and proposed disposition of the matter to the complainant, the alleged harasser, and as appropriate, to all others directly concerned within fifteen (15) working days after receiving the complaint. If the complainant is a minor student, the principal/designee must contact the superintendent/designee to determine if a child abuse referral should be completed.

If after a thorough investigation there is reasonable cause to believe that sexual harassment has occurred, appropriate actions will be taken. Actions taken in response to allegations of harassment may include reassignment, transfer disciplinary action up to, and including discharge and referral to the police.

Reprisals, threats or intimidations directed at the alleged victim will be treated as serious offenses.

If the complainant or alleged harasser is not satisfied with the decision of the principal/designee, an appeal in writing may be made to the superintendent/designee within ten (10) days of receipt of the decision. A copy of the complaint will be sent to the Title IX coordinator for his/her information.

The superintendent/designee shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to the complainant, the alleged harasser, and as appropriate, to all others directly concerned within fifteen (15) working days after receiving the complaint.

If the complainant or alleged harasser is not satisfied with the decision of the superintendent/designee, an appeal in writing may be made to the Glastonbury Board of Education within ten (10) days of receipt of the decision.

If the alleged harasser is the Superintendent of Schools, the complainant should report to the Board of Education Chair, who will serve as the complaint officer or assign a designee.

The Glastonbury Board of Education will investigate the complaint within thirty (30) working days and may conduct a hearing to gather additional information. The Glastonbury Board of

## Sexual Harassment

Education will give a written response within ten (10) working days following completion of the hearing or within thirty (30) working days after receiving the appeal if a hearing is not held.

### **2. When the offender is a student**

Definition: Sexual harassment is unwanted sexual attention from anyone with whom the student may interact in the course of receiving an education in school or at school sponsored activities. Types of sexual conduct include inappropriate attention of a sexual nature from peer(s); i.e., student to student, and all other types of sexual conduct previously described.

If it is determined that a student has sexually harassed another student, the possible consequences to the offending student may include:

Conference with students	Community service
Parent conference	Detention
Apology to the victim	Expulsion
Suspension	Referral to the police
Written report	

Reprisals, threats or intimidations of the alleged victim will be treated as serious offenses, which could result in expulsion.

Any student or parent/guardian of a student who believes that the student has been the victim of sexual harassment by another student, or has questions about this issue, should seek the help of the building administrator/s or an adult whom they trust, such as a teacher, counselor, nurse, psychologist. The principal/designee shall be advised of the concern immediately.

A follow-up will occur to include a prompt and discreet investigation within ten (10) working days when appropriate. The principal/designee shall report the results of the investigation and proposed disposition of the matter to the complainant, the alleged harasser, and as appropriate, to all others directly concerned within fifteen (15) working days after receiving the complaint.

If the complainant or alleged harasser is not satisfied with the decision of the principal/ designee, an appeal in writing may be made to the superintendent/designee within ten (10) working days of receipt of the decision. The superintendent/designee shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to the complainant, the alleged harasser, and as appropriate, to all others directly concerned within fifteen (15) working days after receiving the complaint.

## Sexual Harassment

If the complainant or alleged harasser is not satisfied with the decision of the superintendent/designee, an appeal in writing may be made to the Glastonbury Board of Education within ten (10) days of receipt of the decision.

The Glastonbury Board of Education will investigate the complaint within thirty (30) working days and may conduct a hearing to gather additional information. The Glastonbury Board of Education will give a written response within ten (10) working days following completion of the hearing or within thirty (30) working days after receiving the appeal if a hearing is not held.

Retaliation against any individual who complains pursuant to this policy and procedure is strictly prohibited. The district will take actions necessary to prevent retaliation as a result of filing a complaint.

All employees and supervisors shall be provided copies of the Board policy and regulations concerning sexual harassment and receive appropriate training regarding sexual harassment and discrimination laws. A developmentally appropriate summary of this policy and its regulations will be included in school handbooks.

Legal References: Title VII of the Civil Rights Act of 1964  
Regulations, 1980 Equal Employment Opportunity Commission (EEOC)  
Connecticut General Statutes §46a-60(a)(8)  
Connecticut General Statutes §10-151  
Public Act 19-16, An Act Concerning Sexual Assault and Sexual Harassment (CGS, July 2019)  
**Title IX, Final Rule, August 1, 2024**

### Policy

Approved: June 15, 1992  
Revised: November 22, 1993  
Revised: March 14, 1994  
Revised: November 14, 2005  
Revised: January 9, 2020

**Revised:**

## Business and Non-Instructional Operations

### Concept and Roles in Business and Non-Instructional Operations

#### **Business**

The Board of Education recognizes that sound fiscal management is critical to the success of the school district's educational programs and shall work with town boards and elected officials to provide adequate appropriations in support of these programs. To make school district expenditures as effective as possible, the Board of Education expects the superintendent/designee to:

1. Encourage advance planning through district budget procedures.
2. Develop long-range educational and financial plans balancing appropriate educational programs with the community's ability to pay.
3. Explore all acceptable sources of income.
4. Provide the greatest educational returns for the expenditure of funds.
5. Establish accepted auditor approved accounting and reporting principles and procedures.
6. Work cooperatively with other appropriate governmental agencies and officials.

#### **Non-Lapsing Education Fund**

The Board may deposit into a non-lapsing account any unexpended funds from the Board's prior fiscal year general operating budget, provided such deposited amounts does not exceed two percent (2%) of the total budgeted appropriation for education for such prior fiscal year pursuant to C.G.S. 10-248a.

Any expenditure from the Non-Lapsing Education Fund shall be authorized solely by the Board of Education. Each expenditure from such account shall be made only for educational purposes and under the following conditions:

1. such deposited amount does not exceed two percent (2%) of the total budgeted appropriation for education for such prior fiscal year;
2. each expenditure from such account shall be made only for educational purposes; and
3. each such expenditure shall be authorized by the Board of Education.

The Board of Education shall create the non-lapsing account and be responsible for the accounting of fund in accordance with Governmental Accounting Standards and Generally Accepted Accounting Principles (GAAP). The account shall be subject to the annual audit as required by State statute. The Board shall review the fund balance on an annual basis.

**School District Facilities and Equipment**

The Board of Education expects the operation and maintenance of all school facilities and equipment to set high standards of safety, to promote the health of pupils and staff, and to reflect prudent management of available resources.

Policy

Adopted: October, 1981

Revised: August 15, 2005

Revised:

## PERSONNEL

Certified/Non-Certified

Policy: 4152.6

4252.6

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### **Family and Medical Leave of Absence**

The Board of Education will provide unpaid leave to eligible employees consistent with:

- the Family and Medical Leave Act of 1993 (FMLA) as amended and
- the Family Medical Leave Act as part of the National Defense Authorization Acts of 2008 and the Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances) and
- 2013 Final Rules.

Legal Reference: P.L. 103-3 and CFR Part 825-The Family and Medical Leave Act of 1993, as amended by H.R. 4986, the National Defense Authorization Act of Fiscal Year 2008, Section 585. 29 U.S.C. 2601 et seq. and the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, section 656, Title V.

Final Rule- published in Federal Register, Vol.60, Nov.4, Friday, January 6, 1995, as amended on February 3, 1995, March 30, 1995, and on November 17, 2008. Rules and Regulations (29CFR Part 825).

Final Rule-published in Federal Register, Vol. 78, Wed. February 6, 2013.

Connecticut General Statutes

46b-3800 applicability of statutes to civil unions and parties to a civil union.

PA 07-245 An act Concerning Family and Medical Leave for Municipal Employees.

PA 12-43 An Act Concerning Family and Medical Leave Benefits for Certain Municipal Employees

Policy

Adopted: November 9, 2015

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6

4252.6

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The following administrative regulations apply only to the Family and Medical Leave Act (FMLA).

### **Family and Medical Leave**

Eligible employees may take up to 12 work weeks of unpaid family and medical leave in a rolling 12-month period. When such leave is to care for an injured or ill service member, an eligible employee may take up to 26 work weeks of leave during a single 12 month period to care for the service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12 month period.

### **General Definitions**

#### **Eligible Employees**

Eligible employees are those who have been employed for at least one-year and have worked at least ~~1,250~~ 950 hours in the twelve month period immediately preceding the commencement of the leave. Hours worked includes all hours, including overtime, an employee works but does not include paid leave time such as vacations, sick or personal leave, holidays, etc.

~~Paraprofessionals~~ **Paraeducators** are also eligible to benefits equal to those under the federal FMLA if such ~~paraprofessional~~ **paraeducators** was employed for at least one year and worked for at least 950 hours over the previous twelve month period preceding the commencement of the leave. A ~~paraprofessional~~ **paraeducators** is defined as a school employee who performs duties that are instructional in nature or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and serves.

For purposes of this regulation, the term “**marriage**” is defined to include same-sex marriage, legally recognized in all states, and the term “**spouse**” refers to any individuals who are lawfully married under any state law, including common law marriages.

If spouses, as defined in this regulation, eligible for leave are employed by this school district, their combined amount of leave for birth, adoption, foster care placement and parental illness may be limited to 12 weeks. An employee may not take FMLA leave to care for a parent-in-law.

A “**serious**” **health condition**” that would entitle an employee to FMLA leave is one involving continuing treatment by a health care provider that results in a period of incapacity of more than three consecutive calendar days and involves either treatment two or more times by a health care provider or treatment by a health care provider on at least one occasion followed by a regimen of continuing treatment under the supervision of the health care provider.

Over the counter medications, bed rest, taking of fluids, exercise and other activities that can be initiated without a visit to a health care provider do not constitute continuing treatment.

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6(a)  
4252.6(a)

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### **Family and Medical Leave (continued)**

Chronic conditions such as asthma and diabetes are considered a serious health condition even if individual episodes of incapacity do not last more than three days. Furthermore, conditions need not be chronic or long term when the condition is one which is not ordinarily incapacitating but for which multiple treatments are given because the condition would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention. Regarding long-term chronic conditions, the condition need not be incurable. The condition may involve a permanent or long-term incapacity and be one for which treatment may not be effective.

The definition of "**health care provider**" includes any health care provider recognized by the employer or accepted by the group health plan of the employer. It also includes clinical social workers.

### **Types of Leave**

An eligible employee may take FMLA leave for:

- the birth and first year-care of a child;
- the adoption or foster placement of a child;
- the serious illness of an employee's spouse, parent or child;
- the employee's own serious health condition that keeps the employee from performing the essential functions of his/her job;
- to care for an eligible member (spouse, son, daughter, parent or next of kin) of the Armed Forces who is undergoing medical treatment, recuperation, or therapy, or is otherwise on the temporary disability list for a serious injury or illness;
- a qualifying exigency (such as making legal, financial and child care arrangements and taking care of family obligations) as defined by the Department of Labor regulations of a spouse, child or parent of the employee who is on covered active duty in the Armed Forces or has been notified of an impending call or order to covered active duty status in the Armed Forces including deployment to a foreign country or to international waters; and
- a veteran suffering a service related illness or injury that was incurred or aggravated while on active duty (or existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active service) within five (5) years after a veteran leaves service.

### **Payment of Leave**

Family and Medical Leave is unpaid. However, when out for his or her own serious health condition, an employee will use all available Sick Leave pay concurrent with the FMLA leave. When Sick Leave pay is not available, or when the employee is out for reason(s) other than his or her own serious health condition, an employee will use accrued time off options, including vacation, relevant personal days and/or floating holidays concurrent with unpaid

## **PERSONNEL**

Certified/Non-Certified

Regulation: 4152.6(b)

4252.6(b)

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### **Family and Medical Leave (continued)**

FMLA leave. An employee cannot compel the District to permit the employee to use accrued medical/sick leave in any situation which the leave could not normally be used.

#### **Benefits**

The District will maintain the employee's health coverage under the District's group health insurance plan during the period of FMLA leave. The employee should make arrangements with the District to pay the employee's share of health insurance (e.g. family coverage) prior to the beginning of the FMLA leave.

The employee will not lose any other employment benefit accrued prior to the date on which leave began but is not entitled to accrue seniority or employment benefits during the leave period. Employment benefits could include group life insurance, sick leave, annual leave, educational benefits and pensions.

#### **Notice**

When the FMLA leave is foreseeable, the employee must notify the District in writing of his/her request for leave at least 30 days prior to the date when the leave is to begin. The employee must explain the reasons for the needed leave so as to allow the District to determine whether the leave qualifies under FMLA. Failure to give notice may result in the leave beginning thirty days after notice was received. If the leave is not foreseeable, the employee must give notice as early as is practical under the facts and circumstances of the particular case, but no later than one to two work days after learning that leave will be necessary. A spouse or family member or other responsible party may give the notice if the employee is unable to personally give notice. When the employee requests medical leave, the employee must make reasonable attempts to schedule treatment so as not to disrupt the District's operations.

The District, as required, will post and keep posted on its premises, a notice explaining the provisions of FMLA and with information concerning the procedures for filing complaints of violations of the Act. Electronic posting is sufficient to meet this posting requirement.

The District, when a request for FMLA leave is received, will provide the employee the following information, listing the employee's obligations and requirements:

1. A statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement.
2. A reminder that employees requesting family and medical leave for a serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so.

## **PERSONNEL**

Certified/Non-Certified

Regulation: 4152.6(c)  
4252.6(c)

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### **Family Medical Leave (continued)**

3. An explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution.
4. A statement notifying employees for paying any premium or other payments to maintain health or other benefits.

The District may deny the leave if the employee does not meet the notice requirements.

### **Certification**

The District shall require the employee to provide certification of the employee's serious health condition from a health care provider containing specific information required under the law if he/she requests a medical leave. If there is a question concerning the validity of such certification a second, and, if necessary, a third opinion can be required both at the expense of the District. The health care provider designated or approved by the District may not be employed by the school system on a regular basis. In the case of a third opinion, the opinion of the third health provider will be binding on both the school district and the employee. The District shall also require the employee to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.

If the leave was for reasons related to the employee's serious health condition, upon the employee's return to work, the District will require that the employee present a fitness statement from the employee's health care provider certifying that the employee is able to return to work.

The required certifications must be obtained from the health care provider who is treating the individual with the serious health condition.

## **PERSONNEL**

Certified/Non-Certified

Regulation: 4152.6(d)  
4252.6(d)

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### **Family Medical Leave (continued)**

Medical certification must be provided fifteen days after the request for medical certification unless it is impracticable to do so. Employees taking family and medical leave for the birth, adoption or foster care of a son or daughter are not required to obtain a medical certification. The District may request recertification every thirty days. Recertification must be submitted within fifteen days of the District's request.

The District will notify employees, in writing, of any additional information that is necessary to complete the medical certificate and allow employees seven (7) calendar days to provide said additional information. If the employee fails to submit a complete and sufficient certification despite the opportunity to cure the deficiency, the District may deny FMLA leave.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification shall be denied until such certification is provided. The District requires sufficient FMLA certification in support of any request for FMLA leave for either the employee's own or a covered family member's serious health condition.

Verification must also be presented when requesting FMLA leave to care for the employee's spouse, son, daughter or parent with a serious health condition.

Upon request by the District, employees must provide FMLA certification even when substituting paid leave.

The District may request medical recertification for continuing, open-ended conditions, every six months. Medical recertification may be requested on a more frequent basis if there are other changed circumstances or for other reasons as outlined in the FMLA regulations.

The District may require annual medical certifications in cases where serious health conditions extend beyond a single leave year. This does not apply to certificates to support a request for injured service member leave.

### **Restoration**

An employee's right to return to the same or an equivalent position is contingent upon the employee's continued ability to perform all the essential functions of the position. The District may demand more than a "simple statement" of the ability to return to work. Fitness for duty certification for intermittent leave may be requested by the District if reasonable safety concerns exist.

## **PERSONNEL**

Certified/Non-Certified

Regulation: 4152.6(e)

4252.6(e)

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### **Family Medical Leave (continued)**

When the employee returns from leave, the District will restore the employee to the same or an equivalent position with equivalent benefits, pay, terms and conditions of employment shift, and geographically proximate workplace in accordance with Board policy, practices and applicable collective bargaining unit agreements. Employees are entitled to any unconditional pay increase, such as cost of living increases, that occur during the period to their FMLA leave.

Under certain circumstances, the District may deny restoration to a key employee. The District will comply with the notice requirements of the FMLA in denying restoration. A key employee is one who is among the highest paid 10% of the employees and whose absence would cause the District to experience a substantial and grievous economic injury.

Further, the District may deny restoration to an employee if the District shows that the employee would not otherwise be employed at time of reinstatement for reasons such as layoff, shift or special project elimination. In addition, collective bargaining agreements between the Board and employee groups will not diminish the rights of the employee established by FMLA.

A returning employee cannot be restored to a position that requires additional licensure of certification.

Employees are not entitled to accrue seniority during any FMLA leave, but taking the leave may not result in the loss of any benefits that were accrued prior to the leave.

### **Instructional Employees**

Special rules apply to instructional employees. Instructional employees are those employees whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This term includes teachers, athletic coaches, driving instructors and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists or curriculum specialists. It also does not include cafeteria workers, maintenance workers or bus drivers.

Limitations apply to instructional employees who take intermittent or reduced leave. If the leave requested is

1. to care for a family member, or
2. for the employees own serious health condition and

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6(f)  
4252.6(f)

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### Family Medical Leave (continued)

3. is foreseeable based on planned medical treatment (i.e. chemotherapy, prenatal visits, physical therapy etc.) and
4. the employee would be on leave for more than 20% of the total number of working days over the period the leave would extend,

Then the District may require the employee to choose either to:

1. take the leave for a period of a particular duration, not greater than the duration of the planned treatment; or
2. transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than does the employee's regular position. However, an instructional employee cannot be transferred to an alternative position when the employee takes intermittent leave that amounts to twenty (20) percent or less of the total number of working days in the period during which the leave would extend.

Intermittent leave is not available to take care of a newborn or recently adopted child.

Limitations also apply to instructional employees who take leave near the end of a semester. When an instructional employee begins leave more than five weeks before the end of a semester the District may require the employee to continue taking leave until the end of the semester if:

1. the leave will last at least three weeks, and
2. the employee would return to work during the three-week period before the end of the semester.

An instructional employee, required to extend his/her leave by the District, shall not have the "extra" leave counted against the employee's 12 work week entitlement unless the employee requests said additional leave be counted against the FMLA entitlement.

When an instructional employee begins leave for a purpose other than the employee's own serious health condition during the five-week period before the end of the semester, the District may require the employee to continue taking leave until the end of the semester if

- (1) the leave will last more than two weeks, and
- (2) the employee would return to work during the two-week period before the end of the semester.

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6(g)  
4252.6(g)

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### **Family Medical Leave (continued)**

When an instructional employee begins leave for a purpose other than the employee's own serious health condition during the three-week period before the end of a semester, and the leave will last more than five working days, the district may require the employee to continue taking leave until the end of the semester.

Leave may not be counted against an employee during times (vacation periods) when they are not normally required to work.

When the employee is required to take leave until the end of the semester, only the time until the employee is "ready and able" to work shall be charged to FMLA leave.

### **Unforeseeable, Continuous, Intermittent and Reduced Leave**

Unforeseeable leave involves situations such as emergency medical treatment or premature birth.

Continuous leave is taken for a set number of days or weeks.

Intermittent leave is leave taken in separate blocks of time due to a single illness or injury rather than one continuous period of time.

Reduced leave is a leave schedule that reduces employee's usual number of hours per work week, or hours per work day.

Intermittent or reduced leave is available only for the employee's own serious health condition or to care for a seriously ill spouse, child or parent. Such leave may not be used for the birth or adoption/placement of a child or to care for a newborn or recently adopted child. In the case of foreseeable intermittent or reduced leave, the employee must schedule the leave to minimize disruption to the district's operation.

The employee who wishes to use intermittent or reduced leave shall, whenever possible, give prior notification to the District. Although the District and employee may agree to an intermittent or reduced leave plan, the employee who uses family leave is not automatically entitled to use such leave on an intermittent basis or on a reduced leave schedule. The district may provide such leave for medical leave but the district may transfer the employee to a position which is equivalent, but more suitable for intermittent periods of leave provided said leave amounts to more than twenty (20) percent of the total number of working days in the period during which the leave would extend. The employee must furnish the District with the expected dates of the planned medical treatment and the duration of the treatment.

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6(h)

4252.6(h)

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### Family Medical Leave (continued)

#### Employee Entitlement to Service Member FMLA

The federal FMLA and the Connecticut ~~paraprofessional~~ **paraeducators** FMLA provisions entitle eligible employees to take leave for a covered family (spouse, son, daughter, parent) member's service in the Armed Forces. Except as listed in this section, an employee's rights and obligations to service member FMLA leave are governed by existing FMLA policy and regulations.

Service member FMLA provides eligible employees unpaid leave for a covered family member's service in the Armed Forces, for any one or for a combination of the following reasons:

A "qualifying exigency" arising out of a covered family member's active duty or call to covered active duty in the Armed Forces including deployment to a foreign country or to international waters may include issues arising from short notice deployment, attending certain military events, arranging for alternate childcare, attending school activities, addressing certain financial and legal arrangements, attending certain counseling sessions, engaging in rest and recuperation, parental care and attending post-deployment reintegration briefings as well as participating in additional activities arising out of the active duty or call to active duty. In order to secure leave for a qualifying exigency, employees must submit a completed DOL Form WH-384 along with a copy of the military member's active duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or call to covered active duty status, and the dates of the military member's covered active duty service. DOL Form WH 384 must be completed and returned within 15 calendar days of the date the District distributes the Form to the employee;

To care for a covered family member who has incurred a serious injury or illness in the line of duty while on covered active duty in the Armed Forces including a member of the National Guard or Reserves, provided that such duty or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating; and/or

To care for a veteran suffering a service related illness or injury, as long as the veteran was a member of the Armed Forces, National Guard, or Reserves within five years of requiring care.

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6(i)  
4252.6(i)

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### **Family Medical Leave (continued)**

An employee's obligation to provide notice of leave due to a qualifying exigency is triggered when the employee first seeks to take such leave. Where this leave is foreseeable, eligible employees must provide notice to the District that is "reasonable and practicable."

Separate certification requirements shall be utilized for military caregiver leave. The District shall use the DOL WH-385 (Revised February 2013) form in obtaining medical certifications of Military Caregiver Leave.

When such leave is to care for an injured or ill service member, an eligible employee may take up to 26 work weeks of leave during a single 12-month period to care for the covered service member (either currently serving service member or covered veteran). Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent or next of kin of a covered service member.

Service member FMLA runs concurrent with any other leave entitlements provided under federal, state or local law.

In order to secure this extended leave, employees must submit a completed DOL Form WH-385 (current service member) or WH-385 (veteran). This Form must be completed and returned within 15 days of the date the district distributes the Form to the employee.

### **Service Member Definitions**

**Covered Service Member:** A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy, and was discharged or released under conditions other than dishonorable at any time during the five year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

**Covered Active Duty:** In the case of a member of a regular component of the Armed Forces, duty during deployment of the member of the Armed Forces to a foreign country; and in the case of a reserve component of the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 U.S.C. §101(a)(13)(B)

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6(j)  
4252.6(j)

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### Family Medical Leave (continued)

**Next of Kin:** The nearest blood relative of an individual. (In this order: brother, sister, grandparents, aunts, uncles, first cousins) Excluded are the covered service members' spouse, parent, son or daughter, as they already are entitled to leave for this purpose. A covered service member may designate, in writing, another blood relative as his or her nearest blood relative for purposes of military caregiver FMLA leave. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to care for the covered service member either consecutively or simultaneously. When a designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin.

**Outpatient Status:** With respect to a covered service member, this means the status of a member of the Armed Forces assigned to:

- (a) A military medical treatment facility as an outpatient; or
- (b) A unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

**Qualifying Exigency:** The U.S. Department of Labor's definition of this term includes the following eight (8) situations: (1) short-notice deployment, (2) military events and related activities, (3) childcare and school activities, (4) financial and legal arrangements, (5) counseling, (6) rest and recuperation, (7) post deployment activities, and (8) additional activities to address other events which arise out of the covered military member's active duty or call to active duty status, provided the employer and employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave. (See form WH-384)

**Single 12-Month Period:** The U. S. Department of Labor has determined that for purposes of military caretaker leave is a period that commences on the date an employee first takes leave to care for a covered service member with a serious injury or illness.

**Serious Injury or Illness:** In the case of a current member of the Armed Services, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6(k)

4252.6(k)

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### **Family Medical Leave (continued)**

In the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during a period of five (5) years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy, means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty on the Armed Forces or existed before the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces and that manifested itself or after the member became a veteran, and is

(i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or

(ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or

(iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or

(iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

In order to secure this extended leave, employees must submit a completed DOL Form WH-385 (current service member) or WH-385V (veteran). This Form must be completed and returned within 15 calendar days of the date the District distributes the Form to the employee.

### **Leave to Care for a Covered Service Member**

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall:

1. make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the District; and
2. provide the District with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

## **PERSONNEL**

Certified/Non-Certified

Regulation: 4152.6(l)

4252.6(l)

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### **Family Medical Leave (continued)**

The Board of Education may require that a request for leave to care for a covered service member be supported by a certification issued by the health care provider of the person in need of care. The employee shall provide, in a timely manner, a copy of such certification to the district.

Certification will be sufficient if it states:

1. the date on which the serious health condition or serious injury or illness commenced;
2. the probable duration of the condition; and
3. the appropriate medical facts within the knowledge of the health care provider regarding the condition.

If leave is to be taken on an intermittent or reduced leave schedule for planned medical treatment, the certification must contain the dates on which such treatment is expected to be given and the duration of such treatment.

### **Leave Related to Active Duty or a Call to Active Duty**

If the necessity for leave because of a qualifying exigency arising from the fact that a family member is on covered active duty or has been notified of an impending call to active duty is foreseeable, the employee shall give such notice to the District as is reasonable and practicable.

The Board may require that a request for leave because of a qualified exigency arising from the fact that the employee's spouse, son, daughter, or parent or covered service member is on covered active duty or has been notified of an impending call to active duty be supported by a certification issued in accordance with regulations issued by the Secretary of Labor. If the Secretary issues a regulation requiring such certification, the employee shall provide, in a timely manner, a copy of such certification to the school district.

### **Failure to Return**

The District is entitled to recover health care premiums paid during the leave if the employee fails to return from leave. However, recovery cannot occur if the employee fails to return because of the continuation, recurrence, or onset of a serious health condition or due to circumstances beyond the control of the employee.

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6(m)  
4252.6(m)

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### Family Medical Leave (continued)

#### Miscellaneous

1. An employee's serious health condition may also be a disability within the meaning of the Americans with Disability Act (ADA) which may also trigger requests for paid leave, unpaid leave or workers' compensation benefits. The District may follow procedures for requesting medical information under the ADA or paid or unpaid leave or worker's compensation programs without violating the FMLA. The District may also consider any information received pursuant to such procedures or benefit programs in determining an employee's entitlement to FMLA-protected leave.
2. When employees seek leave due to an FMLA-qualifying reason for which the District has previously provided FMLA protected leave, the employee must specifically reference the qualifying reason for leave or the need for FMLA leave.
3. The District requires employees to comply with all usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances. The requirements include providing written notice of the reasons and anticipated start and duration of the leave or requirement that employees contact a specific individual of the District to request leave and the completion of the FMLA medical certification forms.
4. If there is a dispute between the District and an employee as to whether leave qualifies as FMLA leave, it shall be resolved through discussions between the District and the employee. The discussions and decisions must be documented in writing.

Regulation

Adopted: November 9, 2015

Revised: October 22, 2019

Revised:

## Superintendent of Schools

### Appointment

The appointment of a superintendent is a Board of Education responsibility. The board may seek the advice and counsel of interested individuals, or of an advisory committee, and it may choose consultants to assist in selection. However, final selection shall rest with the Board after thorough consideration of qualified applicants.

When the Board elects a superintendent, a majority vote of the entire membership of the Board is necessary for election. The superintendent may be appointed (or reappointed) for a term not to exceed three years. The Board will release and publish on the GPS website the Superintendent's contract and full compensation figures annually.

In the event of the untimely departure of the Superintendent, the Board may employ an Acting Superintendent, properly certified or not, for a probationary specified period, not to exceed one school year, with the approval of the Commissioner of Education. Such time may be extended by the Commissioner for good cause shown. During such probationary period, the Acting Superintendent shall assume all duties of the Superintendent for the time specified and shall successfully complete a school leadership program, approved by the State Board of Education, offered at a public or private institution of higher education in the State. At the conclusion of the probationary period, the Board may request the Commissioner of Education to grant a waiver of certification for the Acting Superintendent, allowing the Board, if desired, to appoint the Acting Superintendent as the District's permanent Superintendent.

The superintendent must be properly certified by the State of Connecticut. However, the Board may require qualifications in addition to those prescribed by the state Board of Education.

### Recruitment of Superintendent

1. Consultant – When the Board of Education starts a search for a new superintendent, it first will decide whether to hire a qualified search consultant. The selection of a consultant will be through a process consistent with the Board's policies.
2. Search Committee – The Board with the help of the consultant (if hired) will establish a search committee. The Board of Education chair will appoint the chair of the search committee who will be a member of the Board of Education.

The search committee will seek the advice and counsel of a broad variety of groups within the district, representative of the demographics of the community.

The search committee, responding to input from the community, will screen applicants and interview six to eight semi-finalists. It will then recommend a smaller number of candidates to the Board for final selection. Final selection will rest with the Board after a thorough consideration of qualified applicants.

Recruitment and Appointment of Superintendent (continued)

The search committee and the Board of Education is encouraged to consider training related to the issues surrounding an equitable hiring process and recruitment issues. This training is designed to ensure a consistent interview process, and reduce bias and stereotyping.

The search committee will:

- a. Receive all applications and seek supplemental information on candidates as needed.
  - b. Receive input from organizations in its district or region.
  - c. Interview and screen the most promising candidates.
  - d. Present to the Board the names and qualifications of two to four of the most promising candidates.
3. Time Frame/Budget – The Board of Education will estimate a time frame for the search and prepare a budget for the search process, including anticipated expenses for all facets of the search.
  4. Desired Qualifications, Functions and Responsibilities of Superintendent – The Board will develop a set of qualifications for the superintendency and prioritize the functions and responsibilities it wishes the superintendent to discharge. If a consultant is employed to assist the Board, the consultant will work in conjunction with the Board to develop qualifications and responsibilities for the superintendency.

The Board of Education and the consultant (if hired) is encouraged to give appropriate consideration to recruitment of under represented groups. Recruitment procedures may include sending notices of superintendent vacancies to: college and university placement offices; women’s centers or minority affairs offices; superintendent organizations; professional journals; professional associations; and other publications and associations which reach under represented groups.

5. Interviews – A background check of professional qualification is essential. Members of the search committee will select a coordinator to welcome the superintendent candidates.
6. Superintendent Contract – A subcommittee of the Board will negotiate the contract with the finalist.
7. Election of Superintendent – A vote of the majority of the Board members, present at a Board meeting for which due notice has been given of the intended action, will be required for the election of the superintendent. (Section 10-157CGS states that “Employment of a superintendent shall be by election of the Board of Education.” Therefore the motion should be to “elect” a new superintendent rather than “appoint” or “hire”)

**Recruitment and Appointment of Superintendent** (continued)

8. Transition – The Board must decide how to best handle the transition period from the time the previous superintendent departs until the new superintendent begins in the district.

**Contract**

The salary of the superintendent, additional benefits, vacation entitlement and other leave shall be determined at the time of appointment (or reappointment) and shall be part of the written contract.

Additional benefits, such as health and other forms of insurance, annual vacation, holidays, and temporary and extended leaves and absences shall be at least equal to those granted other professional staff members.

**Duties and Responsibilities**

The superintendent shall be the chief executive officer of the Board of Education and shall be responsible for the management of the public schools in the district in accordance with federal and state laws and regulations and Board of Education policies. The superintendent shall be responsible to the Board as a body and not to individuals on the Board and shall be responsible for the execution of all decisions and the administration of Board policies and directions concerning school system operations. The superintendent shall have the power to act in matters not covered by board policy, subject to such actions being reviewed by the Board at a regular meeting.

**Superintendent Evaluation**

Annually, the Board will evaluate the superintendent in accordance with guidelines and criteria mutually determined and agreed upon by both the Board and the superintendent.

Legal Reference: Connecticut General Statutes  
10-157 Superintendents. Relationship to local or regional Board of Education; verification of certification status; written contract for employment; evaluation of superintendent by Board of Education.

Policy

Adopted: October, 1981

Revised: October 17, 2005

Revised: April 11, 2011

Revised:

## Committees (Standing, Special and Ad Hoc Committees)

Revised

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The Board of Education shall act as a whole on all matters coming before it. Committees may be appointed as specified under duties of the Chair. (cf. 9121). Committees appointed include standing and special committees.

**Special committees** are formed for the consideration or investigation of specific subjects shall submit their reports at meetings of the Board and are discharged when such reports are accepted.

**Standing committees** are formed for the performance of continuing functions and shall submit periodic reports at meetings of the Board. Standing committees shall be established only by amendment to Board policy specifying the committee's structure and responsibilities. All standing committees shall consist of three members appointed by the Chair of the Board of Education following the biennial town elections. Such committees shall include no more than two members from the same political party. Terms shall expire at the next biennial town election. Vacancies occurring among committee members will be filled by the Chair of the Board of Education (cf. 9121). Committee agenda and meeting schedules are set by the committee Chair in consultation with the Superintendent or designee. A matter may be referred to any standing committee upon written request of at least two Board members.

Continuing participation of the Superintendent or designee is expected in order to assist standing and special committees with their deliberations.

**Ad Hoc Committees**

Ad hoc committees may be created for special assignments. The same rules shall apply to special committees as apply to standing committees, except that they shall be dissolved immediately upon completion of an assignment. The Board Chairperson and the Superintendent of Schools shall be ex-officio members of all ad hoc committees.

Duties of the committee shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made to the Board of Education.

(cf. 1221 Citizens' Advisory Committee to the Board)

## Policy

Adopted: October, 1981

Revised: May 24, 2004

Revised: March 8, 2021