



## POLICY COMMITTEE MEETING

Monday, February 9, 2026 5:30 PM  
Glastonbury Town Hall, Meeting Room A  
Glastonbury Town Hall  
2155 Main Street  
Glastonbury, CT 06033

1. Review of New Board of Education Policy #3452 Cash Rounding Payment
2. Review of Board of Education Policy #3542.43 Food Service Charging
3. Review of Board of Education Policy and Regulation #5114 School Discipline - Exclusion
4. Review of Board of Education Policy and Regulation #5118 Residency Requirements
5. Review of New Board of Education Policy #6163.12 Library Display and Program
6. Review of Board of Education Policy #6163.1 Library Media Center Selection of Resources
7. Review of Board of Education Appendix to Policy and Regulation #6163.1 Request for Reconsideration of Library Resources
8. Review of Board of Education Policy #1313 Complaints Regarding Educational Materials
9. Review of Board of Education Policy and Regulation #4152.6-4252.6 Family and Medical Leave of Absence
10. Review of Board of Education Policy #4153 -4253 Health and Dental Insurance during Non-FMLA Medical Leaves of Absence
11. Review of Board of Education Policy #9020 Board Self -Evaluation

## Cash Rounding Payment

The US Treasury Department has stopped the production of pennies as of November 2025. The local banks have experienced the shortage and no longer have access to stock that the District needs to provide exact change. This policy is for all departments that currently take cash payments. It provides clear direction for departments and outlines the proper accounting to use so that the revenue collected continues to be reflected accurately.

This policy applies only to cash payments made to any District department, office, or division. Non-cash payments (checks, money orders, ACH, credit/debit cards, and online payments) shall continue to be accepted and posted to the exact cent.

For cash transactions only, the final total amount due shall be rounded to the nearest five cents (\$0.05) using the following symmetric rule:

- \$0.01-\$0.02 → round down to the nearest \$0.00
- \$0.03-\$0.04 → round up to the nearest \$0.05
- \$0.06-\$0.07 → round down to the nearest \$0.05
- \$0.08-\$0.09 → round up to the nearest \$0.10

Departments shall record both the original billed amount and the rounded amount received. Any rounding differences shall be posted to a “Rounding Adjustment” account within the General Fund or applicable revenue fund for tracking and audit purposes.

Pennies and other U.S. coins remain legal tender; the District will accept them if offered. Rounding applies only to the total due, not to the assessment or billed amount on record.

The District will post public notices explaining this policy, provide examples, and train staff before implementation.

Policy

Adopted:

**Business and Non-Instructional Operations****Food Service****Meal Charging Policy**

Glastonbury Public Schools Food Services is an essential program that provides students with healthy and nutritious meals.

The Glastonbury Board of Education (Board) is a sponsor of the United States Department of Agriculture (USDA) Food and Nutrition Services' Child Nutrition Programs, including the National School Lunch Program (NSLP) and the School Breakfast Program (SBP). The District shall adhere to the federal and state guidelines and regulations pertaining to these school Child Nutrition Programs.

In accordance with federal law, the Board will make a public announcement and notify parents and guardians of the eligibility criteria for free and reduced-priced meals and provide information regarding how a household can complete an application for these benefits. Such notice will be distributed at the beginning of each school year and will be available on the district's food services website.

**Charging Meals**

The District uses an automated prepayment system (family.schoolcafe.com) for student meal accounts. Parents and guardians are responsible for providing meals or meal money for their student(s). Charging is intended to be for emergency purposes only and repayment is expected.

Students whose accounts have insufficient funds, and who do not bring a meal or other funds to school to pay for meals, may charge meals to their meal accounts. Students will be informed of their right to purchase a meal, which excludes a la carte items, for any school breakfast, lunch or other meal offered by the District, even if the student's account has insufficient funds. Students will be allowed to charge a single meal per day for breakfast and/or lunch to their student meal account.

The Board prohibits the public identification or shaming of a child/student for any unpaid charges including, but not limited to, the following:

- Delaying or refusing to serve a meal to such student,
- Designating a specific meal option for such student or otherwise taking any disciplinary action against such student.

A student needing to charge a meal will be informed of his/her right to purchase a meal, which will exclude a-la-carte items, for any school breakfast, lunch or other feeding.

**Collection of Unpaid Meal Charges**

The District's efforts to recover from households money owed due to the charging of meals must not have a negative impact on the children involved and shall focus primarily

on the adults in the household responsible for providing funds for meal purchases. The District shall consider whether the benefits of potential collections outweigh the costs that would be incurred to achieve those collections.

For purpose of this policy, “delinquent debt” means unpaid meal charges.

The District will contact the parents/guardians of students who charge meals to their meal accounts in order for the District to collect the delinquent debt. Weekly emails will be sent through our meal payment system to the parent/guardian email on file. All communications regarding unpaid meal charges shall be made directly and discreetly to parents/guardians. Written communications provided to parents/guardians regarding collection of a student’s unpaid meal charges shall include an application for free or reduce priced meals, contact information for local food pantries, the link to the town’s website listing community services available to residents, and the Connecticut Department of Social Services’ supplemental nutrition assistance program (SNAP).

In the event a student’s unpaid meal charges are equal to or more than the cost of thirty (30) meals, the parents/guardians of such student will be referred to the District’s homeless liaison.

The Board shall comply with applicable federal and state laws and other federal and state requirements concerning the collection of unpaid meal charges, including but not limited to requirements relating to delinquent debt and “bad debt”, as defined by federal law, and record-keeping relating thereto. **By June 30<sup>th</sup> of each year, the unpaid meal debt must be reimbursed by Board of Education funds and not the nonprofit school food service account.** The Board may accept gifts, donations or grants from any public or private sources for the purpose of paying off any unpaid charges for school lunches, breakfasts or other such feeding.

The Board realizes that funds from the non-profit school food service account, according to federal regulations, cannot be used to cover the cost of charged meals that have not been paid.

Moreover, federal funds are intended to subsidize the meals of children and may not be used to subsidize meals for adults (teachers, staff, and visitors). Adults are not allowed to charge meals and shall pay for such meals at the time of service or through pre-paid accounts.

### **Dissemination of Policy**

This policy will be posted on the District’s policy and school food services websites. This policy shall be provided to all District staff responsible for its enforcement. In addition, school social workers, nurses, the homeless liaison, and other staff members assisting children in need or who may be contacted by families with unpaid meal charges shall be informed of this policy.

The District shall maintain, to the extent required by law, documentation of the methods used to communicate this policy to households and District staff responsible for policy enforcement.

The District shall provide this policy to the Connecticut State Department of Education during Administrative Reviews.

The Superintendent or designee may, if necessary and appropriate, develop administrative regulations in furtherance of this policy.

(cf. 3542 – Food Service)

(cf. 3542.31 – Free or Reduced Price Lunch Program)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees (as amended by PA 21-46).

10-215a Nonpublic school and nonprofit agency participation in feeding programs.

10-215b Duties of State Board of Education re feeding programs.  
State Board of Education Regulations

State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education Operational Memorandum No. 4-17, “Guidance on Unpaid Meal Charges and Collection of Delinquent Meal Payments,” Nov. 2, 2016

Operational Memorandum #19-10, State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education “Unallowable Charges to No-profit School Food Service Accounts and the Serving of Meals to No-paying Full and Reduced Price Students”

National School Lunch Program and School Breakfast Program; Competitive Foods. (7 CFR Parts 210 and 220, Federal Register, Vol 45 No. 20, Tuesday, January 29, 1980, pp 6758-6772

USDA Guidance:

- SP 46-2016, "Unpaid Meal Charges: Local Meal Charge Policies"

- SP 47-2016, "Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payment"
- SP 57-2016 "Unpaid Meal Charges: Guidance and Q and A"
- SP 58-2016 "2016 Edition: Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools"

Operational Memorandum #11-22, State of Connecticut Bureau of Health, Nutrition and Family Services "Connecticut Statutory Requirements for Unpaid Meal Charges in Public Schools"

Policy adopted: October 30, 2017

Revised: October 4, 2021

Revised: September 22, 2025

**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, **unless such student is granted a formal hearing pursuant to sub sections 4-176e to 4-180a, inclusive, section 4-181a, as outlined in Section VI, subsection D, is first granted.**
- 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, provided such 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 issues that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary 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 **pursuant to sub sections 4-176e to 4-180a, inclusive, section 4-181a, as outlined in Section VI, subsection D, is first granted.**

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: **is defined as** unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance. (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, for 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.
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- 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.

Prior to conducting any hearing regarding the suspension of a student, a principal/designee at the school in which the student is enrolled, shall contact the school's homeless education liaison, to determine whether the student is a homeless child or youth. If it is determined that the student is homeless, the administration shall consider the impact of homelessness on the behavior of the student during the hearing.

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.~~

9. Notice of suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the students grauates from high school, or in the case of a suspension of a student for which the length of the suspension period is shortened or the suspension period is waived. Such notice shall be expunged from the cumulative educational record (1) if the student graduates from high school, or (2) if the administration so chooses at the time the student completes the administatration-specified program and meets any other conditions required by the administration pursuant to subsection (e) of Section 10-233d., whichever is earlier.

~~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.~~

10. Whenever a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included in the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grade nine to twelve, inclusive, based on the possession of a firearm or deadly weapon as described in Section 29-38 of the general statutes.

- a. shall be expunged from the cumulative educational record if the student graduates from high school, or
- b. may be expunged from the cumulative educational record before a student graduates from high school if:
  1. in the case of a student for which the length of the expulsion period is shortened or the expulsion period is waived pursuant to subdivision (2) of subsection (c) Section 10-233d., such Board determines that an expungement is warranted at the time the student completes the board-specified program and meets any other Conditions required by the Board waived pursuant to subdivision (2) of subsection (c) Section 10-233d., or
  2. such student has demonstrated that their conduct and behavior in the years following the expulsion warrants expungement. The Board of Education, in determining whether to expunge such notice, may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

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, **after holding a formal hearing**, 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 “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 (**formal 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

18. 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.

19. 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.
20. 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. Prior to placing any student in an out-of-district placement due to the challenging behavior of the student, a functional behavior assessment shall be conducted to develop or update a behavioral intervention plan for the student. A functional behavior assessment and a behavioral intervention shall not be required if the time required to conduct the assessment or develop or update a plan would put the safety of such student, any other student, or any staff in the school at risk. Not later than two (2) business days following the decision not to conduct an assessment, or develop, or update a plan for the student, the district shall file a notice with the Department of Education of the reasons that an assessment was not conducted or a plan was not developed or updated.
5. 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

**Public Act 25-67 An Act Concerning the Quality and Delivery of Special Education Services in Connecticut (Section 13)**

**Public Act 25-93 An Act Increasing Resources for Students, Schools and Special Education (Sections 38 & 39)**

Regulation

Adopted: January 24, 2005

Revised: July 14, 2014

Revised: March 26, 2015

**STUDENTS**

Regulation: 5114(p)

Student Discipline/Exclusion

Revised

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Revised: August 31, 2015

Revised: October 22, 2019

Revised: September 9, 2024

Revised: August 11, 2025

Revised:

By Connecticut statute, the Town of Glastonbury is required to provide school accommodations to students who are permanent residents of Glastonbury. Residency must be permanent, provided without pay and not for the sole purpose of obtaining school accommodations. The burden of proof in determining student residency shall be on the party claiming residency. For the purposes of determining “permanent residency” and whether such residency is “provided without pay,” the Board of Education and administration will require one of the following:

1. The student resides full time, typically seven (7) days per week, with parent/guardian who are residents of the Town of Glastonbury. Parents/guardians of students transferring to Glastonbury schools for the first time, registering for the first time, or moving within Glastonbury, must submit evidence of Glastonbury residency or continued Glastonbury residency, using evidence as mortgage statement, deed to home, or signed lease agreement including landlord’s name, and telephone number, AND a recent utility bill or a utility startup confirmation to the address within the district.
2. The student resides with someone, other than the parent/guardian, who are legal residents of Glastonbury and it is the intent of the student or his or her parent/guardian, and the persons with whom the child resides in Glastonbury, that:
  - a. The residence is to be permanent and full time, typically seven (7) days per week, and
  - b. The residence is provided to the student without pay to those providing it and not for the sole purpose of obtaining school accommodations provided by the school district.
3. The student is residing in a facility or home as a result of placement by a public agency other than a local or regional Board of Education except as provided in the Connecticut General Statutes, Section 10-253(b).
4. The student is an emancipated minor, who shall submit appropriate court documents regarding the emancipation decree as well as evidence of Glastonbury residency.

If, in the opinion of the superintendent/designee or the Board of Education, a student resides in Glastonbury for the primary purpose of obtaining a free public education, or if the student has not established permanent residency, that student shall not be permitted to be enrolled or to continue enrollment in the Glastonbury Public Schools.

#### Policy

Adopted: January 10, 1983

Revised: September 18, 1995

Revised: January 24, 2005

Revised: February 25, 2019

A number of factors have been enumerated in court cases that may be relevant to a determination of residency may include, but are not limited to:

1. Where the majority of the student's clothing and personal possessions are located
2. Addresses used for driver's license, voting registration, selective service registration, and motor vehicle registration
3. Town of issue of library card
4. Where the student attends religious services
5. Place of club affiliations, e.g., cub scouts, boy scouts, etc.
6. Residence of child's immediate family
7. Where the child spends substantial time when school is not in session
8. The degree of responsibility that the person with whom the child resides has over the child's daily and general affairs, e.g., ability to consent to school trips and medical treatment, attend parent-teacher conferences, receive report cards, etc.
9. Number of days the child is residing in town
10. The location of schools attended previously
11. The place to which the child would go if such child left or were not permitted to attend school in Glastonbury
12. The purpose for which the child has come to Glastonbury
13. Who supplies the majority of support for the child's welfare
14. What other schools the child would be eligible to attend
15. The residency and degree of responsibility of the parties involved over the child

#### Rights of Appeal for Denial of Residency

When denial of educational accommodation is made on the basis of residency, the parent/guardian, an emancipated minor, or pupil 18 years of age or older, shall be informed of his or her right to due process and to request a hearing by the Board of Education in accordance with Connecticut General Statutes, Section 10-186(b)(1).

Entitlement to free school accommodations for students applying for enrollment or attending the Glastonbury Public Schools shall be determined in accordance with state law and Glastonbury Board of Education policy as set forth in the following procedures:

1. In the event the administration seeks denial of admission or disenrollment under any such provisions, the school administration shall conduct an investigation and, upon the approval of and/or consultation with the superintendent/designee, provide a statement of the basis for a determination of ineligibility, notice of the right to a hearing, and notification to the board under whose jurisdiction the investigator believes the child's schooling belongs.

Notice to the child who is over eighteen, or to an emancipated minor, or to a parent/guardian shall be, by certified mail, return receipt requested, or service delivered by hand, and shall include a request that said child, parent/guardian notify the board of his or her

intention to request a hearing in writing within fifteen (15) school days of receipt of notice. In the case of a request for a hearing on disenrollment, such notice shall inform the child or parent/guardian of his or her right to request that the child continue attending the Glastonbury Public Schools pending the hearing. If no such request is received in fifteen (15) school days, the child will be denied admission or be enrolled.

2. In the event that a hearing is requested, the Board of Education may (A) conduct the hearing, (B) designate a subcommittee of the board composed of three board members to conduct the hearing, or (C) establish a local impartial hearing board of one or more persons not members of the board of education to conduct the hearing. The board, subcommittee or local impartial hearing board shall give such person a hearing not later than ten days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding not later than ten days after the hearing. Hearings shall be conducted in accordance with the provisions of Connecticut General Statutes, Section 10-186, 4-176e through 4-180a inclusive and 4-181a. The burden of proof in student residency disputes is on the party claiming residency.
3. At such hearing, the parent/guardian, or other person with whom the child allegedly resides or the emancipated minor or child over eighteen shall have the right and choice of representation at their own expense, i.e., at no cost to the Glastonbury Board of Education; all witnesses may be sworn, and any oral or documentary evidence may be received, but the Board may exclude irrelevant, immaterial, or unduly repetitious evidence. At such hearing, opportunity shall be afforded all parties to resent evidence, cross-examine witnesses, and make argument on all issues involved. A representative of the board in whose jurisdiction the Glastonbury Public Schools believes the child's schooling belongs may attend and participate to the extent provided by law.
4. Any person aggrieved by the finding of the Board shall, upon request, be provided with a tape recording or a transcript of the hearing within thirty (30) days after said request, and may take an appeal from the finding to the State Board of Education. A copy of appeal shall be served on the Glastonbury Board of Education. If an appeal to the State Board of Education is not taken within twenty (20) days of the mailing of the finding to the aggrieved party, the decision of the Glastonbury Board of Education shall be final.
5. For students who are already enrolled in the Glastonbury Public Schools, through the pendency of the appeal for disenrollment, the child, on request of his/her parent/guardian, may continue in attendance in the Glastonbury Public Schools.
6. Any party (including the Glastonbury Board of Education) aggrieved by the findings of the State Board of Education may appeal to the Connecticut Superior Court. If neither party appeals, the State Board of Education decision becomes final.
7. Where it is determined that the child was not eligible for free accommodations in Glastonbury, Glastonbury may collect reimbursement from the parent/guardian for any

assessed costs of said schooling to the extent of its remedies at law or equity, as provided in Connecticut General Statutes, Section 10-186(b)(4).

#### Requirements for Non-Resident Student Enrollment

A non-resident student is defined as any student whose parents' or legal guardians' permanent residence is not within the Town of Glastonbury. A non-resident student over the age of eighteen is defined as any student whose permanent residence is not within the Town of Glastonbury.

Enrollment of non-resident student will be limited to the following:

1. Pupils attending Glastonbury Public Schools by special approved arrangements between the Glastonbury Board of Education and Board of Education of the community or state agency sending the pupil.
2. Pupils attending the Glastonbury Public Schools by special action of the Glastonbury Board of Education.
3. Parents/guardians who provide evidence that they are in the process of building or buying a home within the town of Glastonbury and expect to move in prior to November 1 who wish to enroll their children in one of the district's schools at the beginning of the school year will be permitted to do without payment of tuition for the months of September and October.

If the parents/guardians have not become permanent residents by October 31, their child's continued enrollment will be approved only upon payment of the tuition rate established by the Glastonbury Board of Education. Payment will be required starting November 2.

In cases where occupancy of a newly built or purchased home in Glastonbury is not expected to occur until after November 1, parents/guardians may also enroll their children in a district school at the beginning of the school year at a tuition rate established by the Glastonbury Board of Education.

4. Pupils whose parents/guardians move from Glastonbury to another community after April 15. In such cases enrollment in the Glastonbury Public Schools will be permitted for the balance of the school year without payment of tuition.
5. High School seniors whose parents/guardians move from Glastonbury to another community after October 15, and will have successfully completed their junior year at Glastonbury High School will be permitted to continue at Glastonbury High School for the balance of the school year without payment of tuition, provided that continued enrollment is approved by the superintendent/designee.

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6. Students whose parent(s) is a member of the armed forces and receives military orders directing a move and change of residency may continue to be enrolled in Glastonbury Public Schools until the end of the school year, providing the parent(s) remain a member of the armed forces. If such student is currently completing their junior year at Glastonbury High School, they will be permitted to continue at Glastonbury High School for an additional school year, providing their parent(s) remain a member of the armed forces.

The Board of Education assumes no responsibility for transportation to and from school of any pupils whose parent/guardian lives out of town. Transportation arrangements must be made and paid for by the parent/guardian or other person legally responsible for the child or by the Board of Education of the community in which the pupil resides.

#### Procedures for Tuition Payment Where Appropriate

1. The school principal notifies the superintendent/designee when there is a request for an out-of-town registration or Board approved special arrangement. Registrants are instructed to contact superintendent/designee to obtain the policy, procedures, contract and tuition plan (if appropriate) necessary in order to begin the registration process.
2. After the registrant completes the contract including adequate evidence, i.e., signed construction contract with anticipated completion date, this information is returned to the superintendent/designee.
3. The superintendent/designee then returns the approved contract to the registrant, maintains one on file, and notifies the school principal in order that the student may be enrolled.
4. Tuition is established by the Board of Education and billing will be carried out beginning December 1 for the amount due from November 1 through that date, and each month thereafter for those in the process of building or purchasing a home. Tuition is billed twice a year for Board approved special arrangements re: out of town staff whose children attend Glastonbury Schools.
5. If payment is not received within 30 days after billing, notice of impending exclusion of the child will be sent by registered mail to the parent/guardian.
6. Status reports of tuition charges for out-of-town students will be made quarterly to the superintendent/designee.

**Legal Reference: Public Act 25-15 An Act Concerning Various Measures Recognizing and Honoring the Military Service of the Armed Forces in Connecticut (Section 7)**

#### Regulation

Adopted: January 24, 2005

Revised: April 21, 2014

Revised:

## Library Display and Program

Library displays and student programs are critical in serving as resources for voluntary inquiry, the dissemination of information and ideas, and promoting free expression and free access to ideas by students.

The Glastonbury Board of Education recognizes that library displays are provided for the interest, information and enlightenment of all students, represent a wide range of varied and diverging viewpoints, and provide access to content that is relevant to the research, independent interests and/or needs of the school community.

The Glastonbury Board of Education acknowledges that a school library media specialist is professionally trained to curate and oversee the development of displays and programs that shall provide students with access to the widest array of age-appropriate and grade-level-appropriate library and other educational materials.

Legal Reference:

Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget.

Policy

Adopted:

## Library Media Center Selection of Resources, **Material Review, and Reconsideration**

~~The library media program is essential for effective education in our information-based society. The library media program for the Glastonbury Public Schools (the “District”) supports the District’s educational goals and objectives. It is designed to encourage an appreciation for literature and reading, to develop individual investigation and research techniques, and to foster critical thinking, while providing for the unique interests and abilities of the individual.~~

~~The library program is accomplished by providing (1) a centralized, organized collection of print and non-print materials in a variety of formats at each school and, (2) instruction in the location and use of those materials and accompanying educational technologies.~~

~~The library media center houses most of a school’s supportive instructional resources. It is accessible to students and staff throughout the day and offers an environment conducive to reading and learning. Provision of services to both students and staff is dependent upon certified library media specialists, with paraprofessional and clerical assistance in each library media center as determined by the District administration. The library media program is an integral part of the instructional process, pre-kindergarten through grade 12. The school library media specialists, in cooperation with other teachers, will promote reading and instruct students in those library, research and study skills that have been integrated into all areas of the curriculum and are essential to lifelong learning.~~

~~The Glastonbury Public School Library Media department subscribes in principle to the statements of policy on library philosophy as expressed in the American Association of School Librarians’ *Access to Resources & Services in the School Library Media Program, An Interpretation of the Library Bill of Rights*, and the American Library Association’s *Library Bill of Rights*.~~

~~The selection of library media materials is the responsibility of the professionally trained library media specialists of the District. Library media specialists will cooperate with students, faculty, administration, and parents in selecting materials. Any materials so selected shall be in compliance with other applicable Board of Education policies.~~

**The Glastonbury Board of Education recognizes that library and other education materials should be provided for the interest, information and enlightenment of all students, and represent a wide range of varied and diverging viewpoints in the collection as a whole.**

**Students shall have access to the library and other educational material that is relevant to the research, independent reading interests, and educational needs of students based on a student's age, development, or grade level.**

**The library media center is an important place for voluntary inquiry, the dissemination of information and ideas, and the promotion of free expression and free access to ideas by students.**

**A school library media specialist is professionally trained to curate and develop a collection that shall provide students with access to the widest array of age-appropriate and grade level-appropriate library and other educational material.**

The Glastonbury Board of Education directs the Superintendent to create an administrative regulation that establishes a procedure for a certified school library media specialist to continually review library and other educational material within a school library media center using professionally accepted standards which shall include, but need not be limited to: the material's relevance, physical condition of the material, availability of duplicates or copies of the material, availability of more recent age-appropriate or grade-level appropriate material and continued demand for the material.

The Glastonbury Board of Education understands that, on occasion, a member of the public will wish to lodge a complaint against material available in the school library/media center. Consideration of requests to reconsider and remove material, displays, or student programs, is limited to individuals with a vested interest. An individual with vested interest may challenge any library and other educational materials or display or student program by initiating a review of such material via the submission of a request for reconsideration form.

It shall be the policy of the Glastonbury Board of Education that the removal, exclusion or censoring of any book shall not occur on the sole basis that a person with a vested interest finds such book offensive. No library and other educational material, display or program shall be removed from library media centers, or programs be canceled, because of the origin, background or viewpoints expressed in such material, display or program or because of the origin, background or viewpoints of the creator of such material, display or program. Library and other educational materials, displays and student programs shall only be excluded for legitimate pedagogical purposes or for professionally accepted standards of collection maintenance practices as adopted in the collection development and maintenance policy or the display and program policy.

Until a final decision is made by the review committee any library and other educational material being challenged shall remain available in the school library media center according to such material's catalog record and be available for a student to reserve, check out or access.

A school district may consolidate any requests for review and reconsideration of the same challenged library and other educational material. Once a decision has been made by the review committee on any library and other educational material, such material cannot be subject to a new request for review and reconsideration for a period of three years.

Through this policy, the Board of Education ensures that all library materials shall be evaluated and made accessible in accordance with the protections against discrimination set forth in section 10-15c of the general statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability. The Board shall review and update this policy as necessary every five years.

**Legal Reference:**

Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget

# INSTRUCTION

Policy: 6163.1(b)

Revised

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## Policy

Adopted: September 25, 2006

Revised: September 12, 2022

Revised:

## Definitions

***"Library and other educational material"*** means any material belonging to, on loan to or otherwise in the custody of a school library media center, including, but not limited to, nonfiction and fiction books, magazines, reference books, supplementary titles, multimedia and digital material, software and other material not required as part of classroom instruction.

***"School library staff member"*** means a school library media specialist, school librarian, any certified or non-certificated staff member whose assignment is in the school library or any individual carrying out or assisting with the functions of a school library media specialist or school librarian.

***"Individual with a vested interest"*** means any school staff member employed by a local or regional board of education, parent or guardian of a student currently enrolled in a school at the time a reconsideration form is filed and any student currently enrolled in a school at the time a reconsideration form is filed.

***"Remove"*** means deliberately taking library material out of a library's collection. **"Remove"** does not include the process of clearing such collection of any materials that are no longer useful.

## Library Media Center Selection of Resources

### I. Objectives

The print and media collections of the library media centers of the Glastonbury Public Schools (the "District") shall provide a wide variety of materials that will:

- A. Implement, enrich and support the school curriculum;
- B. Serve the varied interests, abilities and maturity levels of the pupils;
- C. Stimulate an interest in reading and learning as lifelong activities through exposure to a variety of materials; and
- D. Represent diverse perspectives to enable students to make informed judgments.

### II. Selection Procedures

#### A. Purchased Materials

1. The selection of materials is based on knowledge of the needs of the individual school, learning and teaching styles, existing collection, the curriculum and the requests of administrators, teachers, students and parents.
2. Materials of superior quality will be sought with attention to authority, accuracy, timeliness, durability, balance, integrity, ability level, artistic and

technical quality, sound and color reproduction, clarity, pacing, length, format and price.

3. Selection shall generally be based on the utilization of reputable, professional reviews, bibliographies, recommended lists and/or direct examination of materials under consideration for purchase.

#### B. Library Gifts

The library media centers may accept gifts based on the provisions of Board of Education policy 3280. Such materials shall be kept or disposed of in the *same* manner as purchased materials.

#### C. Library Media Center Weeding

Just as materials and the existing collection are evaluated before selection takes place, evaluation of the materials and the existing collection must occur before materials are removed. Systematic weeding is not an irresponsible disposal of school property; rather it is a needed service that will enhance the credibility and use of the school media center. After a thorough check of authoritative bibliographies, considerations for weeding are:

1. Worn and damaged titles
2. Superseded editions
3. Unnecessary duplicated titles (based on circulation)
4. Material containing information not easily accessible: no table of contents, no index, contents poorly organized
5. Material that is inaccurate factually or outdated in interpretations and attitudes
6. Inappropriateness of material format, reading level and interest level
7. Material that is stereotyped, biased, or patronizing
8. Material that has not circulated in ten years

### III. Reconsideration of Materials

Despite the care used in selecting materials, questions arise. **Consideration of requests to reconsider and remove materials, displays, or student programs is limited to individuals with a vested interest.** Should ~~a member of the public or an employee an individual with a vested interest~~ question the use of library materials, the review of these materials shall be conducted objectively.

Decisions regarding the retention or elimination of library materials shall be made on the basis of the best interest of the students, the curriculum, the school and the community.

During the re-evaluation process, no materials shall be removed from use until a final decision has been reached.

The procedures to be followed are outlined below.

### Material Review and Reconsideration Procedures:

#### ~~Reconsideration Process:~~

- ~~1. The questioner will be encouraged to discuss the matter with the library media specialist, at the school in which the questioned material is located. The library media specialist will explain the materials selection procedures and the reason(s) the item was selected. The library media specialist will also ask the questioner to read or examine the entire source before further discussion of educational value takes place.~~
  - ~~2. If the questioner is still dissatisfied, the library media specialist will give the questioner a copy of this selection policy and a copy of the form "Request for Reconsideration of Library Resources".~~
  - ~~3. The questioner shall return the completed form to the library media specialist and the principal.~~
  - ~~4. If, at that time, no resolution has been reached by the building principal, the library media specialist, and the questioner, then all material so far submitted will be sent to the library department director to initiate formal reconsideration.~~
  - ~~5. The Library Department Director will read or review the material in question, weigh its contested elements against existing selection criteria Library Media Center Selection of Resources, and offer the questioner the opportunity to meet and discuss the concerns. In making a decision pertaining to the Request for Reconsideration, the Library Department Director has the discretion to consult with other library media specialists in the District, school administrators or others with specific knowledge and/or expertise pertaining to the material in question.~~
  - ~~6. The Library Department Director will inform the questioner of the decision in writing~~
  - ~~7. The questioner may, within ten (10) school days of the written decision of the Library Department Director, appeal the decision to the Superintendent.~~
  - ~~8. If further appeal to the Superintendent or designee is sought, the Superintendent or designee will review all information and will issue a written response. This response is final.~~
1. Individuals with a vested interest may initiate the review or reconsideration of any library and other educational materials, display, or student program by submitting a "Request for Reconsideration of Library and Other Educational Materials" form to the principal of the school in which the library and other

education materials are being challenged.

2. The individual with a vested interest shall return the completed “Request for Reconsideration of Library and Other Educational Materials” form to the library media specialist and the principal.
3. The principal shall promptly forward the request for reconsideration to the Director of Library Media and Superintendent of Schools for the school district to initiate formal reconsideration.
4. The Superintendent, or the Superintendent’s designee, shall appoint a review committee.

The review committee shall evaluate the request for reconsideration form by reading the challenged material in its entirety and evaluating the challenged material against the district’s Library Media Center Selection of Resources, Material Review, and Reconsideration policy.

5. The review committee shall make a written decision on whether to remove the challenged material within sixty school days from the date of receiving such request and provide a copy of the committee’s decision and report to the individual with a vested interest who submitted the form and to the principal of the school.
6. The individual with a vested interest who submitted the request for reconsideration form may appeal to the review committee’s decision to the Board of Education. The Board shall determine whether the reconsideration process was followed and publish the decision on the school district’s website.

### General Provisions

Any school library media specialist or school library staff member who, in good faith, implements the policies described in this section shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding that results from such implementation.

#### Regulation

Adopted:

September 25, 2006

Revised: September 12, 2022

Revised:

APPENDIX A

Request for Reconsideration of Library Resources

The school board of Glastonbury, Connecticut has delegated the responsibility for selection and evaluation of library resources to the school library media specialists, and has established reconsideration procedures to address concerns about those resources. If you have discussed the matter with the library media specialist and the matter has not been resolved, completion of this form is the next step in the reconsideration process. If you wish to request reconsideration of library resources, please return the completed form to the Library Media Specialist.

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

Do you represent self? \_\_\_ Organization? \_\_\_ Organization Name \_\_\_\_\_

1. Resource on which you are commenting:

\_\_\_\_\_

\_\_\_ Book \_\_\_ Textbook \_\_\_ Video \_\_\_ Display \_\_\_ Magazine

\_\_\_ Library Program \_\_\_ Audio Recording \_\_\_ Newspaper

\_\_\_ Electronic Resource

\_\_\_ Other (please describe) \_\_\_\_\_

Title \_\_\_\_\_

Author/Producer \_\_\_\_\_

2. What brought this resource to your attention?

\_\_\_\_\_

3. Have you examined the entire resource?

\_\_\_\_\_

4. What concerns you about the resource? (use other side or additional pages if necessary)

\_\_\_\_\_

\_\_\_\_\_

5. Are there resource(s) you suggest to provide additional information and/or other viewpoints on this topic?

\_\_\_\_\_

## Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948, by the ALA Council; amended February 2, 1961; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

## Appendix A

### GLASTONBURY PUBLIC SCHOOLS Request for Reconsideration of Library and Other Educational Materials

Title \_\_\_\_\_

Author \_\_\_\_\_ Publisher \_\_\_\_\_

This request was initiated by:

- Parent/Guardian
- Student
- Other (please specify) \_\_\_\_\_

This material is best described as:

- Book
- Video or Online Content
- Periodical/Magazine
- Other Media. Please specify \_\_\_\_\_

Please answer the following questions. Attach additional pages if necessary.

1. Did you read, view, or listen to the entire work? If not, please do so prior to completing this form.

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2. In what specific ways do you think this work is inappropriate for students? Please include page numbers.

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3. What have you been told about the educational purpose of this material?

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4. What do you believe is the theme or purpose of this material?

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5. For what age group would you recommend this material?

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6. Are you aware of the judgment of this work by literary critics and/or professional educators/organizations?

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7. What are the valuable aspects of this material?

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8. What do you feel may be the results of students reading, listening to, or viewing this material?

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9. What work/material of equal or superior value would you recommend replacing the one in question?

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10. Please explain your reasons for your objections:

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Signature of Complainant \_\_\_\_\_ Date \_\_\_\_\_

GLASTONBURY PUBLIC SCHOOLS  
GLASTONBURY, CONNECTICUT

**Request for Appeal of Reconsideration of Library and Other Educational Materials Decision**

Full Legal Name: \_\_\_\_\_ Title of Material: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Author: \_\_\_\_\_ Publisher: \_\_\_\_\_

Date the Reconsideration Decision was communicated to you: \_\_\_\_\_

Please explain why you are appealing against this decision:

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How do you believe the review committee failed to follow the reconsideration process?

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Are you submitting any documentation with this appeal? If so, please list/describe supporting documents:

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The Glastonbury Board of Education shall determine whether the reconsideration process was followed and will publish the decision on the internet web site of the school district.



### Complaints Regarding Educational Materials

The Board of Education has established the following guidelines for addressing complaints regarding the utilization of books and other education materials in the instructional program.

1. A parent and/or legal guardian of a student under the age of 18, **hereafter referred to as an individual with a vested interest**, has the right to request that his/ her child not read, view or hear given material provided a written request is made to the appropriate building principal. No parent and/or guardian has the right to determine instructional materials for students other than his/her own children.
2. If there is concern about a particular book or instructional material, the ~~complainant~~ **individual with a vested interest should** ~~will be asked to complete a "Request for Review of Book or Other Instructional Material" form. This request will be reviewed first~~ **discuss their concern with** by the teacher giving the assignment and the principal or principal's designee. In making a decision pertaining to the ~~individuals with a vested interest's complaint~~ **Request for Review of Book or Other Instructional Material** the principal or designee has the discretion to consult with other school administrators or others with specific knowledge and/or expertise pertaining to the instructional material in question. **If the individual with a vested interest still has concerns after their discussion with the teacher and the principal or principal's designee, they will be asked to complete the Request for Reconsideration of Library and Other Educational Materials form.**
3. **The principal shall promptly forward the request for reconsideration to the Superintendent of Schools for the school district to initiate formal reconsideration.**
4. **The Superintendent, or the Superintendent's designee, shall appoint a review committee.**

**The review committee shall evaluate the request for reconsideration form by reading the challenged material in its entirety and evaluating the challenged material against the district's Library Media Center Selection of Resources, Material Review, and Reconsideration policy.**

5. **The review committee shall make a written decision on whether to remove the challenged material within sixty school days from the date of receiving such request and provide a copy of the committee's decision and report to the individual with a vested interest who submitted the form and to the principal of the school.**
6. **The individual with a vested interest who submitted the request for reconsideration form may appeal to the review committee's decision to the Board of Education. The Board shall determine whether the reconsideration process was followed and publish the decision on the school district's website.**

3. ~~The principal or designee will discuss the results of the school's review with the complainant and provide the complainant with a written answer giving the school's position to the complainant.~~
4. ~~The complainant may, within ten (10) business days of the written decision of the principal or designee, appeal the decision to the Superintendent.~~
5. ~~If further appeal to the Superintendent is sought, the Superintendent or Superintendent's designee will review all information and will issue a written response to the complaint.~~
6. ~~The response of the Superintendent or Superintendent's designee is final.~~

(cf. 6144 Controversial Issues)

(cf. 6161 Equipment, Books, and Materials: Provision/Selection)

(cf. 6163.1 Media Center, Selection of ~~Materials~~ **Resources, Material Review, and Reconsideration**)

(cf. 6141.2 Internet Policy)

Legal Reference: **Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget**

*Keyishian v. Board of Regents* 385 U.S. 589.603 (1967)

*President's Council, District 25 v. Community School Board No.25*  
457 F.2d 289 (1972) cert/denied 409 U.S. 998 (1976)

*Mincarcini v. Stronsville City School District* 541 F.2d 577 (6<sup>th</sup> Cir. 1976)  
*Board of Education, Island Trees Union Free School District No 26 v. Pico*  
457 U.S. 853 (1982)

Academic Freedom Policy (adopted by Connecticut State Board of Education, 9/9/81)

Connecticut General Statutes

10-238 Petition for hearing by Board of Education

## Policy

Adopted: May 22, 2000

Revised: June 7, 2004

Revised: September 12, 2022

**Revised:**

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

The Board of Education (the “Board”) will provide ~~unpaid~~ leave to eligible employees consistent with:

- the **Federal** Family and Medical Leave Act of 1993 (“**Federal FMLA**”) as amended and/or
- the **Connecticut Family and Medical Leave Act (“CT FMLA”)** and applicable **Connecticut state law.**
- ~~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:

**Federal:**

**Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended**

**29 CFR Part 825.100 et seq.**

**Title II of the Genetic Information Nondiscrimination Act of 2008, 42 USC 2000ff et seq.**

**29CFR 1635.1 et seq.**

**Connecticut:**

**Conn. Gen. Stat. §31-51kk et seq.**

**Conn. Gen. Stat. §31-49e et seq.**

**Regs. Conn. State Agencies 31-51 qq, et seq.**

**Public Act 25-174, “An Act Authorizing and Adjusting Bonds of the State and Concerning Grant Programs, State Grant Commitments for School Building Projects Statutes and Various Provisions Revising and Implementing the Budget for the Biennium Ending June 30, 2027**

~~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).~~

**PERSONNEL**

Certified/Non-Certified

Policy: 4152.6 (a)

4252.6 (a)

Revised

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~~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

Revised:

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6

4252.6

Revised

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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**

#### **Eligibility**

An employee who has been employed by the District for at least twelve (12) months, and who has worked at least 1,250 actual work hours during the twelve (12) months immediately preceding the start of a leave, is eligible for leave under the Federal FMLA. A full-time instructional employee meets the 1,250 hours of service requirement unless the District can demonstrate that such employee did not meet the 1,250 hours of service requirement in the 12-month period prior to the start of the leave.

An employee working for the District in a position that does not require a professional certification under Chapter 166 of the Connecticut General Statutes (i.e., a “non-certified employee”) is eligible for leave under the CT FMLA if such employee has been employed by the District for at least three (3) months in the twelve (12) months immediately preceding the start of such leave.

Only the time actually worked, including overtime hours worked, is counted. Time not actually worked, including vacation, personal leave, sick leave, holiday, and any other form of paid time off is not counted towards the 1,250 hours of service.

Employees that are not eligible for Federal FMLA or CT FMLA may submit a request for family and medical leave to the Human Resources Department.

#### **General Definitions**

~~Eligible employees are those who have been employed for at least one year and have worked at least 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.~~

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6 (a)  
4252.6 (a)

Revised

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~~Paraeducators are also eligible to benefits equal to those under the federal FMLA if such 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 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.~~

~~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.~~

**Genetic information:** includes an individual’s family medical history, and individual’s or family member’s genetic tests, and/or the fact that an individual or an individual’s family member sought or received genetic services or participated in clinical research which include genetic services. “Genetic information” includes genetic information of a fetus carried by and

## PERSONNEL

Certified/Non-Certified

Regulation: 4152.6 (b)  
4252.6 (b)

Revised

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individual or an individual's family member or an embryo lawfully held by and individual or family member utilizing assistive reproductive technology.

**Instructional employee:** an instructional employee is defined as a teacher or other employee of the District who is employed principally in an instructional capacity and whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, not auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

**Noncertified employee:** a noncertified employee is defined as an employee of the district who is employed in a position that does not require a professional certification under Chapter 166 of the Connecticut General Statutes.

### **Types Reasons of for Leave**

An eligible employee may take **Federal** 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.~~
- 
- incapacity due to pregnancy, prenatal medical care, or child birth;
  - to care for the employee's newborn child
  - the placement of a child with the employee by adoption or for foster care;
  - to care for the employee's spouse, child, or parent who has a serious health condition;
  - to care for the employee's own serious health condition that renders the employee unable to perform the functions of the employee's position;

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Regulation: 4152.6 (c)  
4252.6 (c)

Revised

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- to care for a covered injured or ill servicemember; or
- to address a qualifying exigency arising out of an employee's spouse, child, or parent's military service, including one or more of the following reasons
  - short-notice deployment;
  - military events and related activities;
  - childcare and school activities;
  - financial and legal arrangements;
  - counseling;
  - rest and recuperation;
  - post-deployment activities;
  - parental care leave for military member's parent who is incapable of self-care and care is necessitated by the military member's covered active duty; and/or
  - additional activities that arise out of the active duty or call to active-duty status of a covered military member, provided that the District and the employee agree that such leave qualifies as an exigency, and agree to both the timing and the duration of such leave.

An eligible employee may take CT FMLA leave for:

- upon the birth of the employee's newborn child, and to care for the newborn child;
- upon the placement of a child with the employee for adoption or foster care, and to care for the newly placed child;
- to care for the employee's family member, if such family member has a serious health condition;
- because of the employee's own serious health condition, including any period of incapacity due to pregnancy or for prenatal care, that renders the employee unable to perform the functions of the employee's position;
- in order to serve as an organ or bone marrow donor;
- to care for an injured or ill servicemember who is the employee's spouse, parent, child or next of kin; or
- to address a qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on active duty, or has been notified of an impending call or order to active duty, in the armed forces.

For purposes of determining whether an employee has a qualifying reason for leave under the CT FMLA, "family member" is defined as a spouse, sibling, child, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association the shows to be the equivalent of those family relationships.

In addition, continuous leaves due to a workers' compensation injury that also qualify as an FMLA serious health condition, FMLA and/or CT FMLA leave will run concurrently.

## **PERSONNEL**

Certified/Non-Certified

Regulation: 4152.6 (d)

4252.6 (d)

Revised

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### **Length of Leave**

#### **Federal FMLA**

If a leave is requested for a Federal FMLA qualifying reason, an employee may take up to a total of twelve (12) weeks of family or medical leave in the twelve (12) month entitlement period.

#### **CT FMLA**

If a leave is requested for a CT FMLA qualifying reason, an eligible employee may take up to a total of twelve (12) weeks of family or medical leave in the twelve (12) month entitlement period, except that the employee may take up to two (2) additional workweeks of leave during such twelve (12) month period for a serious health condition resulting in incapacitation that occurs during pregnancy. These additional two (2) weeks are only available during pregnancy.

The twelve (12) month entitlement period for family or medical leave is measured on the basis of a “rolling” twelve (12) month period measured backward from the date an employee uses any FMLA leave.

An employee may be entitled to leave under the Federal FMLA and/or CT FMLA. To the extent an employee is eligible for and qualifies for leave under both laws, the employee’s Federal FMLA and CT FMLA leave will run concurrently.

#### **Leave to Care of an Injured or Ill Servicemember**

An eligible employee may take up to twenty-six (26) workweeks of Federal FMLA and/or CT FMLA leave during a twelve (12) month period to care for a covered servicemember and/or covered veteran who is the employee’s spouse, parent, child or next of kin, and who incurred a serious injury or illness in the line of duty and while on active duty in the Armed Forces or had a preexisting injury or illness prior to beginning active duty that was aggravated by service in the line of duty in the Armed Forces.

When combined with any other type of Federal FMLA or CT FMLA-qualifying leave, total leave time may not exceed twenty-six (26) weeks in a single twelve (12) month period. Standard leave procedures described below apply to all requests for the designation of leave for this purpose. However, in the case of leave to care for a servicemember with a serious injury or illness, the twelve (12) month period begins on the day such leave actually commences.

### **Types of Leave and Conditions**

**Full-time leave** excuses the employee from work for a continuous period of time. Full-time leave may be taken for any of the reasons permitted by the Federal FMLA and/or CT FMLA.

**Intermittent leave** is leave taken due to a single qualifying reason in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave

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taken one day per week over a period of a few months or leave taken on an occasional/as-needed basis for medical appointments.

**Reduced schedule leave** is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.

Intermittent or reduced schedule Federal FMLA and/or CT FMLA leave may be taken when:

1. medically necessary for an employee's or covered family member's serious health condition, or for a covered servicemember's serious illness or injury; and
2. the need for leave can be best accommodated through an intermittent or reduced schedule leave.

In addition, Federal FMLA and/or CT FMLA leave may be taken intermittently or on a reduced schedule basis:

1. due to a qualifying exigency; or
2. to effectuate the placement of a child for adoption or foster care before the placement of the child in the home.

An employee is not permitted to take intermittent or reduced schedule leave for the birth and care of a newborn child or for the placement with the employee of a child for adoption or foster care.

If foreseeable intermittent or reduced schedule leave is medically required based upon planned medical treatment of the employee or a covered family member or a covered servicemember, including during a period of recovery from an employee's or covered family member's serious health condition or a serious injury or illness of a covered servicemember, the District may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested.

Under the Federal FMLA, special arrangements may be required of an instructional employee who needs to take intermittent or reduced schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five (5) days over a five (5) week period), if the leave is to care for a covered family member with a serious health condition, to care for a covered servicemember with a serious injury or illness, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment. In such situations, the District may require the instructional employee to transfer temporarily to another job or take leave for a particular duration, not to exceed the duration of the planned medical treatment.

### **Both Spouses Working for the Same Employer**

If both spouses are eligible employees of the District and request Federal FMLA and/or CT FMLA leave for the birth, placement of a child by adoption or for foster care, or to care for a parent (or family member, for purposes of CT FMLA leave) with a serious health condition, they

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only will be entitled to a maximum combined total leave equal to twelve (12) weeks in the twelve (12) month entitlement period. If either spouse (or both) uses a portion of the twelve (12) week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount the employee has taken individually and the twelve (12) weeks for Federal and/or CT FMLA leave for other qualifying reasons in the twelve (12) month entitlement period.

### **Leave Taken by Instructional Employees Near the End of an Academic Term**

If Federal FMLA leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, the District may require that the instructional employee continue the leave until the end of the term if the leave will last at least three (3) weeks and the instructional employee would return to work during the three (3) week period before the end of the term.

If the instructional employee begins Federal FMLA leave during the five (5) week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the District may require the instructional employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the instructional employee would return to work during the two (2) week period before the end of the term.

If the instructional employee begins Federal FMLA leave during the three (3) week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the District may require the instructional employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

### **Requests for Leave**

#### **Foreseeable Leave**

An employee must notify the Human Resources Department of the need for a family or medical leave at least thirty (30) days before the leave is to begin.

#### **Unforeseeable Leave**

If thirty (30) days' notice is not practicable, then the employee must provide notice as soon as possible under the circumstances, usually the same day or the next business day after the employee becomes aware of the needs for Federal FMLA and/or CT FMLA leave.

### **Scheduling Planned Medical Treatment**

When planning medical treatment for foreseeable Federal FMLA and/or CT FMLA leave, an employee must consult with the Human Resources Department and make a reasonable effort

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to schedule the treatment so as not to disrupt unduly the District's operations, subject to the approval of the health care provider. Similarly, if an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the District's operations. Ordinarily, the employee should consult with the Human Resources Department prior to scheduling the treatment in order to work out a treatment schedule that best suits the needs of the District and the employee. The District and the employee shall attempt to work out a schedule for leave that meets the employee's needs without unduly disrupting the District's operations, subject to the approval of the health care provider as to any modification of the treatment schedule.

### **Required Certifications/Documentation**

For leaves taken for any Federal FMLA or CT FMLA-qualifying reason, an employee must submit completed certification form(s) supporting the need for leave. The appropriate form(s) will be provided to the employee. The employee must submit a complete and sufficient certification form(s) as required within fifteen (15) calendar days or receiving the request for the completed certification. If it is not practicable for the employee to provide the completed form(s) by the due date despite the employee's diligent, good faith efforts, the employee must inform the Human Resource Department of the reason(s) for delay and what efforts the employee undertook to obtain the required certification. Federal FMLA and/or CT FMLA protected leave may be delayed or denied, in accordance with applicable law, if the employee does not provide a complete and sufficient certification as required. Depending on the reason for leave, an employee may be required to submit medical certification from the employee's health care provider, medical certification the employee's family member's health care provider, and/or other documentation (e.g., to establish a family relationship, military active-duty orders, etc.) In certain circumstances and under certain conditions, employees may also be required to obtain second or third medical opinions and/or recertifications, in accordance with the law.

If an employee takes leave for the employee's own serious health condition (except on an intermittent or reduced schedule basis), prior to returning to work the employee must provide a medical fitness for duty certification that the employee is able to resume work and the health condition that created the need for the leave no longer renders the employee unable to perform the essential functions of the job. This certification must be submitted to the Human Resources Department. If the employee is unable to perform one or more essential functions of the employee's position, the District will determine whether the employee is eligible for additional Federal FMLA and/or CT FMLA leave (if the eligible for such leave and such leave has not been exhausted) or whether an accommodation is appropriate, in accordance with the Americans with Disabilities Act.

In connection with the District's request for medical information, employees must be aware that the Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by Title II of GINA from requesting or requiring genetic

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information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the District requests that employees not provide any genetic information when responding to a request for medical information.

### Payment of Leave

### Use of Paid Leave

Family and ~~M~~ medical ~~L~~ leave is unpaid. However, when ~~an employee is~~ out for ~~his or her~~ ~~their~~ own serious health condition, ~~an employee will use all~~ ~~they will be required to use~~ available ~~S~~ sick ~~L~~ leave pay concurrent with the FMLA leave. When ~~S~~ sick ~~L~~ leave pay is not available, or when the employee ~~is out on leave~~ for reason(s) other than ~~his or her~~ ~~their~~ own serious health condition, ~~an employee~~ ~~they will be required to use~~ ~~their~~ accrued paid time off options, including vacation, relevant personal days and/or floating holidays. ~~concurrent with unpaid FMLA leave.~~ An employee cannot compel the District to permit the use ~~accrued medical/sick leave~~ of paid time off in any situation in which ~~it~~ ~~the leave could~~ ~~would~~ not normally be used.

Where a noncertified employee's accrued paid leave is not substituted for the entire period of unpaid leave for a qualifying reason under the CT FMLA and/or Connecticut law regarding leave for victims of family violence and sexual assault, the employee may apply for and be provided with compensation through the Paid Family and Medical Leave Insurance Program ("CT Paid Leave") for all or part of any unpaid leave, provided the employee qualifies for payments under the program. Noncertified employees may apply to the Connecticut Paid Medical and Family Leave Insurance Authority ("Authority") for partial income replacement benefits when they need leave for:

1. any of the reasons that qualify for CT FMLA; and/or
2. if an employee is a victim of family violence or sexual assault, to seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim; to obtain services from a victim services organization on behalf of the victim; to relocate due to such family violence or sexual assault; or to participate in any civil or criminal proceeding related to or resulting from such family violence or sexual assault. Eligible employees shall apply directly to the Authority, which is responsible for determining an employee's eligibility for CT Paid Leave benefits and the amount of such benefit. The District will provide the Authority with all requested information regarding an employee's application for CT Paid Leave, in accordance with applicable law.

The District shall require employees to use applicable paid time off concurrently with their CT FMLA leave, subject to their right to retain up to two (2) weeks of accrued paid time off. If, after exhausting other applicable paid time off, an employee does not wish to retain two (2) weeks of accrued paid time off while on approved CT FMLA leave, the District shall permit the employee to receive these accrued paid time off benefits concurrently with the CT

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Paid Leave benefits, if any, provided the total compensation of such covered employee during such period of leave shall not exceed such covered employee's regular rate of compensation.

### Benefits

The District will maintain the employee's health coverage under the District's group health insurance plan health benefits during the period of FMLA and CT FMLA leave under the same conditions as if they continued to work. During any unpaid portion of FMLA or CT FMLA leave, the employee must continue to make any normal contributions to the cost of their health insurance premiums. 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. Failure to pay may result in loss of coverage. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse the District for their cost of their health insurance premiums during the family or medical leave, unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

The employee will not lose any other employment benefits 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 sick leave, annual leave, educational benefits, and pensions.

During a Federal FMLA and/or CT FMLA leave, an employee shall not accrue (seniority, pension benefits, sick or vacation leave), unless otherwise required by any applicable collective bargaining agreement or District policy. However, unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under the District's attendance policy, if any.

An employee must be paid on either the workday immediately preceding or the workday immediately following a holiday in order to be eligible for holiday pay during FMLA/CT FMLA. An employee who is on unpaid leave on both the workday before and the workday after a holiday is not eligible for holiday pay.

### 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

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~~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.~~
- ~~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~~

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~~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.~~

~~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

~~Except for circumstances unrelated to taking of a family or medical leave pursuant to this policy, and unless an exception applies, an employee who returns to work following the~~

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expiration of a family or medical leave is entitled to return to the job such employee held prior to the leave or to an equivalent position with equivalent pay and benefits.

~~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.~~

~~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.~~

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~~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~~
- ~~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~~

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~~(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.~~

~~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.~~

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### Employee Entitlement to Service Member FMLA

~~The federal FMLA and the Connecticut 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.~~

~~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.~~

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~~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)~~

~~**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.~~

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**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.~~

~~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~~

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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.~~

### **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.~~

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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.

### **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.

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~~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.~~

### **Prohibitions**

The Federal FMLA and CT FMLA prohibit employers from interfering with, restraining, or denying any rights provided by the respective laws. The Federal FMLA and CT FMLA also prohibit employers from terminating or discriminating against any individual for opposing any unlawful practice or being involved in any proceeding related to the Federal FMLA or CT FMLA, respectively. The CT FMLA also prohibits employers from interfering with, restraining, or denying any rights provided by CT Paid Leave and/or terminating or discriminating against an employee for applying for CT Paid Leave benefits.

Regulation

Adopted: November 9, 2015

Revised: October 22, 2019

Revised: September 9, 2024

Revised:

## **Health and Dental Insurance for during Non-FMLA Medical Leaves of Absence**

Employees who are on approved medical or disability leave which is not considered an FMLA/CT FMLA leave of absence, either due to exhaustion of FMLA/CT FMLA leave or ineligibility for such leave, may be authorized by the Superintendent or Human Resources Manager to continue their medical and dental insurances at active employee contribution rates for: (a) the duration of the approved leave of absence provided the employee remains on active payroll through utilization of available paid sick or other leave balances; (b) a period of unpaid leave due to medical or disability reasons if approved by the Superintendent or Human Resources Manager for up to twelve (12) weeks; (c) the period of time an employee's active application for Long Term Disability Benefit or Disability Retirement application is pending, in increments of thirty (30) days for no more than ninety (90) days; or (d) a period of time determined appropriate by the Superintendent/Designee or Human Resources Manager based on the receipt and review of required medical documentation.

Employees who remain on approved medical or disability leave of absence after exhaustion of the authorized period of time for the continuation of health and dental insurances at active employee rates will be offered COBRA or the ability to continue the insurances by paying 100% of the full monthly cost of the health and dental insurances, in accordance with contractual and policy requirements.

All determinations regarding the continuation of active employee insurance rates for ~~non~~ Non-FMLA leaves of absence, unless otherwise provided by a collective bargaining agreement or enumeration of benefits, will be at the discretion of the Superintendent/Designee or Human Resources Manager. If any portion of this policy conflicts with requirements of a collective bargaining agreement the collective bargaining agreement shall prevail.

Legal Reference:

Policy  
Adopted: January 28, 2020  
Revised:

The Board shall undertake a self-evaluation by May of each year in which each member shall participate.

The evaluation will include, but not be limited to, the following leadership areas: community leadership of education, influencing educational policy, community involvement, communicating with the public, the decision making process, planning and setting goals, allocating resources, developing Board policy, policy oversight, selecting and evaluating the Superintendent, working with the Superintendent, promoting good employee relations, setting expectations for Board member conduct, conducting the work of the Board, Board member development.

Issues suggested for consideration include but are not limited to:

Board productivity and efficiency.

Board accomplishments.

Working relationship among its members.

Working relationship between its members and the superintendent of schools.

Working relationship between the Board and other bodies of town government.

Degree of success achieved in communicating with and gaining acceptance from the citizenry for district goals and objectives and for Board policies.

Legal Reference: Connecticut General Statutes  
10-220 Duties of Boards of Education

Policy

Adopted: May 24, 2004

Revised: March 8, 2021