

Board of Education Meeting

Monday, September 14, 2020 7:00 PM

Somers High School Auditorium, [Address], [City], CT [Zip]

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

1. Draft of Board of Education Meeting on August 24, 2020

4. AUDIENCE TO CITIZENS/STAFF/STUDENTS

5. OPPORTUNITY TO ADD/DELETE AGENDA ITEMS

6. CONSENT AGENDA

1. Warrant of September 14, 2020

7. NEW BUSINESS

1. 1st Warning of Somers Policy DBS 4118.11
Personnel Certificated/Non Certificated
2. 1st Warning of Somers Policy 4118.112 Personnel
- Certified/Non-Certified
3. 1st Warning of Somers Policy DBS 5114 -
Students-Suspension and Expulsion/Due Process
4. 1st Warning of Somers Policy DBS 5145.5 -
Students - Sexual Harassment
5. 1st Warning of Somers Policy DBS 5145.52 -
Students - Harassment
6. 1st Warning of Somers Policy DBS 3541 -
Transportation

8. OLD BUSINESS

9. ADMINISTRATIVE REPORTS

1. Update of Staffing changes since the June Report
2. Superintendent Update

10. COMMITTEE REPORTS

1. CURRICULUM

2. POLICY

3. SALARY & NEGOTIATION

4. PLANNING

11. CREC UPDATE

12. ADJOURNMENT

**Somers Board of Education Meeting
Teleconferencing on Zoom
August 24, 2020
7:00 PM**

Video of this meeting may be accessed at:
www.somers.k12.ct.us

Attendance Taken at 7:00 PM:

Present Board Members: Bruce Devlin, David Palmer, Jan Martin, Jeremy Anderson, Sarah Bollinger, Krista Cherry, Anne Kirkpatrick, Marissa Marks, Jan Martin

Absent Board Members: Kate McLellan

Others: Brian Czapla, Bill Boutwell, Margot Martello, Dina Senecal, Lynda Thornton, Cynthia DeRoma, Giselle Richards-Genece, DJ Kibbe

1. CALL TO ORDER

The Regular Meeting of the BOE via teleconferencing on Zoom was called to order by Chairman Devlin at 7:03 p.m.

2. RECOGNITION

2.1. Mrs. Lynda Thornton, Assistant Principal of Mabelle B. Avery Middle School

Rationale: The Board recognizes the addition to Somers Public Schools in Mrs. Lynda Thornton, Assistant Principal of Mabelle B. Avery Middle School.

Discussion: Superintendent Czapla and the BOE recognized Mrs. Lynda Thornton as the Assistant Principal at Mabelle B. Avery Middle School. Mrs. Margot Martello, MBA Principal, introduced Mrs. Thornton who came from Washington Middle School in Meriden, CT after 14 years as a LA Teacher. She was Teacher of the Year in 2015-16 and served in the CT National Guard. She has training in equity, trauma, social-emotional learning, growth mindset, etc. She has worked hard over the summer preparing for the reopening plans and collaborating on social-emotional learning lessons. Mrs. Martello is excited to work alongside Mrs. Thornton as she continues to grow.

Mrs. Thornton thanked Superintendent Czapla, Mrs. Martello, and the BOE and is excited to be a part of the administrative team at SPS. She stated that she can't say enough about the district and is excited to continue collaboration with Mrs. Martello. She stated that she has already learned so much and is embracing the opportunity.

3. APPROVAL OF MINUTES

3.1. Draft Minutes of Special Meeting of August 6, 2020.

Rationale: Board to review and approve Special Minutes of BOE Meeting of August 6, 2020.

Motion Passed: Motion to approve the August 6, 2020 BOE Draft Minutes passed with a motion by David Palmer and a second by Jan Martin.

8 Yeas - 0 Nays.

4. OPPORTUNITY TO ADD/DELETE AGENDA ITEMS

Discussion: Superintendent Czapla will review an email sent by Sarah Bollinger and will respond to the BOE.

5. CONSENT AGENDA

Motion Passed: Motion to approve Consent Agenda passed with a motion by David Palmer and a second by Jan Martin. **8 Yeas - 0 Nays.**

5.1. Childrearing Leave

Rationale: Mrs. Caitlin Heintz, teacher from Somers Elementary, requesting a childrearing leave through December 31, 2020.

5.2. Warrant of July 27, 2020, August 10, 2020 and August 24, 2020

Rationale: The Board to consent to the warrants of July 27, 2020 in the amount of \$403,075.30, August 10, 2020 in the amount of \$353,589.94, and August 24, 2020 in the amount of \$191,921.46.

6. NEW BUSINESS

Discussion: Chairman Devlin announced that starting in September the BOE will go back to in-person meetings and may be held at the Somers High School Library Media Center.

6.1. Approval of Heat/Snow Day Remote Learning (Pending CSDE approval)

Rationale: The Board to approve heat/snow day Remote Learning (pending CSDE approval).

Discussion: Superintendent Czapla expressed his concerns to the Commissioner of Education regarding the mask mandate and having students and staff attend school on hot days. He stated that SPS is in a good position to transition to remote learning on a temporary basis if need be for a heat day. Ultimately, the State BOE has to approve this proposition. The Commissioner recommended that the SPS BOE approve the temporary transition to remote learning on heat/snow days. Superintendent Czapla will report back to the Commissioner on the approval which may be a motivator for the State BOE.

Motion Passed: Motion to approve heat/snow day remote learning pending CSDE approval passed with a motion by David Palmer and a second by Jan Martin. **8 Yeas - 0 Nays.**

6.2. Approval of 2019-20 Budget Transfers

Rationale: The Board to approve the 2019-20 Budget Transfers.

Motion Passed: Motion to approve the 2019-20 budget transfers passed with a motion by David Palmer and a second by Jan Martin. **8 Yeas - 0 Nays.**

6.3. DBS Policy 5118 - Non-Resident Attendance

Rationale: The Board to approve the DBS Policy 5118 on Non-Resident Attendance.

Discussion: This policy is an attempt to bring some relief to the teaching staff who may be experiencing daycare issues. There are two tuition rates depending on date of hire with the potential for a sliding scale if more than one child in the family attends SPS. Superintendent Czapla is unsure of how many staff will take advantage of this policy. Mrs. Mucci, SES Principal, is working on capacity numbers. There may not be a high number offered due to the higher enrollment at SES.

Motion Passed: Motion to approve DBS Policy 5118 as presented passed with a motion by David Palmer and a second by Jan Martin. **8 Yeas - 0 Nays.**

7. ADMINISTRATIVE REPORTS

7.1. Superintendent Update

Rationale: The Board will hear from the Superintendent on updates at Somers Public Schools.

Discussion: Superintendent Czapla stated that SPS is in good shape in planning for the school year. SPS is opening in the hybrid model which has been unpopular and somewhat controversial because the county and town statistics have been low. The ultimate goal is to keep the statistics low going forward. He stated that there needs to be a couple of weeks to see things are done properly as people are returning to school after congregating. There will be a reassessment at the beginning of October. If numbers continue to stay low without surges, Superintendent Czapla may recommend returning to school full time.

Conversely, if there is a surge, he may recommend staying hybrid or transitioning to full remote. As far as for school status, all schools have PPE, tents, sanitizing stations, and four crate storage units have been brought in to hold equipment that was removed from rooms to provide more space. Technology set-ups are in and some are in the process. Each teacher has been set up with a laptop, additional second monitor, and a document camera to project lessons to students at home and at school. Superintendent Czapla will be going through each school this week with custodians and Principals for final inspections. The district is in very good shape in terms of staffing. Some teachers will serve as remote teachers. There have been no requests for leave. He stated that this is a testimony to their dedication to their students. He continues to work with the town and local agencies as well as looking at other daycare options for citizens. He publicly acknowledged Anne Kirkpatrick for coordinating the use of space at the Congregational Church.

Regarding Grant information, SPS has received \$39,000 as part of the Cares Act from the federal government and \$96,000 from the State which he states is not a fair formula based upon Title I numbers. He stated that SPS will be fine, but it will be a tight year. He froze the budget on 7/2/20 with very few requests. During this school year, Mr. Czapla and Mr. Boutwell will be reviewing the budget in order to make better projections by the end of the school year. Discussion ensued.

7.2. Professional Development Report

Rationale: Mrs. Senecal, Director of Curriculum, will be presenting the Professional Development Report.

Discussion: Mrs. Dina Senecal, Director of Curriculum, updated the BOE on Professional Development. PD week is scheduled to start on Monday, 8/31/20. There will be a three-hour session regarding the Covid Experience through in-house facilitators. The latter part will break out into sessions for self-care. This will give teachers tangible things to do with students in the classroom. There will be PD based on technology utilizing in-house presenters as well as self-paced technology PD. A survey was sent out to teachers regarding their comfort level on key tech systems. Since there was a broad range, tech groups will be broken up based on comfort level. There will be PD for livestreaming because teachers will be using a document camera. There will be PD from off-campus resources for the new math program as well as the vocabulary program (Sadler). It is essential to give teachers time next Friday to be in their classrooms and apply the PD. The technology department will be available and assist in troubleshooting.

Mrs. Senecal will be communicating with the families of students who are opting-out on Monday. During the first week of school, off-campus learners will pick up their materials and work on setting up their programs. They will start to livestream on 9/14/20. Three people have been interviewed as substitute teachers. Discussion ensued regarding who will be teaching students who have opted out. SES will not change classrooms during the day. All Specials will occur in classrooms with the exception of PE. Grade 5 opt-out students will livestream with their teachers. There will be a large population of parents who will be driving their children to school. Students will be separated on buses.

8. COMMITTEE REPORTS

8.1. CURRICULUM

Discussion: Jan Martin asked that Mrs. Dina Senecal, Director of Curriculum, speak about the next steps in curriculum development discussed at the committee's July meeting. She stated that there will be continued discussion about diversity, equity, and education. She is actively working and creating a website for parents, teachers, and students. She will look at Professional Development throughout the school year that will focus on bias and racism. SHS will begin conversations regarding the recent events related to BLM. Suzy

Williams, SHS Social Worker, will hold strict advisory lessons. Mrs. Senecal anticipates meeting with the Curriculum Committee in September.

8.2. POLICY

Discussion: Anne Kirkpatrick reported that the committee is on hold and will await further direction.

8.3. SALARY & NEGOTIATION

Discussion: David Palmer reported that the BOE will be entering into Executive Session to discuss the Nurses' Memorandum.

8.4. PLANNING

Discussion: No report.

9. EXECUTIVE SESSION

Rationale: The Board will invite Mr. Czapla and Mr. Boutwell into the Executive Session to discuss the Nurses' MOU (Memorandum of Understanding).

Motion Passed: Motion to enter into Executive Session at 7:47 p.m. and invite Superintendent Czapla and Mr. Bill Boutwell to discuss the Nurses' contract and MOU passed with a motion by David Palmer and a second by Jan Martin. **8 Yeas - 0 Nays.**

The BOE came out of Executive Session at 7:57 p.m.

Motion Passed: Motion to accept the Nurses' MOU as presented in Executive Session passed with a motion by David Palmer and a second by Jan Martin. **8 Yeas - 0 Nays.**

10. ADJOURNMENT

Motion Passed: Motion to adjourn the BOE meeting at 7:59 p.m. passed with a motion by Jan Martin and a second by David Palmer. **8 Yeas - 0 Nays.**

Jan Martin, BOE Secretary

Date

Shannin Burns, BOE Recording Secretary

Somers Board of Education General Budget Treasury Warrant

Report # 65434

Check Batch: 36133
 Check Header: (N/A)
 Check Numbers: (First) - (Last)
 Check Dates: (Earliest) - (Latest)
 Cash Account Numbers: (First) - (Last)
 Bank Account Code: (N/A)
 Check Authorization Code: AP GB
 Minimum Check Amount: \$0.00
 Sorted By:
 Include Payable Information: No
 Include Payable Dist Information: No
 Include Authorization Information: Yes

Batch #	Check #	Check Date	Vendor Code	Vendor Name	Electronic Amount	Check Amount
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Approved by:  Date: 9/10/2020
William B. Boutwell, Director of Business Services

36133	18916	09/14/2020	V60020	3H Back Flow Device Testing, Inc.	0.00	170.00
	18917	09/14/2020	V58674	Administrator, Unemployment Compensation	0.00	450.69
	18918	09/14/2020	V52670	SYNCB/AMAZON	0.00	5,610.51
	18920	09/14/2020	V60064	Angeloni Refrigeration, LLC	0.00	409.88
	18921	09/14/2020	V60040	Anthem Life Insurance Company	0.00	2,149.45
	18922	09/14/2020	V51604	Awards & More	0.00	178.00
	18923	09/14/2020	R00011	Brewer, Kathryn	0.00	37.37
	18924	09/14/2020	V61551	Cleaning Stuff	0.00	37.04
	18925	09/14/2020	V61455	ConnectiCare, Inc	0.00	255,894.99
	18926	09/14/2020	V61637	Connecticut Library Consortium	0.00	209.25
	18927	09/14/2020	V60119	C.E.S.	0.00	597.00
	18928	09/14/2020	V61473	COX Business	0.00	842.21
	18929	09/14/2020	V60390	Cummins Sales and Service	0.00	3,269.81
	18930	09/14/2020	E00080	Curran, Mary	0.00	61.61
	18931	09/14/2020	V60709	DBS Financial Services LLC	0.00	3,082.30
	18932	09/14/2020	V60416	DG Graphics	0.00	3,800.75
	18933	09/14/2020	V61651	Edpuzzle	0.00	3,402.00
	18934	09/14/2020	V00605	Electrical Wholesalers	0.00	85.79
	18935	09/14/2020	V52317	Ellington Board of Education	0.00	2,389.75
	18936	09/14/2020	V61230	ENGIE Resources	0.00	2,961.69

Somers Board of Education General Budget Treasury Warrant

Report # 65434

Batch #	Check #	Check Date	Vendor Code	Vendor Name	Electronic Amount	Check Amount
	18937	09/14/2020	V00159	Eversource Energy	0.00	18,832.97
	18938	09/14/2020	V61667	Family Ford of Enfield	0.00	368.54
	18939	09/14/2020	V61369	John Bagioni	0.00	1,000.00
	18940	09/14/2020	V60968	Fletcher Sewer & Drain, Inc	0.00	145.00
	18941	09/14/2020	V53493	The Floor Connection	0.00	620.00
	18942	09/14/2020	V61236	Gateway Enterprise Corporation	0.00	2,060.00
	18943	09/14/2020	V61560	Glastonbury Hill Country Club	0.00	572.33
	18944	09/14/2020	V60920	Global Equipment Company	0.00	3,651.46
	18945	09/14/2020	V54081	Graduate Pest Solutions, Inc.	0.00	311.00
	18946	09/14/2020	V00511	Grainger	0.00	547.70
	18947	09/14/2020	E00129	Gustafson, Cheryl	0.00	82.25
	18948	09/14/2020	V21177	Home Depot CRC	0.00	24.90
	18949	09/14/2020	V61403	Hooker & Holcombe, Inc	0.00	2,808.00
	18950	09/14/2020	V60344	ImpACT Applications Inc	0.00	655.00
	18951	09/14/2020	V60561	Infoshred, LLC	0.00	142.74
	18952	09/14/2020	V52848	Intensive Education Academy, Inc.	0.00	7,855.88
	18953	09/14/2020	V02682	Junior Library Guild	0.00	687.40
	18954	09/14/2020	V02625	K & S Distributors	0.00	625.00
	18955	09/14/2020	V01827	Kanco Supply Corp.	0.00	1,029.12
	18956	09/14/2020	V61604	Kelly Refrigeration & Freezer	0.00	925.00
	18957	09/14/2020	V00665	Kelly-Fradet Lumber	0.00	125.65
	18958	09/14/2020	V61633	kwb Media	0.00	1,575.00
	18959	09/14/2020	V61664	Labco-Air & Water Balancing, LLC	0.00	8,491.10
	18960	09/14/2020	V02898	MagnaKleen Services	0.00	96.67
	18961	09/14/2020	V60777	May Institute	0.00	19,092.81
	18962	09/14/2020	V61662	MPS	0.00	459.00
	18963	09/14/2020	V61670	Music Sales Digital Services, LLC	0.00	2,920.00
	18964	09/14/2020	V61002	Nuisance Wildlife Pro's, LLC	0.00	399.00
	18965	09/14/2020	V60097	Paxton/Patterson LLC	0.00	1,034.03
	18966	09/14/2020	V53914	Pitney Bowes, Inc.	0.00	105.00
	18967	09/14/2020	V00582	Pitisco Education	0.00	230.73
	18968	09/14/2020	A00509	Redman, Kimberly	0.00	99.44
	18969	09/14/2020	V51134	Richco Products, Inc.	0.00	82.41
	18970	09/14/2020	V60567	Rydm Decal	0.00	199.16
	18971	09/14/2020	V61661	School Databooks	0.00	586.65
	18972	09/14/2020	V01292	School Specialty, Inc.	0.00	194.61
	18973	09/14/2020	V61652	Screencastify, LLC	0.00	1,800.00

Somers Board of Education General Budget Treasury Warrant

Batch #	Check #	Check Date	Vendor Code	Vendor Name	Electronic Amount	Check Amount
	18974	09/14/2020	E00301	Senecal, Dina	0.00	407.53
	18975	09/14/2020	V02325	Sheffield Pottery, Inc.	0.00	433.50
	18976	09/14/2020	V01591	Town of Somers	0.00	380.41
	18977	09/14/2020	V60394	SWAN Associates Inc	0.00	3,476.56
	18978	09/14/2020	V61609	Tristate Equipment Repair	0.00	1,073.48
	18979	09/14/2020	V53987	U.S. Bank Equipment Finance, Inc	0.00	2,592.92
	18980	09/14/2020	V60353	ULINE	0.00	1,189.11
	18981	09/14/2020	V02758	University of Saint Joseph	0.00	6,000.00
	18982	09/14/2020	V21164	Unum Life Insurance Company of America	0.00	3,387.57
	18983	09/14/2020	V54059	Verizon Wireless	0.00	409.81
	18984	09/14/2020	V53413	W. B. Mason Co., Inc.	0.00	457.60
	18985	09/14/2020	V61410	Cardmember Service	0.00	1,955.77
	18986	09/14/2020	V60641	William H Sadler, Inc.	0.00	1,108.43
	18987	09/14/2020	V51162	Wilson Language Training Corp.	0.00	525.31
Totals:					0.00	\$389,473.64

71 Checks Listed.

Somers Board of Education General Journal Register

Report # 65432
Batch: 36091
Transaction: N/A
Show Summary Only: Yes

Batch # 36091	Control Total \$389,473.64	Status Posted	Created By Ibergamini	Created On 09/03/2020	Last Updated By Ibergamini	Last Updated On 09/10/2020
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General Ledger Distribution Summary

Period, Fiscal Year Account Number	Account Description	DTF Base	Over Budget	Debits	Credits
September, 2021					
Generated Distributions					
10-000-0-0-00-000-710-00-0-00000	ENCUMBRANCE CONTROL			385,563.42	0.00
10-000-0-0-00-000-720-00-0-00000	RESERVE FOR ENCUMBRANCE			0.00	385,563.42
	Total Generated Distributions			\$385,563.42	\$385,563.42
User-Entered Distributions					
10-000-0-0-00-000-241-00-0-00000	ACCOUNTS PAYABLE			7.26	0.00
10-000-0-0-00-000-241-00-0-00000	ACCOUNTS PAYABLE			0.00	389,480.90
10-000-1-9-99-999-000-00-5-01695	COVID-19			17,276.33	0.00
10-100-2-2-00-242-611-01-5-01182	K-5 FOURTH GRADE SUPPLIES		Yes	514.22	0.00
10-100-2-2-00-242-611-01-5-01183	K-5 FIFTH GRADE SUPPLIES		Yes	250.59	0.00
10-100-2-2-14-242-611-01-5-00652	K-5 - KINDERGARTEN SUPPLIES			175.68	0.00
10-100-2-2-14-242-611-01-5-00771	K-5 - FIRST GRADE SUPPLIES		Yes	837.12	0.00
10-100-2-2-16-242-611-01-5-00722	K-5 - LANGUAGE ARTS SUPPLIES			525.31	0.00
10-100-2-2-26-220-641-01-5-00105	K-5 - LANGUAGE ARTS TEXTBOOK			1,108.43	0.00
10-100-2-3-02-242-611-01-5-00164	MA - ART SUPPLIES			194.61	0.00
10-100-2-3-12-242-611-01-5-00182	MA - TECHNOLOGY ED SUPPLIES			33.69	0.00
10-100-2-3-14-241-611-01-5-00157	MA - GENERAL SUPPLIES			59.99	0.00
10-100-2-3-20-242-611-01-5-00172	MA - MUSIC SUPPLIES			1,656.76	0.00
10-100-2-4-02-242-611-01-5-00165	HS - ART SUPPLIES			555.18	0.00
10-100-2-4-12-242-611-01-5-00183	HS - TECHNOLOGY ED SUPPLIES			1,177.16	0.00
10-100-2-4-20-242-611-01-5-00168	HS - BAND SUPPLIES			1,263.24	0.00
10-100-2-4-30-220-641-01-5-00125	HS - SOCIAL STUDIES TEXTBOOKS			459.00	0.00
10-221-1-5-50-251-322-05-5-00297	CO - ADMINISTRATION WORKSHOP			804.72	0.00
10-221-2-5-50-214-111-05-5-00659	SW - PROF DEVELOPMENT/CEU			1,787.51	0.00
10-222-1-5-72-231-690-03-5-00810	CO - NEWSPAPERS & MAGAZINES			7.82	0.00
10-222-2-4-52-231-642-03-5-00143	HS - LIBRARY BOOKS			687.40	0.00
10-222-2-4-52-231-642-03-5-00139	HS - NEWSPAPERS/MAGAZINES			209.25	0.00
10-231-1-5-74-134-330-10-5-00045	SW - COMPUTER SOFTWARE			5,202.00	0.00
10-231-1-5-74-134-590-10-5-00648	B.O.E. - OTHER PROF. SERVICES			3,808.00	0.00
10-232-1-5-72-134-540-04-5-00025	B.O.E. - COMMUNITY RELATIONS CO - ADVERTISING			178.00 597.00	0.00 0.00

Somers Board of Education General Journal Register

Report # 66432

Batch # 36091	Control Total \$389,473.64	Status Posted	Created By Ibergamini	Created On 09/03/2020	Last Updated By Ibergamini	Last Updated On 09/10/2020
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10-232-6-5-66-830-440-04-5-00525	CO - COPIER RENTAL	648.23	0.00	0.00	0.00	0.00
10-232-6-5-66-830-440-04-5-00526	CO - POSTAGE METER	105.00	0.00	0.00	0.00	0.00
10-240-6-2-66-830-440-04-5-00523	K-5 - COPIER RENTAL	648.23	0.00	0.00	0.00	0.00
10-240-6-3-66-830-440-03-5-00527	MA - COPIER RENTAL	648.23	0.00	0.00	0.00	0.00
10-240-6-4-66-830-440-04-5-00763	HS - COPIER RENTAL	648.23	0.00	0.00	0.00	0.00
10-259-1-2-40-123-590-04-5-00015	K-5 - FORMS & PRINTING	586.65	0.00	0.00	0.00	0.00
10-259-1-4-40-123-590-04-5-00018	HS - FORMS & PRINTING	199.16	0.00	0.00	0.00	0.00
10-259-1-5-72-123-590-04-5-00019	CO - FORMS & PRINTING	142.74	0.00	0.00	0.00	0.00
10-260-5-2-62-722-430-08-5-01141	K-5 BUILDING REPAIRS	620.00	0.00	0.00	0.00	0.00
10-260-5-2-64-642-530-04-5-00363	K-5 - TELEPHONE	222.73	0.00	0.00	0.00	0.00
10-260-5-3-64-642-530-04-5-00365	MA - TELEPHONE	165.38	0.00	0.00	0.00	0.00
10-260-5-4-64-642-530-04-5-00366	HS - TELEPHONE	296.59	0.00	0.00	0.00	0.00
10-260-5-5-64-642-530-04-5-00367	CO - TELEPHONE	567.32	0.00	0.00	0.00	0.00
10-260-5-6-62-650-613-05-5-00377	SW - CUSTODIAL SUPPLIES	5,929.21	0.00	0.00	0.00	0.00
10-260-5-6-62-722-430-01-5-01077	SW - COMPUTER MAINTENANCE	2,492.39	0.00	0.00	0.00	0.00
10-260-5-6-62-722-430-08-5-00430	MA - BUILDING MAINTENANCE	4,146.21	0.00	0.00	0.00	0.00
10-260-5-6-62-722-430-08-5-00439	HS - BUILDING MAINTENANCE	3,401.86	0.00	0.00	0.00	0.00
10-260-5-6-62-722-430-08-5-00440	SW - EQUIPMENT REPAIR	705.49	0.00	0.00	0.00	0.00
10-260-5-6-62-722-430-08-5-00445	SW - TOOL SUPPLY	124.90	0.00	0.00	0.00	0.00
10-260-5-6-62-722-430-08-5-00801	SW - EXTERMINATING	311.00	0.00	0.00	0.00	0.00
10-260-5-6-62-722-430-08-5-00885	SW - ELECTRICAL SUPPLIES	93.05	0.00	0.00	0.00	0.00
10-260-5-6-62-722-430-08-5-00885	SW - ELECTRICAL SUPPLIES	0.00	0.00	7.26	0.00	0.00
10-260-5-6-64-641-620-05-5-00358	K-5 - ELECTRICITY	7,147.55	0.00	0.00	0.00	0.00
10-260-5-6-64-641-620-05-5-00360	MA - ELECTRICITY	9,746.67	0.00	0.00	0.00	0.00
10-260-5-6-64-641-620-05-5-00361	HS - ELECTRICITY	7,860.44	0.00	0.00	0.00	0.00
10-260-5-6-64-641-620-05-5-00362	MAINTENANCE - ELECTRICITY	122.30	0.00	0.00	0.00	0.00
10-260-6-5-62-722-430-04-5-00452	SW - MAINTENANCE CONTRACTS	4,176.34	0.00	0.00	0.00	0.00
10-270-4-5-84-521-627-12-5-00327	BUS FUEL	187.52	0.00	0.00	0.00	0.00
10-279-4-5-84-722-627-12-5-00341	SW - GASOLINE SCHOOL VEHICLES	192.89	0.00	0.00	0.00	0.00
10-280-6-5-82-820-200-13-5-00512	LIFE AND AD&D INSURANCE	2,149.45	0.00	0.00	0.00	0.00
10-280-6-5-82-820-200-13-5-00513	L.T.D.	3,387.57	0.00	0.00	0.00	0.00
10-280-6-5-82-820-200-13-5-00517	UNEMPLOYMENT INSURANCE	450.69	0.00	0.00	0.00	0.00
10-280-6-5-82-820-200-13-5-01228	SW - HEALTH SAVINGS ACCOUNT	255,894.99	0.00	0.00	0.00	0.00
10-320-7-4-42-880-690-06-5-00595	HS - ATHLETIC SUPPLIES	754.44	0.00	0.00	0.00	0.00
10-613-9-9-88-955-561-14-5-00673	SP ED - TUITION	35,338.44	0.00	0.00	0.00	0.00

Total User-Entered Distributions	\$389,488.16	
Total for September, 2021	\$775,051.58	\$775,051.58

Somers Board of Education General Journal Register

Report # 65432

Batch #	Control Total	Status	Created By	Created On	Last Updated By	Last Updated On
36091	\$389,473.64	Posted	Ibergamini	09/03/2020	Ibergamini	09/10/2020
Grand Total for Batch # 36091						\$775,051.58
						\$775,051.58

268 Transactions Listed.

Updated definition of sexual harassment to comply with state statutes

PERSONNEL - CERTIFICATED/NON-CERTIFICATED

Nondiscrimination:

The conditions or privileges of employment in this school district, including the wages, hours, terms and benefits, shall be applied without regard to race, color, religion, age, sex, sexual orientation, gender identity or expression, national origin, marital status, national origin, ancestry, physical disability, present or past history of mental disorder, developmental disability, pregnancy or age. Veteran status, or genetic information, except in the case of occupational qualification. The Board of Education seeks to extend the advantages of public education with full equality of educational opportunity to all pupils and personnel. Neither the Board nor any employee, nor any other person may aid or compel the performance of an unfair labor practice as defined by law. For purposes of this policy, genetic information means the information about genes, gene products or inherited characteristics that may derive from an individual or family members.

Harassment:

No member of the Board or any agent of the Board or any agent of any employee organization may harass any employee or person seeking employment or any member on the basis of sex. ~~"Sexual harassment" as defined by Law includes any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature affecting a person's employment, continuity of employment or work performance or creates an offensive working environment.~~ Sexual harassment is defined in Conn. Gen. Stat. §46a-60(b)(8) as any unwelcome sexual advances or request for sexual favors or any conduct of a sexual nature when: (A) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (B) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or, (C) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Discipline:

No employee will be disciplined, reprimanded, reduced in rank or compensation or deprived of any profession advantage without just cause.

Association Membership:

No employee shall suffer any professional disadvantage by reason of the employee's membership in an employee association or participation in its lawful activities.

Grievances:

No employee, employee association representative, member of any employee organization or any other participant in a grievance procedure shall suffer reprisals in any way or suffer any professional disadvantage by reason of his/her being opposed to any unfair labor practices or because of participation in the processing of any grievance. The Superintendent will provide procedures for alleged violations of Board policies, administrative regulations, Title IX, the Equal Educational Opportunity Act and school district operations in general when not otherwise covered in employee organization agreements.

Cross Reference in Manual: [0521](#), [4111](#), 4211, [4135](#), 4234.4

Legal Reference: Connecticut General Statutes

[31](#)-127 Procedure

[31](#)-127a Injunctive powers

[31](#)-128 Enforcement of orders. Appeals

Title VII Civil Rights Act as amended by Title IX

Equal Employment Act.

80-285 An Act Concerning Harassment As An Unfair

Employment Practice.

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

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.

Title IX of the Education Amendments of 1972, 20 USCS § 1681, et seq.

Age Discrimination in Employment Act, 29 U.S.C. § 621

Americans with Disabilities Act, 42 U.S.C. § 12101

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794

Title II of the Genetic Information Nondiscrimination Act of 2008,
Pub.L. 110 233, 42 USC 2000ff; 34 CFR 1635

Connecticut General Statutes

[10-153](#) Discrimination on basis of marital status

[46a-51](#) Definitions (as amended by PA 17-127)

[46a-58](#) Deprivation of rights. Desecration of property. Placing of
burning cross or noose on property. Penalty. (as amended by PA 17-
127)

[46a-60](#) Connecticut Fair Employment Practices Act (as amended by
PA 17-127)

[46a-81a](#) Discrimination on basis of sexual orientation: Definitions

[46a-81c](#) Sexual orientation discrimination: Employment.

Public Act 11-55, An Act Concerning Discrimination.

Adopted: May 11, 1981

Revised: May 27, 2008

July 9, 2009

March 12, 2018

Updated definition of sexual harassment to comply with state statutes

PERSONNEL -- CERTIFIED/NON-CERTIFIED

Harassment

The Board strives to provide a safe, positive working and learning climate for its employees. Therefore, harassment, in any form, will not be tolerated in this district. This policy applies to all students, staff members, board members, parents, vendors, contracted individuals, volunteers, other employees and other visitors -- who are on district grounds or property or on property within the jurisdiction of the district; on buses operated by or for the district; while attending or engaged in district activities; and while away from district grounds if the misconduct directly affects the good order, efficient management, and welfare of the district.

Employees, students, and others are expected to adhere to a standard of conduct that is respectful and courteous to all. The principle of freedom of expression that might otherwise protect the most offensive public speech does not protect or encompass a right to threaten the dignity and privacy of an individual. Such personally directed behavior will not be tolerated. It is contrary to academic values, debilitates its victims, compromises the offenders, and undermines the district's fundamental commitment to individual freedom and respect for all its members. Furthermore, acts of intolerance may destroy the very atmosphere in which freedom of expression is otherwise tolerated and cherished.

For purposes of this policy, harassment consists of verbal, written, graphic, or physical conduct relating to an individual's race, color, religion, sex, national origin/ethnicity, physical attributes or disability, parental or marital status, sexual orientation, or age when such conduct/harassment:

1. is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abuse education environment;

2. has the purpose or effect of substantially or unreasonably interfering with an individual's work performance;
3. otherwise adversely affects an individual's employment opportunities;

Harassment as set forth above may include, but is not limited to:

- verbal, physical, or written intimidation or abuse;
- repeated remarks of a demeaning or condescending nature;
- repeated demeaning jokes, stories, or activities directed at the individual.

For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:

1. ~~acceptance~~ submission of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; ~~and~~ or.
3. such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that may constitute sexual harassment include, but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendos; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with an employees' ability to work or creates an intimidating, hostile or offensive working environment.

Each staff member shall be responsible to maintain an educational environment free from all forms of unlawful harassment.

Should harassment be alleged, it is the policy of this Board that it shall be thoroughly investigated, that there shall be no retaliation against the victim of the alleged harassment, and that the problem/concern shall be appropriately addressed.

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Director of Curriculum as the District's Compliance Officer. The Compliance Officer shall publish and disseminate this policy and the complaint procedure annually to students, parents, employees, independent contractors, vendors and the public. The publication shall include the position, office address and telephone number of the District's Compliance Officer.

The Board directs that complaints of harassment shall be investigated promptly and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained consistent with the District's legal and investigative obligations.

The building Principal or his/her designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

1. Inform the employee or third party of the right to file a complaint and the complaint procedure.
2. Notify the complainant and the accused of the progress at appropriate stages of the procedure,
3. Refer the complainant to the Compliance Officer if the building Principal is the subject of the complaint.

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

29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq. 34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29CFR Sec. 1606.8 (a) 62 Fed. Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512(1/19/01)

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

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

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26,1998)

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

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

Connecticut General Statutes

[46a](#)-60 Discriminatory employment practices prohibited.

[10](#)-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include “sexual orientation) [10](#)-153 Discrimination on account of marital status.

[17a](#)-101 Protection of children from abuse.

Adopted: March 22, 1993

Revised: November 10, 2003

ADMIN. REG.: 4118.112

4218.112

Compliance Office - Director Of Curriculum and Instruction

1 Vision Boulevard, Somers, Connecticut 06071

HARASSMENT COMPLAINT PROCEDURE

Step 1 - Reporting

An employee or third party who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building Principal. If the building Principal is the subject of the complaint, the incident shall be reported directly to the District's Compliance Officer.

The complainant is encouraged to use the report form available from the building Principal, but oral reports are acceptable.

Step 2 - Investigation

Upon receiving a complaint of unlawful harassment, the building Principal shall immediately notify the Compliance Officer, who shall then authorize the building Principal to investigate the complaint, unless the building Principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused and others with knowledge relative to the incident. Other information and materials relevant to the investigation may also be evaluated.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation is pending or has been concluded.

Step 3 - Investigative Report

The district shall take prompt, corrective action to ensure that such conduct ceases and will not reoccur if the investigation results in a finding that the complaint is factual and is a violation of board policy.

Disciplinary actions shall be consistent with Board policies and district procedures, applicable bargaining unit agreements and applicable state and federal laws.

Employees knowingly making a false complaint under this policy shall be subject to disciplinary action, including termination.

Step 4 - Appeal Procedure

1. The complainant, if not satisfied with a finding of no violation of the policy or with the corrective action, may submit a written appeal to the Compliance Officer within fifteen (15) days.
2. The Compliance Officer shall review the investigation and the investigative report and may also conduct an investigation.
3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building Principal who conducted the initial investigation.

November 10, 2003

REPORT FORM FOR COMPLAINTS OF UNLAWFUL HARASSMENT

Complainant: _____

Home
Address: _____

Home
Phone: _____

School
Building: _____

Date of Alleged
Incident(s): _____

Alleged harassment was based on: (Circle all that apply)

- | | | |
|----------|------------|--------------------|
| Race | Color | National Origin |
| Gender | Disability | Religion |
| Ancestry | Age | Sexual Orientation |

Name of person you believe violated the district's harassment
policy: _____
—

If the alleged harassment was directed against another person, identify the other person:

Describe the incident as clearly as possible, including what force, if any, was used; verbal
statements (i.e. threats, derogatory remarks, demands, etc.) what if any, physical contact was
involved. Attach additional pages if necessary:

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has harassed me or another person. I certify that the information provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature Date

Received by Date

Updated expulsion language per PA 19-91

Students

Suspension and Expulsion/Due Process

This policy is referenced in all student handbooks as well as included in the Board of Education Policy Manual available on the district website at www.somers.k12.ct.us

It is the goal of the Board of Education to ensure the safety and welfare of all students in attendance, and to maintain an atmosphere conducive to learning. In keeping with this goal, students are expected to comply with school rules and regulations, as well as Board policies. Students may be disciplined for conduct on school grounds or at any school-sponsored activity 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 violates a publicized policy of the Board.

In working with students, emphasis shall be placed upon developing effective self-discipline as the most effective disciplinary approach.

An authorized member of the Administrative Staff may suspend a student whose conduct endangers persons or property or is seriously disruptive of the education process, or which violates a published policy of the Board of Education. (CGS [10-233c](#))

Suspension is 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. Suspensions shall be in-school suspensions unless the administration determines for any student in grades three through twelve inclusive, that 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 through twelve inclusive shall be excluded from school during the period of suspension.

The Board of Education may expel any student whose conduct endangers persons or property or is seriously disruptive of the educational process, or violates a published policy of the Board, in accordance with CGS [10-233d](#).

Expulsion is exclusion from school privileges for any student in grades three through twelve inclusive for more than ten (10) consecutive school days and shall be deemed to include but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided that assignment to a regular classroom program in a different school in the district shall not constitute a suspension or an expulsion. Such period of

exclusion may extend to the school year following the school year in which the exclusion was imposed, up to one calendar year.

A. Definitions

1. "Exclusion" shall be defined as any denial of public school privileges to a student for disciplinary purposes.
2. "Removal" shall be defined as an exclusion from a classroom for all or a part of single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
3. "Emergency" shall be defined as a situation under which the continued presence of the student in the school imposes 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 student as possible.
4. "Days" is defined as days when school is in session.
5. "School-sponsored activity" is defined as any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.
6. "Possess" means to have physical possession or otherwise to exercise dominion or control over tangible property.
7. "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.
8. "Firearm" means 1) any weapon (including a starter gun) which will or is designed to or readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearm. For purposes of this definition "destructive device" means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or device similar to any of the weapons described herein.
9. "Vehicle" means a "motor vehicle" as defined in Section [14-1](#) of the Connecticut General Statutes, snow mobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.
10. "Martial arts weapon" means a nunchakum kama, kasari-fundo, octagon sai, tonfa or Chinese star.
11. "Dangerous Drugs and Narcotics" is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.

B. Removal from Class

1. All teachers are hereby authorized to remove a student from class when such student causes a serious disruption of the educational process within the classroom.
2. Such teacher shall send the student to a designated area and shall immediately inform the building Principal or his/her designee as to the name of the student and the reason for removal.
3. No student shall be removed from class more than six (6) times in any year nor more than twice in one week, unless such student is referred to the Building Principal or his/her designee and granted an informal hearing in accordance with the provisions of this policy, as stated in G(3).

C. Exclusion from Co-Curricular and Extra-Curricular Activities

Participation in co-curricular and extra-curricular activities is a privilege and not an entitlement. Students involved in such programs are expected to follow all school rules and demonstrate good citizenship. Failure to do so may result in partial or complete exclusion from said activities and programs. Activities include, but are not limited to, athletic programs, musical or drama productions, clubs, field trips, and school trips out-of-state and abroad.

D. Suspension and Expulsion

1. A student may be suspended in-school or suspended out-of-school ~~or expelled~~ (grade three to twelve, inclusive) for conduct on school property or at a school-sponsored activity that endangers persons or property, is violative of a publicized policy of the Board, or is seriously disruptive of the educational process. ~~including but not limited to one or more of the following reasons:~~
Comment...so now can be suspended or expelled for the same offense? Duplicate?

2. A student may be expelled (grade three to twelve, inclusive) whose conduct on school grounds or at a school-sponsored activity 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 (CGA Public Act 19-91).

Student may be suspended in-school or out-of-school or expelled for conduct including but not limited to one or more of the following reasons:

- a. Conduct causing danger to the physical well-being of himself/herself or other people that is not reasonably necessary for self-defense;
- b. Intentionally causing or attempting to cause physical injury to another person that is not reasonably necessary for self-defense;
- c. Intentionally causing or attempting to cause damage or school property or material belonging to staff (private property);

- d. Stealing or attempting to steal private or school property or taking or attempting to take personal property or money from any other person;
- e. The use, either spoken or written on clothing, of obscene or profane language or gestures on school property or at a school-sponsored activity;
- f. Deliberate refusal to obey the directions or orders of a member of the school staff;
- g. Harassment and/or hazing/bullying on the basis of that person's race, religion, ethnic background, gender or sexual orientation;
- h. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;
- i. Threatening in any manner, including orally, in writing, or via electronic communication, a member of the school including any teacher, a member of the school administration or any other employee, or a fellow student;
- j. Blackmailing a member of the school community, including any teacher, member of the school administration or any other employee or fellow student;
- k. Possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, as defined in Section [53a-3](#), such as a pistol, knife, blackjack, etc.;
- l. Possession of any weapon or weapon facsimile, including but not limited to knife, pistol, pellet guns and/or air soft pistols;
- m. Possession, transmission, distribution, selling, use or consumption of alcoholic beverages, dangerous drugs or narcotics or intoxicant of any kind or any facsimile of a dangerous drug, narcotic or intoxicant of any kind;
- n. Knowingly being in the presence of those who are in possession of using, transmitting, or being under the influence of any dangerous drug, narcotic, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
- o. Participation in any unauthorized occupancy by any group of students or others of any part of any school, school premises or other building owned by any school district after having been ordered to leave said school premises or other facility by the Principal or other person then in charge of said school building or facility;
- p. Participation in any walkout from a classroom or school building by any group of students and refusing to immediately return to said classroom or school building after having been directed to do so by the Principal or other person then in charge of said classroom or school building;

- q. Intentional incitement which results in an unauthorized occupation of, or walkout from, any school building, school premises, facility or classroom by any group of students or other persons;
- r. Repeated unauthorized absence from or tardiness to school;
- s. Intentional and successful incitement of truancy by other students;
- t. The use or copying of the academic work of another and the presenting of it as one's own without proper attribution;
- u. Violation of school rules and practices or Board policy, regulation or agreement, including that dealing with conduct on school buses and the use of school district equipment;
- v. Violation of any federal or state law which would indicate that the violator presents a danger to any person in the school community or to school property;
- w. Lying, misleading or being deceitful to a school employee or person having authority over the student;
- x. Unauthorized leaving of school or school-sponsored activities;
- y. Unauthorized smoking.

E. Suspension for Conduct Off School Grounds

1. Students are subject to suspension for conduct off school property and outside of school-sponsored activities in accordance with law, for conduct that violates a publicized policy of the Board and is seriously disruptive of the educational process, including but not limited to the following:
 - a. Conduct leading to a violation of any federal or state law if that conduct is determined to pose a danger to the student himself/herself, other students, school employees or school property.
 - b. Adjudication as a delinquent or a youthful offender as the result of a felony if the conduct leading to the adjudication is determined to pose a danger to the student himself/herself, other students, school employees or school property.
2. In making a determination as to whether conduct is "seriously disruptive of the educational process," the administration, Board of Education or impartial hearing board may consider, but such consideration shall not be limited to; (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether

any injuries occurred, and (4) whether the conduct involved the use of alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate or marijuana.

F. Mandatory Expulsion

It shall be the policy of the Board to expel a student, grades preschool, and kindergarten to twelve, inclusive, for one full calendar year if:

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. [53A-3](#); or the student, off school grounds, did possess such firearm in violation of C.G.S. [29-35](#) or did possess and use such a firearm, instrument or weapon in the commission of a crime; or the student, on or off school grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. [21a-240](#), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. [21-277](#) and [21a-278](#).

*A firearm; currently defined by 18 U.S.C. 921, is any weapon that can expel a projectile by an explosive action and includes explosive devices, incendiaries, poison gases, and firearm frames, receivers, mufflers or silencers.

2. Such a student shall be expelled for one calendar year if the Board of Education or impartial hearing board finds that the student did so possess or so possess and use, as appropriate, such a weapon or firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance.

3. The Board may modify the period of a mandatory expulsion on a case-by-case basis.

4. A firearm, as defined by C.G.S. [53a-3](#) includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, a gravity knife, billy, black jack, bludgeon or metal knuckles.

5. A student enrolled in a preschool program provided by the Board of Education, state or local charter school or inter district 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.

G. Suspension Procedure

1. The administration of each school shall have the authority to invoke suspension for a period of up to ten days or to invoke in-school suspension for a period of up to ten school days of any student for one or more of the reasons stated in paragraph C, above, in accordance with the procedure outlined in this paragraph. Suspensions shall be in-school

suspensions unless the administration determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension. The administration may also consider a student's previous disciplinary problems when deciding whether an out-of-school suspension is warranted, as long as the school previously attempted to address the problems by means other than an out-of-school suspension or an expulsion.

The administration is expected to use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.

The administration shall also have the authority to suspend a student from transportation services whose conduct while awaiting or receiving transportation violates the standards set forth in paragraph C, above. The administration shall have the authority to immediately suspend from school any student when an emergency exists as that term is defined in paragraph A, above.

If an emergency situation exists, the hearing outlined in paragraph G (3) shall be held as soon as possible after the exclusion of the student.

2. In the case of suspension, the administration shall notify the student's parents and the Superintendent of Schools not later than twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason therefore. Any student who is suspended shall be given an opportunity to complete any class work including, but not limited to, examinations which such student missed during the period of his/her suspension.
3. Except in the case of an emergency, as defined in paragraph A, above, a student shall be afforded the opportunity to meet with the administration and to respond to the stated charges prior to the effectuation of any period of suspension or in-school suspension. If, at such a meeting the student denies the stated charges, he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The administration shall then determine whether or not suspension or in-school suspension is warranted. In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, or expulsion.
4. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.
5. No student shall be suspended more than ten times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.

6. No student shall be placed on in-school suspension more than fifteen times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.

H. Expulsion Procedures

1. The Board of Education may, upon recommendation of the Superintendent of Schools, expel any student for one or more of the reasons stated in this policy if in the judgment of the Board of Education, such disciplinary action is in the best interest of the school system.

2. Upon receipt of a recommendation for expulsion from the Superintendent of Schools the Board shall, after giving written notice, at least five (5) business days before such hearing, to the student and his parents or guardian, if said student is less than 18 years of age, conduct a hearing prior to taking any action on the expulsion of said student, provided however, that in the event of an emergency as defined in this policy, the student may be expelled prior to the hearing but in such case even a hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning the student's and his/her parent's/guardian's legal rights and concerning legal services that are provided free of charge or at a reduced rate that are available locally (CT Legal Service a source of such services) and how to access such services. An attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student has 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.

3. Three members of the Board of Education shall constitute a quorum for an expulsion hearing. A student may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel and provided at least three affirmative votes for expulsion are cast. The Board of Education, in accordance with Section [10-233d\(b\)](#) of the Connecticut General Statutes, may appoint impartial hearing officers to preside in expulsion hearings. A list of appointees shall be maintained by the Superintendent. The Chair of the Board, in consultation with the Superintendent, may assign impartial hearing officers to preside over expulsion hearings from a list approved by the Board as needed.

4. A special education student's handicapping conditions shall be considered before making a decision to expel. A Planning and Placement Team (PPT) meeting must be held to determine whether the behavior or student actions violative of Board of Education standards set forth in policy governing suspension and expulsion are the result of the student's handicapping condition.

5. The procedure for any hearing conducted under this paragraph shall at least include the right to:

- a. Notice prior to the date of the proposed hearing which shall include a statement of the time, place and nature of the hearing and a statement of the legal jurisdiction under which the hearing is to be held and a statement that students under sixteen years old who are

expelled and students between sixteen and eighteen who have been expelled for the first time and who comply with conditions set by the Board of Education, must be offered an alternative educational opportunity;

b. A short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student;

c. The opportunity to be heard in the student's own defense;

d. The opportunity to present witnesses and evidence in the student's defense;

e. The opportunity to cross-examine adverse witnesses;

f. The opportunity to be represented by counsel at the parents'/student's own expense; and

g. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services;

h. The opportunity to have the services of a translator, to be provided by the Board of Education whenever the student or his/her parent or legal guardian do not speak the English language;

i. The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the student concerned.

6. The record of the hearing held in any expulsion case shall include the following:

a. All evidence received and considered by the Board of Education;

b. Questions and offers of proof, objections and ruling on such objections;

c. The decision of the Board of Education rendered after such hearing; and

d. A copy of the initial letter of notice of proposed expulsion, a copy of any statement of reasons provided upon request, a statement of the notice of hearing and the official transcript, if any or if not transcribed, any recording or stenographic record of the hearing.

7. Rules of evidence at expulsion hearings shall assure fairness, but shall not be controlled by the formal rules of evidence, and shall include the following:

a. Any oral or documentary evidence may be received by the Board of Education but, as a matter of policy, irrelevant, immaterial or unduly repetitious evidence may be excluded. In addition, other evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension, or expulsion may be received for considering the length of an expulsion and the nature of the alternative educational opportunity, if any, to be offered;

- b. The Board of Education shall give effect to the rules of privilege by law;
 - c. In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
 - d. Documentary evidence may be received in the form of copies or excerpts;
 - e. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;
 - f. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge provided, however, the parties shall be notified either before or during the hearing of the material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noticed;
 - g. A stenographic record or tape-recording of any oral proceedings before the Board of Education at an expulsion hearing shall be made provided, however, that a transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
 - h. Decisions shall be in writing if adverse to the student and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
8. For any student expelled for the first time and who has never been suspended, except for a student who has been expelled based on possession of a firearm or deadly weapon, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.

I. Notification

1. All students and parents within the jurisdiction of the Board of Education shall be informed, annually, of Board Policy governing student conduct by the delivery to each said student of a written copy of said Board Policy.
2. The parents or guardian of any minor student either expelled or suspended shall be given notice of such disciplinary action no later than 24 hours of the time of the institution of the period of expulsion or suspension.
3. The notice of an expulsion hearing shall be given at least five (5) business days before such hearing to the student and his/her parents or guardians, if said student is less than 18 years of age shall include information concerning the parent's/guardian's and the student's

legal rights and concerning legal services that are provided free of charge or at a reduced rate that are available and how to access such services. The notification shall include a statement that an attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student shall be notified of 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.

J. Students with Disabilities

A special education student's IEP and/or 504 disability shall be considered before making a decision to suspend. A student with disabilities may be suspended for up to ten school days in a school year without the need for the district to provide any educational services. A disabled student may be additionally removed (suspended) for up to ten school days at a time for separate acts of misconduct as long as the removals do not constitute a pattern. During any subsequent suspension of ten days or less of a student with disabilities, the district shall provide services to the disabled student to the extent determined necessary to enable the student to appropriately advance in the general education curriculum and toward achieving his/her IEP goals. In cases involving removals for ten days or less, school personnel (school administration) in consultation with the child's special education teacher, shall make the service determination.

If the disabled student's suspensions beyond ten school days in a school year constitute a pattern because of factors such as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another, the IEP team (PPT) shall conduct a manifestation determination. Meetings of a student's IEP team (PPT) are required to develop a behavioral assessment plan or to review and modify as necessary one previously developed when the disabled student has been removed (suspended) from his/her current placement for more than ten school days in a school year and when commencing a removal (suspension) that constitutes a change in placement.

Whenever a student is suspended, notice of the 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 record by the Board if the student graduates from high school.

Notwithstanding the foregoing, the following procedures shall apply to students who have been identified as having one or more disabilities under the IDEA and/or Section 504 of the Rehabilitation Act (a "student with disabilities"):

1. If a student with disabilities engages in conduct that would lead to a recommendation for expulsion, the district shall promptly convene an IEP team (PPT) meeting to determine whether the misconduct was caused by or had a direct and substantial relationship to the student's disability or if the conduct in question was the direct result of the District's failure to implement the IEP. A student may be suspended for up to ten days pending the IEP team (PPT) determination.

2. If the District, parent and relevant members of the IEP team (PPT) determine that the misconduct was not caused by the disability, the Superintendent may proceed with a recommendation for expulsion. During any period of expulsion, a student with disabilities under the IDEA shall receive an alternative educational plan consistent with the student's educational needs as determined by the IEP team (PPT) in light of such expulsion and the student's IEP. The services must continue to the extent determined necessary to enable the disabled student to appropriately advance in the general education curriculum and to advance toward achieving the goals of his/her IEP, and be provided a free appropriate public education.

3. If the District, parent and relevant members of the IEP team (PPT) determine that the misconduct was caused by or had a direct and substantial relationship to the disability, or the conduct in question was the direct result of the District's failure to implement the student's IEP, the Superintendent shall not proceed with the recommendation for expulsion. The IEP team (PPT) shall consider the student's misconduct and revise the IEP to prevent a recurrence of such misconduct and to provide for the safety of the other students and staff. A functional behavioral assessment shall be conducted, if not previously done, and a behavioral intervention plan implemented or revised, if in existence. The student shall be returned to the placement from which he/she was removed unless agreed otherwise by the District and parent.

4. Should a parent of a student with disabilities who is eligible for services under the IDEA (or the student himself/herself if eighteen years of age or older) file a request for a due process hearing to contest an expulsion under subparagraph (2) above or a proposed change in placement under subparagraph (3), unless the parents (or student if eighteen years of age or older) and the Board otherwise agree, the child shall stay in the interim alternate educational setting, if so placed by student authorities, pending decision in said due process hearing and any subsequent judicial review proceedings.

5. Notwithstanding the provisions of the preceding subparagraph (4), a student with disabilities may be assigned to an interim alternative educational setting for not more than forty-five (45) school days if the student brings a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. For purposes of this paragraph, "weapon" means a device instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, but excludes a pocket knife with a blade of less than 2 ½ inches in length. "Serious bodily injury" is defined as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty. The interim alternative placement shall be determined by the IEP team (PPT). If a due process hearing is requested, the student shall remain in said interim alternative placement pending a decision in the due process hearing, unless the Board and the parents otherwise agree, or the Board obtains a court order.

6. In order for the district to unilaterally obtain a 45-day change in placement from a federal judge of Connecticut hearing officer, it must prove by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the child or others. The school must also prove that it has made reasonable efforts to minimize the risk of harm the student presents in the current placement.

K. Alternative Educational Opportunity

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity, which shall be equivalent to alternative education, as defined by C.G.S. [10-74j](#), with an individualized learning plan, (1) if he Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education which includes the kind of instruction to be provided and the number of hours to be provided during the period of expulsion. Any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section [10-184](#) of the Connecticut General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18) not previously expelled and who wishes to continue his or her education shall be offered such an alternative educational opportunity if he or she complies with conditions established by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the assignment of a student (who is seventeen (17) years of age or older) to an adult education program or placement of such student in a regular classroom program of a school other than the one from which the student has been excluded. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. [10-184](#). In determining the nature of the alternative education opportunity to be offered under this Section, the Board of Education may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion.

The Board of Education is not obligated to provide such alternative educational opportunity to any student eighteen years of age or older. The Board of Education is required to offer such alternative educational opportunity, as defined, to any student between the ages of sixteen and eighteen who is expelled because of conduct, which endangers persons, and involved the following, on school grounds or at a school-sponsored event:

1. Possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon, or
2. Offering an illegal drug for sale or distribution.

If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If a student is expelled for possession of a firearm, or deadly weapon, dangerous instruments (those that can be used to cause death or serious injury) or martial arts weapons the Board shall report the violation to the local police department.

This provision shall not apply to students requiring special education who are described in subdivision (1) of sub-section (e) of C.G.S. [10-76a](#). The alternative educational opportunity for any such student shall be established by the IEP team (PPT) in accordance with the procedures described above.

L. Other Considerations

1. If a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for the notice of an expulsion of a student in grades nine through twelve, inclusive, based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the Board determines that the student's conduct and behavior in the years following such expulsion warrants an expungement or if the student graduates from high school.
2. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
3. If a student in grades kindergarten to eight, is expelled based on possession of a firearm or deadly weapon, the Board may expunge from the students' cumulative education record the notice of the expulsion and the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following such expulsion warrants an expungement.
4. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S. [10-233d\(a\)](#). Adoption of such a decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with item K above.
4. Whenever a student against whom an expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall complete the expulsion hearing and render a decision.
6. A student expelled for possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon shall have the violation reported to the local police department.

7. The period of expulsion shall not extend beyond a period of one calendar year. A period of exclusion may extend into the next school year.

8. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Superintendent of Schools. Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.

9. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, The Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the local Board of Education. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

Readmission of Student from a Residential Placement

A District student who has committed an expellable offense who seeks to return to a District school, after participating in a diversionary program or having been detained in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, for one year or more, in lieu of expulsion from the District, shall be permitted to return to the appropriate school setting within the District. Further, the District shall not expel the student for any additional time for the offense(s).

Students and parents shall be notified of this policy annually.

Legal Reference: Connecticut General Statutes

[4-176e](#) through [4-180a](#). Contested Cases. Notice. Record, as amended

[10-233a](#) through [10-233f](#) Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111, PA 11-126, PA 14-229, PA 15-96 and PA 16-147.

[53a-3](#) Definitions.

[53a-217b](#) Possession of Firearms and Deadly Weapons on School Grounds.

PA 94-221 An Act Concerning School Discipline and Safety.

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 Statutes.

GOALS 2000: Educate America Act, Pub. L. 103-227.

18 U.S.C. 921 Definitions.

Title III - Amendments to the Individuals with Disabilities Education Act. Sec. 314 (Local Control Over Violence)

Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994

P.L. 105-17 The Individuals with Disabilities Act, Amendments of 1997.

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.

20 U.S.C. Section 7114, No Child Left Behind Act

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004

Adopted: March 10, 1980

Reviewed: March 2, 2006

Revised: May 15, 2001

July 12, 2010

December 12, 2011

September 22, 2014 (Section L. Other Considerations)

November 9, 2015

January 9, 2017

August 28, 2017

March 26, 2018 (Section K.)

Adopted: September 16, 1982

Reviewed: September 11, 2003

Revised: September 10, 2018

ADMIN. REG: 5114

STUDENTS:

Suspension and Expulsion/Due Process:

Suspension:

1. Copies of the Board Policy should be published in all student Handbooks and teacher Handbooks.
2. It should be made clear in the policy that although suspended students be given the opportunity to make up any work missed, they are not entitled to tutorial help or special assistance.
3. In compliance with Special Education child: Students repeatedly suspended from school more than three (3) times in a given school year shall be promptly referred to the building planning and placement team.

Adopted: September 16, 1982

Reviewed: September 11, 2003

Updated to reflect current statutory language. Language removed and placed in Admin Regulation

STUDENTS:

Sexual Harassment:

The Board of Education is committed to safeguarding the right of all students with the school district to a learning environment that is free from all forms of sexual harassment. Sexual harassment does not only depend upon the offender's intention but also upon how the target perceives the behavior or is affected by it. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as school personnel.

Therefore, the Board condemns all unwelcome behavior of a sexual nature which is either designed to extort sexual favors from a student that will influence any decision concerning that student, or which has the purpose or effect of creating an intimidating, hostile, or offensive learning environment. The Board also condemns any retaliatory behavior against complainants or any witnesses.

Any student who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately so that appropriate corrective action, up to and including significant disciplinary action, may be taken at once. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct, will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools will develop and implement regulations on reporting, investigating and remedying allegations of sexual harassment. The school district will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment and to discipline any student or employee who sexually harasses a student or employee of the district. ~~Such procedures are to be consistent with any applicable provisions contained in the district's collective bargaining agreements and the tenure laws.~~

Definition of Sexual Harassment

~~A. Sexual harassment can usually be defined by three specific types: verbal, non-verbal, and physical.~~

~~Verbal: Humor, jokes and stories about sex and sexual behavior; repeated phone calls with requests for contact; sexual propositions or demands; sexual innuendo, insults and threats; statements designed to humiliate or embarrass; stereotypical comments based on gender, sexual identity or sexual orientation; vulgar sex-based or related language.~~

~~Non-verbal: Obscene and/or physically intimidating gestures; whistling, leering, ogling, suggestive or insulting sounds, obscene gestures; display of pornographic and/or obscene materials, sex-based graffiti.~~

~~Physical: Inappropriate touching, patting, pinching, stroking, grabbing; physically threatening behaviors such as forceful restraint; forceful contact, fondling, stalking; coerced sexual or sex-related activity.~~

~~B. Sexual harassment is prohibited in the school system. Sexual harassment can occur when, but is not limited to:~~

- ~~1. When submission to, or rejection of, conduct by an individual is used as the basis of academic or other school-related decisions affecting a student.~~
- ~~2. When the conduct has the purpose or the effect of having a negative influence upon the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.~~
- ~~3. When suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects, pictures, or cartoons are directed to a student.~~
- ~~4. When continuing to express sexual interest after being informed that the interest is unwelcome.~~

~~5. When coercive sexual behavior by district personnel is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of student, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).~~

~~6. When inappropriate attention of a sexual nature as defined above from peer(s), i.e. student to student, student to school employee occurs.~~

Complaint Procedure

~~1. If a student believes that he/she is being or has been harassed, that person should immediately inform the harasser that his/her behavior is unwelcome, offensive, in poor taste, unprofessional, or highly inappropriate.~~

~~2. As soon as a student feels that he or she has been subjected to sexual harassment, he or she should make a complaint to the appropriate school personnel, guidance counselor, social worker, teacher, or the principal or his/her designee.~~

~~3. The student will be provided a copy of this policy and regulation and made aware of his or her rights.~~

~~4. The complaint should state the:~~

~~a. name of the complainant;~~

~~b. date of the complaint;~~

~~c. date of the alleged harassment;~~

~~d. name or names of the harasser or harassers;~~

~~e. location where such harassment occurred; and~~

~~f. detailed statement of the circumstances constituting the alleged harassment.~~

~~5. Any student who makes an oral complaint of harassment to any of the above-mentioned personnel will be provided a copy of this regulation and will be offered the opportunity to make a written complaint pursuant to the above procedure. If the complainant chooses not to file a written complaint a staff member will summarize it in writing.~~

~~6. If the student complainant is a minor, the person to whom the complaint is given should consider whether a child abuse report should be completed (refer to pertinent state law).~~

~~7. All complaints are to be forwarded immediately to the principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent.~~

~~8. If possible, within five (5) working days of receipt of the complaint, the principal or designee handling the complaint shall commence an effective, thorough, objective and complete investigation of the complaint. The investigator shall personally consult with all individuals reasonably believed to have relevant information, including the student and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discretely, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigative process, the due process rights of the alleged harasser will be upheld.~~

~~9. The investigator, i.e., school principal or designee, shall make a written report summarizing the results of the investigation and proposed disposition of the matter to the Superintendent, and shall provide copies to the complainant, the alleged harasser, and, as appropriate, to all others directly concerned.~~

~~10. If the student complainant is dissatisfied with the result of the investigation, he or she may file a written appeal to the Superintendent, who shall review the investigator's written report with the information collected by the investigator, together with the recommended disposition of the complaint, to determine whether the investigation and disposition have been judged inappropriate. The Superintendent may also conduct an independent investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completing the review, the Superintendent shall respond to the complainant, in writing, as soon as possible.~~

~~If, after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take all appropriate action to ensure that the harassment ceases and will not recur. Actions taken in response to allegations of harassment may include reassignment, transfer, or appropriate disciplinary action.~~

~~The harasser and any other persons responsible for the offense will be notified that appropriate action shall be taken if further acts of harassment or retaliation occur.~~

~~Copies of this regulation will be made available to all students and district personnel and will also be placed in student handbooks.~~

Definitions and Examples

A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical contact or communication of a sexual nature when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- The conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education environment.

Any sexual harassment as defined herein when perpetrated upon a student or staff member shall be treated as sexual harassment under this policy.

B. Sexual harassment may include but is not limited to:

- Verbal harassment or abuse of a sexual nature
- Subtle pressure for sexual activity
- Inappropriate or unwelcomed touching, patting, or pinching of a sexual nature
- Intentional brushing against a student's or an employee's body
- Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status.
- Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status.
- Use of sexually or gender degrading words or comments, verbal or written (ex., graffiti)
- Display in the school, on school grounds, or at school-sponsored events or sexually suggestive a third party designated by the Superintendent.

Cross Reference: DBS Code: [5114](#) - Suspension-Expulsion

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).

Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.

Title IX of the Education Amendments of 1972, 34 CFR Section 106.

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

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

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26,1998)

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

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

Connecticut General Statutes

[46a](#)-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20.

Adopted: May 9, 1994

Revised: January 27, 2003

July 9, 2009

Removed language about sexual harassment. This is redundant since other policies deal exclusively with sexual harassment.

Students

Harassment

The Board strives to provide a safe, positive learning environment in the schools. Therefore, harassment, in any form, will not be tolerated. This policy applies to all students, staff members, Board members, parents, vendors, contracted individuals, volunteers, other employees and other visitors - who are on District grounds or property or on property within the jurisdiction of the District; on buses operated by or for the District; while attending or engaged in District activities; and while away from District grounds if the misconduct directly affects the good order, efficient management, and welfare of the District.

Employees, students, and others are expected to adhere to a standard of conduct that is respectful and courteous to all. The principle of freedom of expression that might otherwise protect the most offensive public speech does not protect or encompass a right to threaten the dignity and privacy of an individual. Such personally directed behavior will not be tolerated. It is contrary to academic values, debilitates its victims, compromises the offenders, and undermines the District's fundamental commitment to individual freedom and respect for all its members. Furthermore, acts of intolerance may destroy the very atmosphere in which freedom of expression is otherwise tolerated and cherished.

For purposes of this policy, harassment consists of verbal, written, graphic, or physical conduct relating to an individual's race, color, religion, sex, (including sexual harassment and pregnancy), national origin/ethnicity, physical attributes or disability, (including, but not limited to, mental retardation, past or present history of mental disorder, physical disability or learning disability), parental or marital status, sexual orientation, including gender identity/expression or age when such conduct/harassment:

1. is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity, creates an intimidating, threatening or abusive educational environment;

2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; and
3. otherwise adversely affects an individual's learning opportunities.

Harassment as set forth above may include, but is not limited to:

- verbal, physical, or written intimidation or abuse;
- repeated remarks of a demeaning or condescending nature;
- repeated demeaning jokes, stories, or activities directed at the individual.

The Board strictly prohibits retaliation against any person for filing a complaint, for aiding or encouraging the filing of a report or complaint, or for cooperating in an investigation of discrimination or harassment. The Board considers/treats retaliation as a form of discrimination.

~~For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:~~

- ~~1. submission to such conduct is made, either explicitly or implicitly, a term or condition of a student's academic status;~~
- ~~2. submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual;~~
- ~~3. such conduct deprives a student of educational aid, benefits, services or treatment;~~
- ~~4. such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's school performance or creating an intimidating, hostile or offensive educational environment.~~

~~Examples of conduct that may constitute sexual harassment include, but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably~~

~~interfering with a student's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.~~

For purposes of this policy teen dating violence, also called intimate relationship violence or intimate partner violence among adolescents or adolescent relationship abuse, includes physical, psychological, or sexual abuse; harassment; or stalking of any person ages 12 to 18 inclusive in the context of a past or present romantic or consensual relationship. Stalking can be defined as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear. Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient.

Dating violence occurs when one partner is in a dating relationship, either past or present, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.

Teen dating violence is unacceptable behavior and prohibited/will not be tolerated.

Examples of dating violence against a student may include physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment.
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Any student who is a victim of teen dating violence in violation of this policy is encouraged to immediately report his/her concerns to the District's Compliance Officer.

The District shall incorporate age-appropriate education about teen dating violence into new or existing training programs for students in grades 6 (7) through 12. In

addition, the District shall incorporate into existing professional development program for staff information related to the prevention of and appropriate response to teen dating violence

Each student shall be responsible to respect the rights of their fellow students and district employees and to ensure an environment free from all forms of unlawful harassment.

Should harassment be alleged, it is the policy of this Board that it shall be thoroughly investigated, that there shall be no retaliation against the victim of the alleged harassment, and that the problem/concern shall be appropriately addressed.

In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board directs the Superintendent of Schools to designate a District Compliance Officer.

cf. [0521](#) - Nondiscrimination)

(cf. [4131](#) - Staff Development)

(cf. 4118.113/4218.113 - Harassment)

(cf. [5131.911](#) - Bullying)

(cf. 5131.912 - Aggressive Behavior)

(cf. [5131.913](#) - Cyberbullying)

(cf. [5141.4](#) - Reporting of Child Abuse and Neglect)

(cf. [5145](#) - Civil and Legal Rights and Responsibilities)

(cf. [5145.4](#) - Nondiscrimination)

(cf. [5145.5](#) - Sexual Harassment)

(cf. 5145.51 - Peer Sexual Harassment)

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

29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.

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

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

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

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

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

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

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

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

Connecticut General Statutes

[46a-60](#) Discriminatory employment practices prohibited.

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

[10-153](#) Discrimination on account of marital status.

[17a-101](#) Protection of children from abuse.

Policy adopted: March 24, 2014

NON-INSTRUCTIONAL OPERATIONS:

Transportation:

The Board of Education will provide transportation for all pupils under provisions of State Law and regulations. The Superintendent of Schools shall administer the operation so as to:

1. Provide for maximum safety of students.
2. Supervise and reinforce desirable student behavior.
3. Appropriately assist students with special needs.
4. Enrich the instructional program through carefully planned trips as recommended by the staff.

Legal Reference: Connecticut General Statutes

[10-186](#) Duties of local and regional boards of education

[10-220](#) Duties of boards of education

[14-275](#) Equipment and color of school buses

[14-275a](#). Use of standard school bus required when

[14-257b](#) Transportation of handicapped students

[14-275c](#). Regulations re school buses and motor vehicles
used to transport special education students

[14-276a \(c\)](#) Town/school district may require its school bus operators to have completed a safety training course

[14-280](#) Letters and signals to be concealed when not used in transporting children. signs on other vehicles

United States Code, Title 49

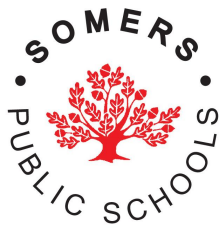
2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)

Adopted: April 28, 1980

Revised: November 27, 2000

April 6, 2009

July 9, 2009



**Board of Education
Administrative Report**

Title of Report: Staffing Changes for 2020-2021

Board Meeting Date: September 14, 2020

Action

Report

Information

Discussion

Submitted by: Brian P. Czaplak, Superintendent

Executive Summary

Below reflects the additions and changes in the staffing at Somers Public Schools

Report

New Staff

SES

Kathryn Lavallee - Grade 3
Karen Saxton – Nurse
Teah Garibian – ParaEducator

MBA

Lynda Thornton – Assistant Principal
Elizabeth Asal – Psychologist
Suzette Reading – Media Specialist
Brigid Gauthier – Math Intervention
Anne Cohen – ParaEducator

SHS

Amanda Welch – PE/Health
Collin Prescher – Custodian

Change of Assignments

SES

Michael McDonnell, Asst. Principal-from MBA
Lauren Atwood, ParaEducator – from MBA
Theresa Kowalski, Media Para – from MBA

MBA

Kevin Nevins, Grade 6 LArts, from Grade 7
Miranda Wilson, Grade 7 LArts, from Grade 8
Heather Connors, Grade 8 LArts, from SHS
Barbara Anderson, Media Para from SES Para

SHS

Mary Baldyga position is now only at SHS

Long Term Substitute

Madison Provencher – PreK (for Shea)
Gabriela Brown – Grade 3 (for O’Toole)
Fern Botwick – Sped Gr 4 (for Heintz)
Deborah Robidoux – Math Intervention (for Baldyga)

COVID

Moved out of Intervention and Media to Classrooms

Michael Clarity – Gr 2
Kim Tibbetts – Gr 3
Rebecca Joyal – Gr 4
Pasquale DeMatteo – SHS English

Remote Learning Teachers

Melissa Staunton – Kindergarten
MaryJane Russell – Grade 1
Arlene Rauza – Grade 2
Jill Madden – Grade 3
Kristin Baber – Grade 4

Staff Numbers (255)

Certified – Dept. of Education (156)

Admin	9	
Certified	147	
Certified FTE	143.5	
Classroom	123	
Non-Classroom	24	(tutor, Inter., SP/L, Guid, Psych. Soc. Wkr.)

Non-Certified – Dept. of Education (99)

Admin	3
Admin Asst'	15
IT	4
Nurses	4
Tutors	8
Sped Others	5
Paras	37
Custodians/Mtn	15
Monitors	6
Café	2

Building School Staff (255)

SES	62 Certified	39 others	101	Total
MBA	37 Certified	23 others	60	Total
SHS	54 Certified	23 others	77	Total
Maintenance			5	Total
Central Office			12	Total