

4000 Personnel



4000 Series – PERSONNEL

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Personnel

Staff Development

The Board supports staff development as a means to improve instruction and student learning.

All staff should have the opportunity to participate in programs designed by the Superintendent to enhance their professional development.

The Superintendent shall also attempt to make staff development opportunities available to contractor employees (employees of third parties who work in the schools as part of the educational program).

Policy Adopted:

May 6, 1988

Policy Amended:

July 24, 2001

PUBLIC TRUST EMPLOYEES

The Board of Education considers all employees, to be "public trust employees." **The** job effectiveness of such employees depends on the members of the community maintaining respect and confidence in such employees in regards to both their on-duty and off-duty conduct. Accordingly, the Board directs such employees to refrain from engaging in any conduct on or off school property which could damage the public's trust and confidence in such employees. Such conduct includes, but is not limited to, acts of moral misconduct (i.e. criminal conviction, such as commission of a felony) or conviction of any crime.

The Board considers any off-duty misconduct tending to damage the public's trust and confidence committed by such employees to have occurred in the course of employment. Accordingly, such misconduct, even if it occurs off school property or during off-duty time, can be the subject of disciplinary action by the Board up to and including termination of employment. Acceptance of an offer of employment by a Board of Education employee means that the person accepting the offer understands and accepts that acts tending to damage the public's trust and confidence, even if committed off school property or during off-duty time, will be considered willful misconduct, and may subject the employee to disciplinary action.

Legal References:

- Regulations of Conn. State Agencies, Section 31-236-26c(c)(I)(2)
- Title VII, Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d and 2000e
- Section 504, Rehabilitation Act of 1973 as amended, 29 U.S.C. § 794
- Americans with Disabilities Act of 1990, as amended 42 U.S.C. § 12102, *et seq.*
- Age Discrimination in Employment Act, as amended, 29 U.S.C. § 621 *et seq.*
- Equal Pay Act, 29 U.S.C. § 206(d)
- Federal Regulations, 29 C.F.R. Parts 1604 through 1608, inclusive
- Connecticut General Statutes Sections 10-153, 10-220(a), 31-75, 46a-60(a)(I) *et seq.*, 46a-81c

ADOPTED:

July 22, 2003

REVISED:

335378 v.OI SI

Personnel

Family and Medical Leave

It is the policy of the Stamford Board of Education to comply with the Family and Medical Leave Act of 1993 in its employment practices. This policy is implemented through the accompanying administrative procedures, which will be reviewed and revised periodically by the Director of Human Resources as needed.

Legal References: Family and Medical Leave Act of 1993, 29 U.S.C. § 2601 et seq.
Federal Regulations, 29 C.F.R. Part 825

Internal References: See also Board Policy 4140, Maternal Disability and Child Care Leave, for additional benefits available to eligible employees.

Policy Adopted:
October 26, 2004

Family and Medical Leave

I. PURPOSE

The purpose of these procedures is to establish guidelines for leaves taken by employees of the Stamford Public School District under the Federal Family and Medical Leave Act of 1993 (FMLA).

This Regulation describes the family and medical leave benefits available to eligible employees under the FMLA and the terms and conditions of such leave, and establishes consistent procedures by which administrators shall evaluate and process requests for family and medical leaves of absence.

II. ELIGIBILITY

Employees who have worked for the District for a total of at least twelve (12) months, and who have worked at least 1,250 actual work hours during the twelve (12) months immediately preceding the start of a leave, are eligible for unpaid leave under the FMLA.

Note: Full-time teachers are deemed to meet the J, 25D-hour test.

III. REASON FOR LEAVE

Leaves under the FMLA may be taken for the following reasons:

- Because of the birth and/or care of the employee's newborn child (including prenatal care);
- Because of the placement of a child with the employee by adoption or foster care;
- In order to care for the employee's spouse, child or parent who has a serious health condition;
- Because of the employee's own serious health condition that makes the employee unable to perform the functions of his or her current position.

IV. LENGTH OF LEAVE

If a leave is requested for one of the above reasons, each eligible employee may take up to a maximum of twelve (12) weeks unpaid family or medical leave in any 12-month entitlement period. The 12-month entitlement period for family or medical leave is determined from July 1 of each year.

V. TYPES OF LEAVE AND CONDITIONS

A. Full-Time, Intermittent .And Reduced Schedule Leave

1. Full-time leave may be taken for any of the reasons permitted by the FMLA. Full-time leave excuses the employee from work for a continuous period of time.
2. Intermittent leave means leave taken in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave taken one day per week over a period of a few months; or leave taken on an occasional/as needed basis for other than routine medical appointments.
3. Reduced schedule leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.
4. An employee may take full-time, intermittent or reduced schedule leave whenever it is medically necessary for a serious health condition of the eligible employee, or his or her spouse, child or parent.

B. Foreseeable Planned Medical Treatment

When planning medical treatment, an employee must consult with his or her supervisor and make a reasonable effort to schedule the leave so as not to disrupt unduly the district's operations, subject to the approval of the health care provider. Employees are ordinarily expected to consult with their supervisor prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of the district and the employee. The district may, for justifiable cause, require an employee to attempt to reschedule treatment, subject to the ability of the health care provider to reschedule the treatment and the approval of the health care provider as to any modification of the treatment schedule.

If foreseeable intermittent or reduced schedule leave is medically required based upon planned medical treatment of the employee or a family member, the District may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested. Also, special arrangements may be required of any instructional employee who needs to take intermittent or reduced-schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five days over a five-week period).

C. Both Spouses Working For The District

If both spouses are employees of the District and request leave for the birth, placement of a child by adoption or for foster care, or to care for a seriously ill parent, they only will be entitled to a maximum combined total leave equal to

twelve (12) weeks in any 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is still entitled to the difference between the amount he or she has taken individually and the 12 weeks for FMLA leave for their own, their spouse's, or their child's serious health condition in the 12-month entitlement periods.

D. Leave Taken By Instructional Employees Near the End Of A Student Year

1. If a leave taken by an instructional employee (i.e., an employee whose principal function is to teach and instruct students) begins more than five (5) weeks before the end of a student year, the District may require that employee to continue the leave until the end of the student year if the leave will last at least three (3) weeks and the employee would return to work during the three week period before the end of the student year.

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

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

E. Requests For Leave

An employee must inform his or her supervisor of the need for a family or medical leave at least thirty (30) days before the leave is to commence, if practicable. The employee must provide sufficient information to make the supervisor aware that the employee needs FMLA-qualifying leave, and must inform the supervisor of the start date of the requested leave and the anticipated duration of the leave. If such notice is not practicable, the request should be submitted as soon as practicable under the circumstances. The supervisor must promptly notify the human resources department on the "*Notice of Potential FMLA Leave*" form that an employee has requested leave that may qualify under FMLA. The human resources department will coordinate the processing of all FMLA leave paperwork.

If an employee returns to work from an absence that may qualify as FMLA leave, but that has not been so designated by the District, the employee must notify his or her supervisor of the reason for the leave within two days of returning to work.

F. Medical Certifications Required

1. For leaves taken because of the employee's or a family member's serious health condition, the employee must submit a completed "*Certification of Physician or Practitioner*" form before the leave begins if possible. If such advance certification is not possible, the medical certification must be provided by the employee within fifteen (15) calendar days of the Human Resources Department's request for the medical certification.

2. If an employee takes leave (except on an intermittent basis) for his or her own serious health condition, in order to return to work the employee may be required to provide a completed "*Medical Examiner's Certification*" form, which certifies that the health condition which created the need for the leave no longer renders the employee unable to perform the essential functions of the job. If such certification is required but not received, the employee's return to work may be delayed until the certification is provided.

G. Substitution of Paid Leave

An employee must substitute any accrued paid sick leave for any (otherwise) unpaid portion of medical leave taken for employee's own serious health condition (including child-bearing). In addition, an employee must substitute accrued paid personal, compensatory and vacation leave (in that order) for any unpaid portions of family or medical leave taken for any reason. Where the leave is for the employee's own serious health condition, accrued paid sick leave will be substituted for unpaid portions of family or medical leave prior to the substitution of accrued paid personal, compensatory or vacation leave. Where the leave is for the serious health condition of a family member, accrued paid sick leave that is available for substitution for that purpose must be substituted prior to the substitution of accrued paid personal, compensatory or vacation leave. The amount of family or medical leave entitlement that is unpaid is reduced by the amount of paid leave that is substituted.

H. Medical Insurance and Other Benefits

During approved family or medical leaves of absence, the employee will be entitled to all job-related benefits during any portion of such leave for which the employee is utilizing available paid leave. The District will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical

leave. The employee must continue to pay his/her share of the premium, and failure to do SO may result in the loss of coverage. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the District for payment of medical insurance premiums during the family or medical leave, unless the employee does not return because of a serious health condition or other circumstances beyond the employee's control

During any period of unpaid family or medical leave, employees will continue to accrue service credit for seniority and longevity pay. However, employees will not accrue service credit for retirement benefits. Unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work.

I. Reinstatement

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

VI. ADDITIONAL INFORMATION

Questions regarding family or medical leave may be directed to the Human Resources Department.

Policy Adopted:
October 26, 2004

4011.1 - Employee

5141.1 - Students

Communicable Diseases

The Board recognizes its obligation to provide all students an appropriate educational program in the least restrictive environment and protect the health and welfare of all members of the school community.

Students, employees, or contractor employees whose participation in the regular school program poses a significant danger to their own health or the health of others by reason of a communicable disease shall be excluded from Stamford Public School facilities on the recommendation of the School Medical Advisor and/or the Director of Health for the City of Stamford. Any student so excluded shall be provided an appropriate alternate educational program.

The School Medical Advisor shall inform him or herself of any case of a communicable disease that poses a significant danger to the health of the individual or of others and promptly report such case to the Superintendent and the Board President with His/her recommendation. The Board, acting through the Superintendent, may require the School Medical Advisor to secure additional expert advice.

The School Medical Advisor shall promptly report his/her disposition of the case to the Superintendent.

Policy Adopted:

April 22, 1986

Policy Amended:

July 24, 2001

Personnel

Communicable Diseases

1. Employees or contractor employees whose participation in the regular school program poses a significant danger to their own health or to the health of others by reason of a communicable disease shall be excluded from Stamford Public School facilities on the recommendation of the School Medical Advisor and/or the Director of Health for the City of Stamford.
2. The School Medical Advisor shall notify the Superintendent or his/her designee of any employee or contractor employee diagnosed as having such a communicable disease.
3. Any employee or contractor employee with such a communicable disease shall be suspended from service in accordance with Board policies and applicable law.
4. The right of privacy of an employee or contractor employee and of his/her family shall be respected. Knowledge of the employee or contractor employee's condition shall be provided only to personnel with a need to know, e.g. those involved in the direct supervision of the individual

Regulation Adopted:

April 22, 1986

Regulation Amended:

July 24, 2001

Personnel

Gifts and Gratuities

No teacher shall receive gifts of more than a de minimus nature (value of not more than \$10.00 in any year) from a pupil under his or her charge except under administrative regulations promulgated by his/her principal or the Superintendent.

No custodian shall receive or accept any gratuity or gift for work performed or action connected with the operation of school property.

No employee of the public school system of Stamford shall accept any gift or gratuity, whether in the form of service, loan, thing or promise or in any other form, from any person, firm or corporation which to his/her knowledge is interested directly or indirectly in business dealings with the school system and over which business dealings he/she has power either to take action or to influence action.

Employees are bound by, and shall comply with, the provisions of the Code of Ethics enacted by the City of Stamford; as such Code may be amended from time to time.

Note: This also appears as policy 1313.

Policy Adopted:

Nov. 12, 1985

Policy Amended

July 24, 2001

4033

5132

Personnel

Computer Software

The Stamford Public Schools use computer software for instructional and other purposes. Such software is usually licensed from a vendor and copyrighted by the vendor. Although license agreements vary widely, they usually prohibit copying the software except for back-up purposes, and limit the use of the software to one machine at a time.

Copying or using software other than as permitted in the license agreement not only is a breach of contract but also violates United States copyright laws, constitutes criminal theft of property, and is unethical.

No one in the Stamford Public Schools, staff or students, shall violate copyright laws or license agreements. If doubt exists, written approval must be secured from the Superintendent or designee acting with the advice of legal counsel.

No one in the Stamford Public Schools, staff or students, shall use any device to intimidate, threaten, or harass, or to violate any other provision of law.

Policy Adopted:

May 6, 1986

Policy Readopted:

July 24, 2011

Policy Readopted:

July 24, 2012

Personnel

Copyright

The United States copyright laws apply to many kinds of materials used within the Stamford Public Schools, including books, magazines, tests, videotapes, and computer software.

Inasmuch as students learn good citizenship in school, including respect for the law, honesty, and integrity, personnel within the Stamford Public Schools have a special obligation to comply with copyright laws as with all laws.

No member of the staff shall violate copyright laws or knowingly permit students to violate copyright laws.

Policy Adopted:

May 6, 1986

Policy Amended:

July 24, 2001

Personnel

Solicitation By Board Employees

The Board recognizes the importance of an educational environment devoted to learning and free from unnecessary distractions. Consequently, no staff member may, on school property or during school activities, solicit students or offer services to students for non-school sponsored activities for personal gain.

Policy Adopted:

February 24, 1987

Policy Amended:

July 24, 2001

Personnel

Solicitation By Board Employees

A. Purpose:

Students should be free to learn in an atmosphere free of distraction or subtle coercion. Teachers stand in a particular relationship with their students, and should not utilize that relationship for personal gain. Moreover, in discharging their professional responsibilities as educators, teachers should avoid even the appearance of a conflict of interest between discharging those professional responsibilities and their own personal interests.

B. Scope:

"Solicitation" may be generally defined as asking students to expend money or otherwise participate in activities that lead to the financial gain by such teachers. While it is not possible to define all forms of solicitation of students, the following examples illustrate the basic principles:

1. Solicitation of students to participate in non-school sponsored trips.
2. The offering of services for pay directly to students in the school setting.
3. Solicitation of students to participate in any activity, in which such participation by students leads to the financial gain of such teachers.

Solicitation of students shall relate to direct personal appeals, whether made orally or in writing, but shall not include the placing of general interest advertisements in the school or other newspapers or the posting of notices outside of any of the school buildings of the Stamford Public Schools. In no event shall teachers or other employees conduct business for personal gain on school property.

C. Conflicts of Interest Prohibited:

Given the special relationship between students and teachers, it is essential that teachers avoid even the appearance of a conflict of interest. Consequently, no teacher may offer, provide, or refer to private tutorial or other educational services for personal compensation to any student for whom that teacher has any direct instructional/service responsibility.

Regulation Adopted:

March 10, 19&7

Regulation Amended:

July 24, 2001

Personnel-- Certified/Non-Certified

Recruitment and Selection

The Board desires the Superintendent to develop and maintain a recruitment program designed to attract and hold the best possible personnel who are "highly qualified" as defined by federal law in the District's schools. All District teachers teaching a core academic subject area, as defined in the No Child Left Behind Act, must be determined to be "highly qualified."

The school district recognizes the heterogeneity of the people who live in the school district and believes that this characteristic should have an important bearing on all aspects of the school district's activities.

The Board of Education believes it is especially important that this diversity of population be recognized in the recruitment and assignment of personnel.

To this end, the Superintendent and the Board of Education shall develop and implement a written plan for minority staff recruitment. The administration is directed to make a serious effort to see that the recruitment procedures of the district produce a total staff representative of the total population of the district and that the assignment procedures of the district bring to each school staff members representative of the population represented by the student membership in each local school.

The schools shall engage in fair and sound personnel practices in the appointment of all district employees. The administration shall be responsible for establishing recruitment, selection and appointment procedures.

The Superintendent shall insure that the District is in compliance with the provisions of Title I and the No Child Left Behind Act. Manuals and handbooks shall comply with federal law as to the qualifications for instructional personnel. Notice of professional qualifications shall be provided to parents/guardians of students in Title I schools and staffing pattern reviews as required by law shall be conducted annually.

(cf. 4115 - Evaluation)

Legal Reference:

- Connecticut General Statutes
 - 10-151 Employment of Teachers. Notice and hearing on termination of contract.
 - 10-153 Discrimination on account of marital status.
 - 10-220 Duties of Boards of Education.

- Connecticut General Statutes (continued)
- 31-126 Unfair Employment Practices
- 46a-60 Discriminatory employment practices prohibited.
- Title IV Equal Employment Opportunities
- 20 U.S.C. Section 1119 No Child Left Behind Act
- 34 C.F.R. 200.55 Federal Regulations
- Circular Letter C-6, Series 2004-2005, Determining "Highly Qualified" Teachers
- Circular Letter C-9, Series 2004-2005, "No Child Left Behind" and Districts' High Objective Uniform State Standard of Evaluation (HOUSSE) Plans.

Policy Adopted:

June 24, 2008

Personnel – Certified/Non-Certified

Affirmative Action/Non-discrimination

The Stamford Board of Education supports the principles of non-discrimination and equal employment opportunity in all of its employment policies and practices, including recruitment, hiring, training, compensation, benefits, transfers, promotions, and all other terms and conditions of employment. The Stamford Board of Education requires that all its employment policies and practices be administered without discrimination on the basis of race, color, national origin, ancestry, citizenship status, age, sex, disability, present or past history of mental disability, religion, sexual orientation, gender identity or expression, parental status, marital status, genetic information, past or present service in the uniformed services of the United States, or any other basis prohibited by law.

The Stamford Board of Education recognizes that a policy of non-discrimination and equal employment opportunity is not, by itself, sufficient to rectify any existing under-representation of certain identifiable groups within the school District's workforce. Accordingly, in addition to monitoring activities aimed at the elimination of discriminatory barriers to employment and advancement, the Board of Education will undertake positive measures to ensure equal opportunity and to seek out potential candidates in those groups that are underrepresented in any job categories that exist in the school District. The protected groups include African Americans, Hispanics, Asians, Native Americans or Native Alaskans, women, individuals with disabilities, and veterans. The long-term goal is to have the representation of affected group members in all job categories be comparable to qualified members of such groups in the relevant labor market, while maintaining high standards employee selection criteria.

In order to implement this policy, the Superintendent will develop and affirmative action plan for all school District job positions and a plan for minority staff recruitment in accordance with federal and state law, as such laws may be amended from time to time. The Board will review on an annual basis the effectiveness of these plans in increasing minority applicant flow and attracting and retaining qualified candidates for employment.

Legal Reference:

Applicable Connecticut anti-discrimination in employment statutes, including but not limited to CGS Section 46a-60, and implementing regulations

Applicable federal anti-discrimination in employment statutes, including but not limited to Title VII of the 1964 Civil Rights Act, 42 USC Section 2000e, et seq., and implementing regulations

Policy Adopted:

June 24, 2008

Amended:

June 25, 2013

Personnel -- Certified

Minority Teacher Recruitment

The Board of Education realizes the importance of providing students with opportunities to interact with students and staff from different racial, ethnic, and economic backgrounds. The Board of Education supports programs which provide integrated learning experiences for our students. Included in the district's efforts in this regard is the active recruitment of minority teachers. The District will continue to recruit, hire, and retain minority staff as important steps in the District's overall commitment to attract and hire the most qualified people to provide the best possible educational experiences and learning opportunities for all students.

The following actions will be implemented with regard to minority teacher recruitment:

Recruitment

- I. Attend Minority Teacher Recruitment Fairs.
2. Utilize the Capitol Region Education Council (CREC) website and applications made available by the CREC Minority Teacher Recruitment Program.
3. Identify and use programs/websites of various colleges and universities known to have high percentages of minority students.
4. Expand and utilize pool of nontraditional advertising sources such as the internet, minority publications, media, and organizations.
5. Identify and encourage potential teacher candidates from among the current minority student population and other employee groups.
6. Actively seek changes to the state certification/retirement provisions to enhance out of state recruitment.

Legal Reference:

- Connecticut General Statutes
- PA 98-252, section 13. Requirement for Boards of Education to adopt a minority teacher recruitment plan.
- 10-151 Employment of teachers. Notice and hearing on termination of contract.
- 10-153 Discrimination on account of marital status.
- 10-220 Duties of Boards of Education. (as amended by PA 98-252)
- 46a-60 Discriminatory employment practices prohibited.

Policy Adopted:

June 24, 2008

Personnel- Certified/Non-Certified

Appointment and Conditions of Employment

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

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

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

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

The following guidelines shall be observed in hiring personnel:

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

Legal Reference:

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

Policy adopted:
June 24, 2008

4112.4

4212.4

Personnel- Certified/Non-Certified

Health Examinations for School Employees

The Superintendent may require any school employee to have a health examination by the employee's choice of one from a panel of three specialists, designated by the school Medical Advisor in accordance with law. The expense of such examination will be borne by the Board. The specialist shall advise the Superintendent of the employee's fitness to carry on his/her assignment.

Legal Reference:

- Connecticut General Statutes
- 10-207(c) Duties of medical advisers
- Americans with Disabilities Act of 1990

Policy Adopted:

June 24, 2008

4112.51
4212.51

Personnel -- Certified/Non-Certified

Reference Checks

The Board of Education believes that it is critical that references on applicants be checked prior to an offer of employment. The administration, therefore, is directed to make a documented good faith effort to contact an applicant's former employer(s) for recommendations and information about the person's fitness for employment prior to an offer of employment. References should be checked with prior employers listed on the application, even if those references are not specifically listed on the "references" section of the employment application.

The Superintendent of Schools or his/her designee is directed to develop guidelines pertaining to the checking of applicant references.

(cf. 5125 - Student Records)

Legal References:

- Connecticut General Statutes
- 1-200 through 1-241 of the Freedom of Information Act
- 5-193 through 5-269 -State Personnel Act
- 10-151 c Records of teacher performance and evaluation not public records.
- Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.).
- Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERP A enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21 /96.
- PA 01-173 An Act Concerning Revisions to the Education Statutes.

Policy Adopted:

June 24, 2008

4112.61

4212.61

Personnel-Certified/Non-Certified

Use and Disclosure of Employee Medical Information (HIPAA)

The Board of Education directs the Superintendent or his/her designee to take the necessary steps to ensure compliance with the Health Insurance Portability Act of 1996 (HIP AA). Compliance activities shall include conducting an audit to determine applicability of HIPAA to District operations, recommending policies to the Board, implementation of administrative regulations, including record keeping procedures, preparation of necessary documents, employee training and all other activities necessary to ensure compliance.

Legal Reference:

- 42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- 65 Fed. Reg. 50312-50372
- 65 Fed. Reg. 92462-82829
- 63 Fed. Reg. 43242-43280 67 Fed. Reg. 53182-53273

Policy Adopted:

June 24, 2008

4112.8
4212.8

Personnel - Certified/Non-Certified

Conflict of Interest & Nepotism

All school employees must avoid any situations leading to or likely to lead to a conflict of interest. For example:

1. Employees shall not be assigned to supervise or evaluate other employees to whom they are related by blood or marriage.
2. Employees whose job duties include responsibility for payroll, accounting, auditing or personnel matters shall take no part in any decision or action that involves other employees to whom they are related by blood or marriage.
3. No employee shall, either directly or indirectly, use his or her position to attempt to affect the employment of a person to whom he/she is related by blood or marriage.
4. Employees shall not participate in the hiring of individuals to whom they are related by blood or marriage.

See Policy 4118.22/4218.22 – Code of Ethics

Policy Adopted:

June 24, 2008

Amended:

December 3, 2013

Personnel**Child Abuse/Neglect**

The Stamford Public School District shall comply with the Connecticut General Statutes regarding child abuse and neglect by requiring all school employees who have reasonable cause to suspect or believe that a child has been abused or neglected to report any suspected child abuse or neglect, whether by a family member, caretaker, school employee, or other person, to the designated authority.

Policy Adopted:

July 10, 1990

Amended:

August 17, 1993

February 25, 1997

Policy Amended:

July 24, 2001

Personnel

Reports of Suspected Abuse or Neglect of Children

A. Purpose:

Conn. Gen. Stat. Section 17a-101 et seq. requires certain educational personnel (school teachers, school administrators, school superintendents, school guidance counselors, school coaches and paraprofessionals) as well as registered and licensed practical nurses, psychologists, social workers, mental health professionals, physical therapists and certain professional counselors who have reasonable cause to suspect or believe that a child has been abused or neglected to report such abuse and/or neglect. In furtherance of this statute and its purpose, it is the policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, in accordance with the procedures set forth below. For purposes of this policy, school employees also include any person who, under a contract with the Board, and in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school.

B. Scope of Policy

This policy applies not only to employees who are required by law to report suspected child abuse and/or neglect, but to ALL EMPLOYEES of the Board of Education.

C. Definitions

For the purposes of this policy:

"Abused" means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

"Neglected" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his well-being, or (d) has been abused.

"School employee" means (a) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board of Education; or (b) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Stamford Public Schools, pursuant to a contract with the Board of Education.

"Statutory mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101 to report suspected abuse and/or neglect of children. In the public school context, the term "statutory mandated reporter" includes teachers, school administrators, school superintendents, school guidance counselors, school coaches, paraprofessionals, registered and licensed practical nurses, psychologists, social workers, mental health professionals, certified alcohol and drug counselors, physical therapists and any other licensed professional counselor.

D. What Must Be Reported

A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that a child under the age of eighteen:

1. Has been abused or neglected;
2. Has had non-accidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon him/her; or
3. Is placed at imminent risk of serious harm.

E. Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above.

When an employee of the Board of Education who is a statutory mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, the following steps shall be taken.

- a. The employee shall make an oral report as soon as practicable, but not later than twelve hours after having reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm. Such oral report shall be made by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency.
- b. The employee shall also make an oral report as soon as practicable to the Superintendent or the Superintendent's designee.
- c. In cases involving suspected or believed abuse or neglect by a school employee, the Superintendent or his/her designee shall immediately notify the child's parent or guardian that such a report has been made.
- d. Within 48 hours of making an oral report the employee shall submit a written report to the Commissioner of Children and Families or his/her representative containing all of the required information.
- e. The employee shall immediately submit a copy of the written report to the Superintendent or the Superintendent's designee.

f. If the report concerns suspected abuse or neglect by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Superintendent shall submit a copy of the written report to the Commissioner of Education or his/her representative.

F. Reporting Procedures for Employees Other Than Statutory Mandated Reporters

The following procedures apply only to employees who are not statutory mandated reporters, as defined above.

1. When an employee who is not a statutory mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, the following steps shall be taken.

a. The employee shall make an oral report as soon as practicable, but not later than twelve hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm. Such oral report shall be made by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.

b. If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, he/she shall cause reports to be made in accordance with the procedures set forth for statutory mandated reporters.

2. Nothing in this policy shall be construed to preclude an employee reporting suspected child abuse and/or neglect from reporting the same directly to the Commissioner of Children and Families.

G. Contents of Reports

Any oral or written report made pursuant to this policy shall contain the following information, if known:

1. The names and addresses of the child and his/her parents or other person responsible for his/her care;
2. the age of the child;
3. the gender of the child;
4. the nature and extent of the child's injury or injuries, maltreatment or neglect;
5. the approximate date and time the injury or injuries, maltreatment or neglect occurred;
6. information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings;
7. the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;

8. the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and
9. whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

H. Investigation of the Report

If the suspected abuser is a school employee, as defined above, the Superintendent shall thoroughly investigate the report. Recognizing the fact that the Department of Children and Families ("DCF") is the lead agency for the investigation of child abuse and neglect reports, the Superintendent's investigation shall be coordinated with DCF and/or the police in order to minimize the number of interviews of any child and to share information with other persons authorized to conduct an investigation of child abuse and neglect. When investigating a report, the Superintendent shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child to an interview with a child, except in those cases in which there is reason to believe that the parents or guardians or other persons responsible for the care of such child are the perpetrators of the alleged abuse, or where DCF has indicated that obtaining such consent will interfere with its investigation.

The investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation. If the employee is an individual who provides services to or on behalf of students enrolled in the Stamford Public Schools, pursuant to a contract with the Board of Education, the Superintendent may suspend the provision of such services, and direct the employee to refrain from any contact with students enrolled in the Stamford Public Schools, pending the outcome of the investigation.

1. Evidence of Abuse by a School Employee Holding a Certificate, Authorization or Permit Issued by the State Department of Education

If, upon completion of the investigation by the Commissioner of Children and Families ("Commissioner"), the Superintendent has received a report from the Commissioner that he or she has reasonable cause to believe that a child has been abused by a school employee who holds a certificate, permit, or authorization issued by the State Department of Education, and that the Commissioner has recommended that such employee be placed on the child abuse and neglect registry, the Superintendent shall make a written request to the Commissioner that he or she provide all records, whether or not created by DCF, concerning such investigation to the Superintendent. In addition, the Superintendent shall suspend the employee, if not previously suspended, with pay and without diminution or termination of benefits.

Within seventy-two (72) hours after such suspension the Superintendent shall notify the Board of Education and the Commissioner of Education, or his or her representative, of the reasons for and the conditions of the suspension. The Superintendent shall disclose records received from DCF to the Commissioner of Education and the Board of

Education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization. For certified personnel, such suspension shall remain in effect until the Board of Education acts pursuant to the provisions of Conn. Gen. Stat. Section 10-151.

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

If the contract of employment of such certified school employee is terminated as a result of an investigation into reports of child abuse and neglect, the Superintendent shall notify the Commissioner of Education, or his or her representative, within seventy-two (72) hours after such termination.

2. Evidence of Abuse by Other School Staff

If the investigation by the Superintendent and/or the Commissioner of Children and Families produces evidence that a child has been abused by a non-certified school staff member, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.

I. Delegation of Authority by Superintendent

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

J. Disciplinary Action for Failure to Follow Policy

Except as provided in Section 10 below, any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

K. Non-discrimination Policy

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

Legal References:

- Connecticut General Statutes:
- Section 10-151
- Section 17a-IOI et seq.
- Section 17a-I03

- Public Act 09-242, "An Act Concerning Sexual Activity between School
- Workers and Students and Including School Superintendents as Mandated
- Reporters of Child Abuse or Neglect"

Regulation Adopted:

August 10, 1990

Regulation Amended:

August 17, 1993

February 25, 1997

July 24, 2001

March 8, 2011

Personnel -- Certified**Transfer/Reassignment**

The Superintendent shall have responsibility for all transfers. Such transfers shall be made in compliance with the current collective bargaining agreement, if any such provision applies. There shall be no transfer/reassignment of pre-tenured teachers from one school to another except under unusual circumstances.

Policy Adopted:

June 24, 2008

Personnel -- Certified

Evaluation

It is universally accepted that good teaching is the most important element in a sound educational program. Student learning is directly affected by teacher competence; therefore, teacher evaluation shall be accomplished using a teacher evaluation plan which demonstrates a clear link between teacher evaluation, professional development and improved student learning.

Appraisal of teaching performance should serve three purposes:

- I. To raise the quality of instruction and educational services to the children of our community resulting in improved student learning.
2. To raise the standards of the teaching profession as a whole.
3. To aid the individual teacher to grow professionally, linking district-wide teacher evaluation and professional development plans.

Evaluation of teacher performance must be a cooperative, continuing process designed to improve student learning and the quality of instruction. The Superintendent shall evaluate or cause to be evaluated all certified employees. The teacher shares with those who work with the teacher the responsibility for developing effective evaluation procedures and instruments and for the development and maintenance of professional standards and attitudes regarding the evaluation process.

The Board of Education directs the Superintendent and the teachers' and administrators' representatives to develop, in harmony with the latest Guidelines for Teacher Evaluation and Professional Development issued by the Connecticut Department of Education and such other guidelines as may be mutually agreed upon, a system-wide program for evaluating the instructional process and all certified personnel as one means to improve student learning and insure the quality of instruction. Further, claims of failure to follow such guidelines shall be subject to the grievance procedure in collective bargaining agreements negotiated subsequent to July 1, 2004.

Pursuant to NCLB, all teachers teaching in public schools at the elementary, middle and high school levels (including special education teachers) must be determined to be "highly qualified," as defined in the No Child Left Behind Act. To be determined "highly qualified," a teacher must use the HOUSSE plan if he or she has not passed a state subject-matter test, does not hold advanced certification (e.g., National Board Certification) in all of the core academic content areas that he or she teaches (see appendix "Questions and Answers" document for more detailed information). The reauthorized Individuals with Disabilities Act (IDEA) identifies special education teachers as teachers who must demonstrate competency (i.e., be highly qualified) in the core academic subjects that they teach.

Because the District's teacher evaluation and professional development guidelines (1) were reviewed and critiqued using the State Department of Education's peer review process and (2)

include subject-matter knowledge assessment, Connecticut's district teacher evaluation plans have been approved by the U.S. Department of Education as Connecticut's official HOUSSE plan.

To ensure that this statewide HOUSSE is standardized across districts throughout the state, it is critical that the District evaluates a teacher's subject-matter competency in the core academic content areas, based on the Common Core of Teaching (CCT), using both of the following:

- A. foundational skills and competencies; and
- B. the discipline-based professional standards.

The Superintendent is directed to develop appropriate procedures, based upon guidance promulgated by the State Department of Education, pertaining to the District's HOUSSE plan.

(cf. 2400 - Evaluation of Administrators and Administration)

(cf. 4111 /4211 - Recruitment and Selection)

(cf. 4131 - Staff Development)

Legal Reference:

- **Connecticut General Statutes**
- **I 0-145b Teaching certificates**
- **10-151 a Access of teacher to supervisory records and reports in personnel file**
- **10-151 b Evaluation by superintendent of certain educational personnel. (amended by PA 04-137, An Act Concerning Teachers' Evaluations)**
- **10-151 c Records of teacher performance and evaluation not public records**
- **10-220a(b) In-service training. Professional development. Institutes for educators. Cooperative and beginning teacher programs, regulations.**
- **20 U.S.C. Section 1119 No Child Left Behind Act**
- **34 C.F.R. 200.55 Federal Regulations**
- **Circular Letter C-6, Series 2004-2005, Determining "Highly Qualified" Teachers**
- **Circular Letter C-9, Series 2004-2005, "No Child Left Behind" and Districts' High Objective Uniform State Standard of Evaluation (HOUSSE) Plans.**

Policy adopted:

June 24, 2008

Personnel -- Certified

Evaluation

Coaches

It is the policy of the Stamford Board of Education (the "Board") that an athletic coach employed by the Board shall:

- 1) adhere to all Board policies, rules and regulations;
- 2) shall conduct himself or herself in a professional manner; and
- 3) serve as a role model for students;
- 4) demonstrate competence and proficiency in his or her role as an athletic coach of a particular sport.

For purposes of this policy, the term "**athletic coach**" means any person holding a coaching permit who is hired by a local or regional board of education to act as a coach for a sport season. This term "coach" under this policy shall include only coaches who have direct responsibility for one or more teams (including assistant coaches who serve as coach to a team (e.g., JV) and the term shall not include other assistant coaches and volunteer coaches.

I. Evaluations

Pursuant to state law, the Board requires that an athletic coach employed by the Board be evaluated on an annual basis by the coach's immediate supervisor. An athletic coach shall be provided with a copy of any such evaluation. Other assistant and volunteer coaches may be evaluated as directed by the Superintendent of Schools or his/her designee.

II. Employment of an Athletic Coach

Athletic coaches serve at the discretion of the Superintendent, and their employment in their specific coaching positions (e.g., basketball, golf) may be non-renewed or terminated at any time except as follows.

If the athletic coach has served in the same coaching position for three or more consecutive school years the following procedures shall apply. The Superintendent may non-renew the employment of any such athletic coach by providing written notification of that action within ninety (90) calendar days of the end of the season. The Superintendent may terminate the employment of any such athletic coach at any time for 1) for reasons of moral misconduct, insubordination, failure to comply with the Board's policies, rules and regulations; or 2) because the sport has been canceled. If a decision to terminate a coach's employment is made during the athletic season, the Superintendent shall remove the coach from duty during the pendency of any hearing conducted pursuant to this policy.

III. Hearing Procedures

An athletic coach who has served in the same coaching position for three or more consecutive years may appeal any such non-renewal or termination decision (except if such decision was due to cancellation of the sport) to the Board of Education in accordance with the following procedures:

- A. The athletic coach must file a written appeal with the Board within ten (10) calendar days of the Superintendent's written notification of non-renewal or termination. Such appeal shall set forth the basis on which the athletic coach seeks review of that decision, and a copy of said appeal shall be sent to the Superintendent. Failure to submit a timely written appeal shall constitute a waiver of said appeal opportunity.
- B. Within a reasonable period of time of its receipt of a written appeal of the Superintendent's decision, the Board or a committee of the Board as designated by the Chairperson shall conduct a hearing to consider such appeal. Reasonable notice of the time and place for such hearing shall be issued to the athletic coach prior to the commencement of the hearing.
- C. At the hearing, the athletic coach shall have an opportunity to present facts and evidence in support of renewal and/or reinstatement, and the Superintendent shall have the opportunity (but shall not be obligated) to present facts and evidence in support of the decision of non-renewal and/or termination. For good cause shown, the athletic coach may call a limited number of witnesses to testify if there is a clear need for witnesses to present factual information (rather than simply expressing an opinion on the skill or competence of the athletic coach). In any event, cumulative or redundant testimony shall not be allowed.
- D. The decision of non-renewal or termination shall be affirmed unless the Board determines that the decision is arbitrary and capricious. The coach shall bear the burden of proof on this point.
- E. Within a reasonable period of time following the hearing, the Board shall determine whether the Superintendent acted in an arbitrary and capricious manner in making his/her decision not to renew and/or to terminate, and shall provide a written decision to the coach. The decision of the Board shall be final.

Legal Reference:

- Connecticut General Statutes
- 10-151 b Evaluation by superintendent of certain educational personnel
- 10-220a In-service training
- Public Act 04-243 An Act Concerning Termination of Coaches Policy

Policy Adopted:

June 24, 2008

Personnel

POLICY ON CONCUSSION AND HEAD INJURY AWARENESS AND PREVENTION

Policy Statement The Board of Education of the Stamford Public Schools recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and recreational activities and can have serious consequences if not managed carefully. The Board understands that the proper education of coaches, physical educators, other school personnel, parent/guardians, and student athletes is essential not only to preventing head injuries, but also in recognizing the related symptoms in order to seek treatment. The Board also recognizes that concussions can impact the academic ability of students during rehabilitation and management of the injury.

Legal Reference:

- Connecticut General Statute Sec. 10-149b. Training courses for coaches re concussions and head injuries. ♣
- Connecticut General Statute Sec. 10-149c. Student athletes and concussions. Removal from athletic activities.

Policy Adopted:

December 3, 2013

Personnel

REGULATIONS REGARDING CONCUSSION AND HEAD INJURY AWARENESS AND PREVENTION

Definitions:

Concussion: a concussion, as defined by the Center for Disease Control (CDC), is a type of traumatic brain injury caused by a bump, blow, or jolt to the head that can change the way the brain functions. Athletes and individuals who sustain a concussion and participate in a sports or recreational activity prior to the injury fully healing place themselves at a greater risk of acquiring a second injury (i.e., Second Impact Syndrome), experiencing prolonged symptoms, incurring permanent cognitive impairments or even death.

Student-athlete: a student participating in any tryout, practice, or competition of a school team.

Licensed health care professional: a physician licensed pursuant to chapter 370 of the Connecticut General Statutes, a physician assistant licensed pursuant to chapter 370 of the Connecticut General Statutes, an advanced practice registered nurse licensed pursuant to chapter 378 of the Connecticut General Statutes, or an athletic trainer licensed pursuant to chapter 375a of the Connecticut General Statutes.

Coach: a “coach” means any person who holds or is issued a coaching permit by the Connecticut State Department of Education and who is hired by the Stamford Board of Education to coach intramural or interscholastic athletics.

Student Athlete and Parent Informed Consent of Concussions and Head Injuries

Each year, every student athlete and a parent or guardian must verify in writing that they have received information on concussions and head injuries and sign a statement acknowledging receipt of the information. The informational sheet¹ will describe:

- a. The nature and risk of a concussion or head injury
- b. The criteria for removal from play and return to play
- c. The risks of not reporting injury and continuing to play

The informational sheet and consent form shall be signed and returned by the student athlete and the student athlete’s parent/guardian prior to the student initiating practice or competition. In addition, every student athlete must view the Connecticut Concussion Task Force video² prior to the student initiating practice or competition.

Mandatory Training Concerning Concussions

1. Any coach of intramural or interscholastic athletics, who holds or is issued a coaching permit, must, before commencing his/her coaching assignment for the season, complete an initial training

course concerning concussions and head injuries. This training course must be approved by the State Department of Education.

2. Coaches must provide proof of initial course completion to the Athletic Director or his/her designee prior to commencing their coaching assignments for the season in which they coach.

3. One year after receiving an initial training, and every year thereafter, coaches must review current and relevant information regarding concussions and head injuries prior to commencing their coaching assignments for the season. This current and relevant information shall be that approved by the State Department of Education. Coaches need not review this information in the year they are required to take a refresher course, as discussed below.

4. Beginning with the July 1, 2015, school year and each year thereafter, coaches must complete a refresher course concerning concussions and head injuries not later than five (5) years after receiving their initial training course, and once every five (5) years thereafter. Coaches must provide proof of refresher course completion to the Athletic Director or his/her designee prior to commencing their coaching assignments for the season in which they coach.

Management of Concussions and Head Injuries

A. Removal from Play for a Suspected Concussion

1. Any coach of any intramural or interscholastic athletics shall immediately remove a student athlete from participating in any intramural or interscholastic athletic activity who:

- a. is observed to exhibit signs, symptoms, or behaviors consistent with a concussion following an observed or suspected blow to the head or body; or
- b. is diagnosed with a concussion, regardless of when such concussion or head injury may have occurred.

2. The coach shall not permit such student athlete to participate in any supervised team activities involving physical exertion, including, but not limited to, practices, games or competitions, until such student athlete receives written clearance to participate in such supervised team activities involving physical exertion from a licensed health care professional trained in the evaluation and management of concussions.

3. If confusion, unusual behavior or responsiveness, deteriorating condition, loss of consciousness, or concern about neck and spine injury exists, the student athlete should be referred at once for emergency care.

B. Return to Play After a Concussion or Head Injury

1. Following receipt of clearance, the coach shall not permit such student athlete to participate in any full, unrestricted supervised team activities without limitations on contact or physical exertion, including, but not limited to, practices, games, or competitions, until such student athlete:

- a. no longer exhibits signs, symptoms, or behaviors consistent with a concussion at rest or with exertion; and

b. receives written clearance to participate in such full, unrestricted supervised team activities from a licensed health care professional trained in the evaluation and management of concussions.

Miscellaneous

1. For purposes of these administrative regulations, “licensed health care professional” means a physician licensed pursuant to Chapter 370 of the Connecticut General Statutes, a physical assistant licensed pursuant to Chapter 370 of the Connecticut General Statutes, an advanced practice registered nurse licensed pursuant to Chapter 378 of the Connecticut General Statutes, or an athletic trainer licensed pursuant to Chapter 375a of the Connecticut General Statutes.
2. Should a coach fail to adhere to the requirements of these administrative regulations, the coach may be subject to discipline up to and including termination, as well as permit revocation by the State Board of Education.

Regulation Adopted:

December 3, 2013

Personnel -- Certified
Probationary/Tenure Status

The Board and the Superintendent shall be in compliance with the State Teacher Tenure Act, Section 10-151, Connecticut General Statutes.

Legal Reference:

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

Policy Adopted:

June 24, 2008

Personnel - Certified

Dismissal/Suspension/Disciplinary Action

Dismissal

All dismissals of certified staff shall be in accordance with Section 10-151 of the Connecticut General Statutes, as it may be amended from time to time. All dismissals of non-certified staff shall be in accordance with the applicable collective bargaining agreement or, if the staff member is not a member of a bargaining unit, for just cause as determined by the Superintendent.

Suspension

The Superintendent may suspend an employee with pay and benefits and without prejudice pending Board action on a proposed dismissal when the Superintendent has reason to believe that the employee poses a danger to student, staff; property, or the operation of the educational program. The Superintendent may also suspend an employee with pay and benefits and without prejudice pending investigation of allegations against the employee of serious misconduct. The Superintendent shall provide the Board of Education with periodic updates on the status of any such investigation that continues for more than six months. After notice and an opportunity for a hearing as described below, a staff member may also be suspended from duty in cases in which the Superintendent or the Board, respectively, determines that suspension, rather than dismissal, is a warranted sanction.

Except as provided below, disciplinary action against staff members is the responsibility of the Superintendent or his/her designee. The affected staff member may seek review of any such disciplinary action in accordance with the contractual grievance procedure, or if the staff member is not a member of a bargaining unit, by filing a written request for review by the Personnel Committee within five days of the action.

Disciplinary Suspension Up to Five Days

The Superintendent may suspend employees without pay for up to five days, provided however that the employee shall be given copies of all documents used, the names of all witnesses interviewed by the administration when it made its decision, and afforded an opportunity for an informal hearing before the Superintendent or his/her designee prior to any suspension without pay. Suspension decisions shall be subject to review upon the request of the employee through the contractual grievance procedure, commencing at the Board of Education level, or if the staff member is not a member of a bargaining unit, by filing a written request for review by the Personnel Committee within five days of the action, the decision of which shall be final.

Disciplinary Suspension in Excess of Five Days

Implementation of a proposed suspension in excess of five days shall be subject to review upon the request of the employee by the Personnel Committee of the Board of Education. The affected employee shall be given copies of all documents used, the names of all witnesses interviewed by

the administration when it made its decision, and afforded an opportunity for an informal hearing before the Personnel Committee prior to the implementation of the suspension. The decision of the Personnel Committee shall be final, except that in cases where in the staff member is a member of a bargaining unit, this decision shall be subject to review upon the request of the employee through the contractual grievance procedure, commencing at the Board of Education level.

Legal Reference:

- Connecticut General Statutes
- 10-154 (a) Professional communications between teacher or nurse and student. Surrender of physical evidence obtained from students.
- 21 (a)-240 Definitions

Policy Adopted:

June 24, 2008

Personnel - Certified

Retirement

Any employee serving in a position requiring a state certificate may retire under provisions of any applicable pension or retirement plan or system provided for state or municipal employees or for teachers in the public schools of the state at the option of the employee.

Legal Reference:

- Connecticut General Statutes
- 10-IS3f(a) Normal retirement
- 10-IS3f (b) Pro-ratable retirement
- 10-IS3f (c) Early retirement
- 10-183f(d) Deferred vested retirement
- 10-183w Retirement at age seventy. Exception
- 10-1 83aa Disability allowance
- Public Law 95-256 Age Discrimination in Employment Act
- amendments of 1978

Policy Adopted:

June 24, 2008

Personnel - Certified

Resignations

The Superintendent or designee shall have the authority to accept resignations on behalf of the Board and without further consideration by the Board. Such resignations shall be effective upon acceptance. The Superintendent shall keep the Board informed of all resignations

A teacher shall give at least 30 days written notice of resignation to the Superintendent and to his/her immediate supervisor. The Superintendent or designee shall have discretion to accept or reject a resignation which is tendered less than 30 days before the proposed termination date.

Policy Adopted:

June 24, 2008

Personnel - Certified**Responsibilities**

Teachers are responsible to the Principal of the school to which they are assigned and to such other administrative personnel as the Board may designate to lead particular programs or activities.

The responsibilities of teachers shall include the following:

- I. Instruct and guide students in accordance with the established curricula and the individual needs and abilities of the students.
2. Conduct the classes to which they are assigned in such a way as to encourage and foster the ethical, intellectual, physical, emotional, and social development of each student, and to provide the students with training in citizenship.
3. Make themselves available for individual conferences with students and their parents.
4. Assist the Principal in interpreting to the parents and community the purposes and program of the school.
5. Perform such other duties as may be reasonably directed by the Principal.
6. Report to school and remain at school for the time necessary to perform the aforementioned responsibilities. It is understood that a teacher's day cannot be regulated by the clock and that many professionally necessary and desirable activities will take place beyond the designated minimum limits.
7. Comply with Board policies and administrative regulations.

Policy Adopted:

June 24, 2008

Personnel - Certified**Liability Protection for Employees**

As provided by law, the Board shall protect and save harmless any member of the Board and any teacher (as defined in Connecticut General Statute Section 10-235) and other employee and any member of its supervisory or administrative staff, from financial loss and expense arising out of any claim, demand, suit, or judgment by reason of alleged negligence or other act resulting in accidental bodily injury to or death of any person, or in accidental damage to or destruction of property, within or without the school building, or any other acts, including infringement of any person's civil rights, resulting in any injury, provided such teacher, member or employee, at the time of the accident resulting in such injury, damage or destruction, was acting in the discharge of his/her duties or within the scope of his/her employment or under the direction of the Board. This protection shall extend to volunteers approved by the Board of Education to carry out a duty prescribed by the Board and under the direction of a certified staff member, and to volunteer school bus safety monitors as prescribed by the Board. This protection shall not apply to any acts that are wanton, reckless or malicious.

Legal Reference:

- Connecticut General Statutes
- 10-235 Indemnification of teachers, board members, employees and certain volunteers and students in damage suits; expenses of litigation.

Policy Adopted:

June 24, 2008

Personnel – Certified/Non-Certified

Nondiscrimination/ Affirmative Action

The Stamford Board of Education supports the principles of non-discrimination and equal employment opportunity in all of its employment policies and practices, including recruitment, hiring, training, compensation, benefits, transfers, promotions, and all other terms and conditions of employment. The Stamford Board of Education requires that all its employment policies and practices be administered without discrimination on the basis of race, color, national origin, ancestry, citizenship status, age, sex, disability, present or past history of mental disability, religion, sexual orientation, parental status, marital status, genetic information, past or present service in the uniformed services of the United States, or any other basis prohibited by law.

The Stamford Board of Education recognizes that a policy of non-discrimination and equal employment opportunity is not, by itself, sufficient to rectify any existing under-representation of certain identifiable groups within the school district's workforce. Accordingly, in addition to monitoring activities aimed at the elimination of discriminatory barriers to employment and advancement, the Board of Education will undertake positive measures to ensure equal opportunity and to seek out potential candidates in those groups that are underrepresented in any job categories that exist in the school district. The protected groups include African Americans, Hispanics, Asians, Native Americans or Native Alaskans, women, individuals with disabilities, and veterans. The long-term goal is to have the representation of affected group members in all job categories be comparable to qualified members of such groups in the relevant labor market, while maintaining high standards of employee selection criteria.

In order to implement this policy, the Superintendent will develop an affirmative action plan for all school district job positions, and a plan for minority teacher recruitment in accordance with federal and state law, as such laws may be amended from time to time. The Board will review on an annual basis the effectiveness of this plan in increasing minority applicant flow and attracting and re-training qualified candidates for employment.

Legal Reference:

- Connecticut General Statutes
- 10-153 Discrimination on account of marital status.
- 46a-60 Discriminatory employment practices prohibited.
- Federal Law
- Title VII of the Civil Rights Act 1964
- Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).
- American Disability Act of 1989.
- Chalk v. The United States District Court a/Central California.

- Title IX of the Education Amendments of 1972.
- Civil Rights Act of 1987.

Policy Adopted:

June 24, 2008

Personnel – Certified/Non-Certified

Sexual Harassment

It is the policy of the Stamford Board of Education to provide a school environment free of sexual harassment by employees and to provide a process to address relevant complaints students, employees or others may have. An employee found to have engaged in sexual harassment will be subject to immediate disciplinary action, up to and including termination. This policy similarly applies to non-employee volunteers who work subject to the control of school authorities.

Definition of sexual harassment: Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

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

Any employee, student, or other person, who believes he or she has been subjected to sexual harassment by an employee, in the school environment, should report the incident immediately, either orally or in a written complaint, to an administrator. All such incidents will be promptly investigated by the Superintendent or his/her designee. If it is found that sexual harassment has occurred, immediate and appropriate corrective action will be taken which may include appropriate disciplinary action.

Legal Reference:

- Civil Rights Act of 1964,
- Title VII, 42 U.S. §2000-e2(a)
- Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, Effective 10/1 5/88
- Meritor Savings Bank, FSB v. Vinson 477 US.57 (1986)
- 29 CFR Para. 1604.11 (EEOC)
- 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)
- Connecticut General Statute's 46a-60
- Discriminatory employment practices prohibited.

Policy Adopted:

June 24, 2008

4118.22
4218.22

Personnel – Certified/Non-Certified

Code of Ethics

The Board recognizes that its responsibility to the community and to the students whom it serves requires a commitment to the highest ethical standards.

Therefore:

- I. The Board will ensure that its employment practices strive toward the highest degree of professional competence, consistent with ethical and fair labor practices.
2. Neither the Board nor any employee shall engage in, or have a financial interest, directly or indirectly, in any activity that conflicts, or raises a reasonable question of conflict, with their respective duties and responsibilities.

Any employee of the Board should refer any question concerning the above to his/her immediate supervisor.

Conflict of Interest

The Board of Education wishes to avoid any conflict of interest on the part of its employees regarding their personal interests and the interests of the school district in dealing with suppliers, contractors and all organizations or individuals doing or seeking to do business with the school district. For this reason, the Board of Education prohibits employees from directly or indirectly soliciting any gift; or accepting or receiving any gift having a value of twenty-five dollars (\$25) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence the Board member or employee in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

Policy Adopted:

June 24, 2008

Personnel- Certified/Non-Certified Smoke-Free Environment

The Board recognizes that tobacco **and tobacco alternatives are** not conducive to good health. Therefore, the District should provide both effective educational programs and a positive example to students concerning the use of tobacco **and tobacco alternatives referred to as vaping or Electronic Nicotine Delivery Systems (ENDS).**

Recognizing the negative impact on nonsmokers by others smoking, the Board declares all school-sponsored events and areas operated by the Board to be officially designated smoke and tobacco-free. Smoke and tobacco-free areas include all school buildings and grounds and all school buses.

For purposes of this policy, use of tobacco/tobacco alternatives/smoke or smoking shall mean all uses of tobacco, **and tobacco alternatives** including but not limited to, cigarettes, **e-cigarettes, vapes, ENDS**, cigars, snuff, blunts, pipes, chewing tobacco, or any other substance that contains tobacco or nicotine and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco, tobacco products, **or tobacco alternatives.**

Legal Reference:

- Drug-Free Workplace Act. 102 Stat. 4305-4308.
- Drug-Free Schools and Community Act, P.L. 99-570, as amended by P.L. 101-226 (1991).
- 21 U.S. C. 812, Controlled Substances Act, I through V, 202.
- 21 C.F.R. 1300.4 through 1300.15 regulation.
- 54 Fed. Reg. 4946 (1989) · Connecticut General Statutes
- 1-21 b Smoking prohibited in certain places.
- PA 93-304 An Act Prohibiting Smoking in Public Buildings.

Policy Adopted:

June 24, 2008

Amended:

September 27, 2016

June 25, 2019

Personnel – Certified/Non-Certified

Substance Abuse

The Stamford Public Schools recognize that employees should be drug free and alcohol-free so that the most positive learning experiences for students may take place. This policy is an integral part of the Stamford Public Schools' Drug, Alcohol, and Tobacco Prevention Program, and represents one component of a district-wide effort to respond to problems caused by the unauthorized use of controlled drugs or alcohol abuse.

Any Stamford Board of Education employee is in violation of this policy if on a school bus, during a school session, or at a school sponsored activity such individual is under the influence of alcohol or a controlled drug (except for current prescribed medication(s). Additionally, any employee is in violation of this policy if, on or off school grounds, such individual unlawfully possesses, uses, manufactures, dispenses, distributes, sells, or aids in the procurement of controlled drugs, drug paraphernalia, or alcohol. Such employee shall be subject to discipline up to and including termination, referral for prosecution, and intervention pursuant to the provisions and procedures outlined in the Administrative Regulations.

The foregoing standards of conduct and sanctions shall be provided to all students, parents, and employees.

Drug and alcohol awareness, education, and prevention programs for students and employees shall be adopted and maintained, and shall teach that the use of controlled drugs and the unlawful possession and use of alcohol are wrong and potentially harmful. The employee program shall include information about the dangers of drug and alcohol abuse in the workplace, the Board's policy on maintaining a drug-free and alcohol-free workplace, and the availability of any drug and alcohol counseling, rehabilitation, and employee assistance programs. The program will also explain the penalties that may be imposed on employees for drug and alcohol-abuse violations occurring on or off school grounds. Counseling and rehabilitation programs will be offered to employees as described In the administrative regulations.

As a condition of employment, employees shall abide by the terms of this policy and shall notify the Board of Education of any criminal drug statute conviction within five days of the conviction. The Federal agency(ies) which grant(s) funds to the Board of Education will be notified of the conviction within ten days, and appropriate personnel action will be taken against the employee within thirty days as set forth in the administrative regulations.

The Board will review its program biennially to determine its effectiveness, to implement changes to the program when needed, and to ensure that the sanctions set forth in the administrative regulations are consistently enforced.

Legal Reference:

- Connecticut General Statutes
- Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. 1308.11 - 1308.15
- Drug-Free Workplace Act of 1988, 41 U.S.C. §701 et. seq.
- Drug-Free Schools and Community Act, P.L. 99-570, as amended by P.L. 101-226 (199)
- Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101 et. seq. Drug-Free Workplace Act, 30 ILCS 580/1 et. seq.

Policy Adopted:

June 24, 2008

Personnel – Certified/Non-Certified

Weapons and/or Threats on School Property

The Stamford Board of Education finds that the presence of weapons poses a risk to all persons, and it prohibits weapons from school property and school-sponsored activities, except as may be required as a condition of employment, such as for peace officers. The Board therefore has adopted the following rules concerning weapons on school property:

- I. No employee or other person shall bring onto any school property or to any school sponsored activities any weapon or dangerous instrument as defined herein.
2. No employee or other person shall use, attempt to use, or threaten to use any such weapon or dangerous instrument on school property or at any school-sponsored activity.
3. No employee or other person shall cause or threaten to cause death or physical injury to any individual on school property or at any school-sponsored activity.

Violation of the above rules shall subject the employee to disciplinary action up to and including discharge and may result in criminal charges against the employee or other person who possesses a weapon on school property without authorization. This prohibition shall not apply to a peace officer engaged in this performance of his or her official duties.

Any weapon or dangerous instrument on school property or at a school-sponsored activity will be confiscated, and there is no reasonable expectation of privacy with respect to such items in the workplace.

Definitions

"Weapon" means any firearm, including a BB gun, whether loaded or unloaded, any knife (excluding a small pen or pocket knife), including a switchblade or other knife having an automatic spring release device, a stiletto, any police baton or nightstick or any martial arts weapon or electronic defense weapon.

"Dangerous instrument" means any instrument, article, or substance that, under the circumstances, is capable of causing death or serious physical injury.

"School property" means the land and all temporary and permanent structures comprising the District's elementary and secondary schools, and administrative office buildings. Such property includes, but is not limited to, the following: classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots.

"School-sponsored activity" means any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.

"Peace officer" means a state police officer, a member of the local police department, an inspector in the state Division of Criminal Justice, a sheriff, deputy sheriff or special deputy sheriff, a conservation officer or special conservation officer, a constable who performs criminal law enforcement duties, a special policeman, an adult probation officer, a Department of Correction official authorized by the Commissioner of Correction to make arrests in a correctional institution or facility, an investigator in the investigations unit of the Office of the State Treasurer, or any special agent of the federal government. Connecticut General Statutes §53a-3 (9).

Legal Reference:

- Connecticut General Statutes
- 10-221 Board of Education to prescribe rules.

Policy Adopted:

June 24, 2008

4118.233 (a) (b) (c)
4218.233

Personnel – Certified/Non-Certified

Weapons and/or Threats on School Property

Purpose

Policy 4118.233 and this regulation are intended to:

- I. Reduce the potential for violence in and around the workplace;
- II. Encourage and foster a work environment that is characterized by respect and healthy conflict resolution; and
- III. Mitigate the negative consequences for employees who experience or encounter violence in their work lives.

Scope of the Policy and Regulation:

The word "**violence**" in Policy 4118.233 and this regulation shall mean an act or behavior that includes one or more of the following:

1. Is physically assaultive;
2. A reasonable person would perceive as obsessively directed, e .g. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property;
3. Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;
4. Would be interpreted by a reasonable person as conveying potential harm to the individual;
5. Is a behavior, or action, that a reasonable person would perceive as menacing;
6. Involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
7. Consists of a communicated or reasonably perceived threat to destroy property.

Specific examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to, the following:

- I. Hitting or shoving an individual.
2. Threatening to harm an individual or his/her family, friends, associates, or their property.
3. The intentional destruction or threat of destruction of property owned, operated, or controlled by the City of Stamford or Stamford Board of Education.
4. Making harassing or threatening telephone calls, letters or other forms of written or electronic communications.
5. Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City and/or Board of Education.

6. Harassing surveillance, also known as "stalking", the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety.
7. Making a suggestion of harm or intimidation or stating that an act to injure persons or property is "appropriate".
8. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City/Board property, or in the course of City/Board business.

While under rare circumstances employees of the Board may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or permitted to carry them as authorized by law, such employees are to use them only in accordance with Board operating procedures and all applicable State and Federal laws.

Citizen, Client and Vendor Interaction

Employees of the Board interact with citizens, clients and/or vendors who are distressed and who may make threats or commit acts of violence. The Board will provide support and guidance as deemed appropriate, to employees so that threats of violence can be recognized and addressed and potentially prevented.

Citizen violence may be difficult to control and some employee exposure may be a result of working with special populations. The handling of some citizen violence situations may be the function of local law enforcement agencies. The Board will not tolerate violent acts or threats of violence by clients, vendors or other members of the public towards or against its employees.

Family Members or Acquaintances

If the workplace is affected by a violent act or threat of violence by an employee's family member or acquaintance, the Board will provide access to support and guidance for the victim and any other affected co-workers. The Board will not tolerate violent acts or threats of violence by family members or acquaintances of Board employees toward employees.

Employees

The Board will not tolerate violent acts or threats of violence, verbal or implied, by employees. In such cases the Board will impose immediate and definitive use of the disciplinary process, up to and including termination of employment. If appropriate, criminal prosecution will also be pursued in addition to the disciplinary process.

Employee Assistance Program (EAP)

The Board has established an Employee Assistance Program (EAP). Any troubled employee may request and will be entitled to receive guidance and, if necessary, professional help from the Employee Assistance Program (EAP). By working with employees with personal problems, the EAP may assist in addressing potential violence before it occurs. Employees are encouraged to access the EAP in accordance with the conditions under which it operates.

Reporting Violations

Any employee who experiences or witnesses an act or threat of violence is directed to immediately report such policy violation to his/her immediate supervisor or the Personnel Department.

Administrators and supervisors are responsible for ensuring that Board policy as set forth in the Regulation is implemented in their respective areas of responsibility. Employee safety and the safety of the public must be the highest concern of all Board employees. When made aware of a real or perceived threat of violence, administrators, regardless of their level, must immediately contact the Human Resources Division at (203) 977-4070 or the Personnel Department at (203) 977-4097. Human Resources and/or the Personnel Director will initiate an immediate and thorough investigation, provide support for employees and supervisors and take specific actions to prevent acts of violence from occurring.

If necessary, in circumstances that so require, administrators, teachers and other employees should not hesitate to contact the Stamford Police Department directly at #91 1.

Legal Reference:

- Connecticut General Statutes
- 10-221 Board of Education to prescribe rules.

Regulation Adopted:

June 24, 2008

Personnel – Certified

Prohibition on Recommendations for Psychotropic Drugs

The Board of Education prohibits school personnel from recommending the use of psychotropic drugs for any child. For the purposes of this policy, the term "recommend" shall mean to directly or indirectly suggest that a child should use psychotropic drugs.

Psychotropic drugs are defined as prescription medications for behavioral or social-emotional concerns, such as attentional deficits, impulsivity, anxiety, depression and thought disorders and includes, but is not limited to stimulant medications and anti-depressants.

However, school health or mental health personnel, including school nurses or nurse practitioners, the District's Medical Advisor, school psychologists, school social workers, and school counselors (note: The Board may also include other school personnel it has identified as the person responsible for communication with a parent or guardian about a child's need for medical evaluation, such as the district's director of special services/special education.) may recommend that a student be evaluated by an appropriate medical practitioner.

Nothing in this policy shall be construed to prohibit a Planning and Placement Team from discussing with parents and/or guardians of a child the appropriateness of consultation with, or evaluation by, medical practitioners; or to prohibit school personnel from consulting with appropriate medical practitioners with the consent of the parents and/or guardians of a child.

The Board recognizes that the refusal of a parent or other person having control of a child to administer or consent to the administration of any psychotropic drug to the child shall not, in and of itself, constitute grounds for the Department of Children and Families (DCF) to take such child into custody or for any court of competent jurisdiction to order that such child be taken into custody by the Department, unless such refusal causes such child to be neglected or abused, as defined in C.G.S.46b-120.

The Superintendent of Schools or his/her designee shall promulgate this policy to district staff and parents/guardians of students annually and upon the registration of new students.

Legal Reference:

- Connecticut General Statutes
- 10-212b Policies prohibiting the recommendation of psychotropic drugs by school personnel. (as amended by PA 03-211)
- 46b-120. Definitions 10-76a Definitions. (as amended by PA 00-48).
- 10-76b State supervision of special education programs and services. 10-76d Duties and powers of boards of education to provide special

education programs and services. (as amended by P A 97-114 and P A 00-48)

- 10-76h Special education hearing and review procedure. Mediation of disputes. (as amended by P A 00-48)
- State Board of Education Regulations.
- 34 C.P.R. 3000 Assistance to States for Education for Handicapped Children.
- American with Disabilities Act, 42 U.S.C. §12101 et seq.
- Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.

Policy Adopted:

June 24, 2008

4118.24
4218.24

Personnel – Certified/Non certified

Staff/Student Non-Fraternization

The Board of Education requires all employees to conduct themselves in a manner which will maintain the authority and respect necessary in the educational setting. Therefore, any dating relationships or other social relationships which may reasonably be perceived to be dating between any staff member and any student of this school district is expressly prohibited. Employees shall not entertain students or socialize with students in such a manner as to reasonably create to students, parents, or the public that a dating relationship exists. While the Board encourages employees to be warm and supporting of students, personnel may not allow students to regard them as peers.

Adults who have contact with children and . adolescents through school activities have the responsibility not to betray or misuse their privileged position. Students develop a special trust in school staff by virtue of the school system's authority and the important role the schools play in their lives. Adults must never take advantage of students' vulnerability or of their confidence that adults in school will behave appropriately in relationships with them.

It is the policy of the Board of Education to prohibit any sexual relationship, contact or sexually nuanced behavior or communication (verbal or non-verbal) between a staff member and a student, while the student is enrolled in the school system. The prohibition extends to students of the opposite sex or the same sex as the staff member, and applies regardless of whether the student or the staff member is the initiator of the behavior and whether or not the student welcomes or reciprocates the attention.

(cf. 4118.112/4218.112 - Sexual Harassment)

(cf. 4118.23/4218.23 - Conduct)

(cf. 5141.4 - Child Abuse/Neglect)

Legal Reference:

- Connecticut General Statutes
- 10-53a-71 Sexual assault in the second degree: Class C or B felony.
- 10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal

Policy Adopted:

June 24, 2008

4118.5

4218.5

Personnel – Certified/Non certified

Acceptable Use of the Internet and Other Electronic Systems

The Board of Education believes that the internet and all other electronic communication should be used in school to educate and inform. Resource sharing and communication for both students and teachers have increased with access to telecommunications and the internet. It is imperative that members of the school community conduct themselves in a responsible manner consistent with federal and state law while utilizing the internet and any other electronic information retrieval or telecommunications systems.

The Board believes that staff members have a professional responsibility to teach students to understand that the internet, similar to other information sources, requires the intellectual skills to discriminate among information sources, to identify information appropriate to their age and developmental levels, and to evaluate, use and communicate information to meet their educational goals.

These electronic telecommunications and computer systems are business and educational tools. As such, they are made available to Board employees for business and education related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used for appropriate business and education related purposes.

It is the responsibility of the student, parent, teachers and administrators to ensure that access to telecommunication networks and computers provided by the school system is not abused.

The Superintendent of Schools will appoint one administrator to serve as the Board's "Internet Administrator," who will be responsible for implementing this policy, establishing procedures, and supervising access privileges.

Legal Reference:

- Connecticut General Statutes
- The Freedom of Information Act
- 53A-182B Harassment in the first degree.
- P.A. 98-142 An Act Requiring Notice to Employees of Electronic Monitoring by Employers.

Policy Adopted:

June 24, 2008

Personnel – Certified/Non certified

Rights, Responsibilities and Duties

Acceptable Use of the Internet and Other Electronic Systems

Introduction

Computers, computer networks, internet access, and electronic mail (popularly known as "email") are effective and important technological resources in today's educational environment. The Board of Education has installed computers, a computer network, including internet access and an e-mail system, to enhance the educational and business operations of the District. In this regulation, the computers, computer network, internet access and e-mail system are referred to collectively as "the computer systems."

These computer systems are business and educational tools. As such they are being made available to employees of the District for District-related educational and business purposes. All users of the computer systems should use district computer systems for appropriate District-related educational and business purposes. Incidental personal use of computer systems is permitted provided that it does not interfere with job responsibilities. In addition, any such use is subject to the provisions of this regulation concerning prohibited uses and monitoring.

These computer systems are expensive to install, own and maintain. Unfortunately, these computer systems can be misused in a variety of ways, some of which are accidental and others deliberate. Therefore, in order to maximize the benefits of these technologies of the District, our employees and all our students, this regulation shall govern all use of these computer systems.

Monitoring

It is important for all users of these computer systems to understand that the Board of Education, as the owner of the computer systems, intends to monitor the use of the computer systems to ensure that they are being used for appropriate business and education purposes. The Board of Education intends to monitor in a limited fashion, but will do so as needed to ensure that the systems are being used appropriately for District-related educational and business purposes and to maximize utilization of the systems for such business and educational purposes.

Why Monitor

The computer systems are expensive for the Board to install, operate and maintain. For that reason alone it is necessary to prevent misuse of the computer systems. However, there are other equally important reasons why the Board intends to monitor the use of these computer systems,

reasons that support its efforts to maintain a comfortable and pleasant work environment for all employees.

Sadly, these computer systems can be used for improper and even illegal purposes. Experience by other operators of such computer systems has shown that they can be used for such wrongful purposes as sexual harassment, intimidation of co-workers, threatening of co-workers, breaches of confidentiality, copyright infringement and the like.

Monitoring will also allow the Board to continually reassess the utility of the computer systems and, whenever appropriate, make such changes to the computer systems as it deems fit. Thus, the Board monitoring should serve to increase the value of the system to the District on an ongoing basis.

Privacy Issues

Employees must understand that the Board has reserved the right to conduct monitoring of these computer systems and can do so despite the assignment to individual employees of passwords for system security. Any password systems implemented by the District are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user.

The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes.

Therefore, in addition to the prohibitions found below, employees must be aware that they should not have any expectation of personal privacy in the use of these computer systems.

Prohibited Uses

Certain specific types of system misuse are expressly prohibited, including but not limited to the following:

1. Sending any form of solicitation not directly related to the business of the Board of Education;
2. Sending any form of slanderous, harassing, threatening, or intimidating message, at any time, to any person (such communications may also be crime, pursuant to Public Act 95- 143, and other laws);
3. Gaining or seeking to gain unauthorized access to computer systems;
4. Sending any message that breaches the Board of Education's confidentiality requirements, including the confidentiality rights of students;
5. Sending any copyrighted material over the system;
6. Sending messages for any purpose prohibited by law.
7. In addition, if a particular behavior or activity is generally prohibited by law and/or Board of Education policy, use of these computer systems for the purpose of carrying out such activity and/or behavior is also prohibited.

Disciplinary Action

Misuse of these computer systems will result in disciplinary action up to and including termination of employment. Because no two situations are identical, the Board reserves the right to determine the appropriate discipline for any particular set of circumstances.

Complaints of Problems or Misuse

Anyone who is aware of problems with, or misuse of these computer systems, should report this to his or her supervisor.

Most importantly, the Board urge any employee who receives any harassing, threatening, intimidating or other improper message through the computer systems to report this immediately. It is the Board's policy that no employee should be required to tolerate such treatment, regardless of the identity of the sender of the message. Please report these events!

Legal Reference:

- Connecticut General Statutes
- The Freedom of Information Act
- 53A-182B Harassment in the first degree.
- P.A. 98-142 An Act Requiring Notice to Employees of Electronic Monitoring by Employers.

Regulation Adopted:

June 24, 2008

4118.6

4218.6

Personnel – Certified/Non certified

Cellular Telephones/District Issued Communication Devices

The Board recognizes that the use of cellular telephones and other communication devices may be appropriate to provide for the effective and efficient operation of the District and to help ensure safety and security of District property, staff and others while on District property or engaged in District-sponsored activities. To this end, the Board authorizes the purchase and employee use of cellular telephones, as deemed appropriate by the Superintendent.

Communication devices issued by the District may include cellular telephones, walkie-talkies, personal digital assistants (PDAs) or laptop computer with "beaming capabilities," citizen band radios and pagers/beepers.

District-owned cellular telephones/communication devices shall be used for authorized District business purposes, consistent with the District's mission and goals. Personal use of such equipment is prohibited except in emergency situations. Any expenses incurred for such personal use shall be reimbursed to the District.

Use of cellular telephones/communication devices in violation of Board policies, administrative regulations, and/or state/federal laws will result in discipline up to and including dismissal and referral to law enforcement officials, as appropriate.

The Superintendent is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cellular telephone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately owned cellular telephones/communication devices for authorized District business.

Policy Adopted:

June 24, 2008

4118.7

4218.7

Personnel – Certified/Non certified

Social Networking

The Board of Education recognizes the importance of social media for its employees, and acknowledges that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. However, the Board will regulate the use of social media by employees, including employees' personal use of social media, when such use:

- 1) interferes with the work of the school district;
- 2) is used to harass coworkers or other members of the school community;
- 3) creates a hostile work environment;
- 4) breaches confidentiality obligations of school district employees,
- 5) disrupts the educational process;
- 6) harms the goodwill and reputation of the school district in the community; or
- 7) violates the law, board policies and/or other school rules and regulations
- 8) uses social media to enter into inappropriate contacts with students, their families or guardians.

The Board of Education, through its Superintendent, will adopt and maintain administrative regulations to implement this policy.

Legal References:

- U.S. Constitution, Amend. I
- Conn. Constitution, Article I, Sections 3, 4, 14
- Conn. Gen. Stat. § 31-48d Conn. Gen. Stat. § 31-51q
- Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250
- Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

Adopted:

May 22, 2012

Personnel – Certified/Non certified

Social Networking

The Board of Education recognizes the importance of social media for its employees, and acknowledges that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. However, the Board will regulate the use of social media by employees, including employees' personal use of social media, when such use:

- 1) interferes with the work of the school district;
- 2) is used to harass coworkers or other members of the school community;
- 3) creates a hostile work environment;
- 4) breaches confidentiality obligations of school district employees,
- 5) disrupts the work of the school district;
- 6) harms the goodwill and reputation of the school district in the community; or
- 7) violates the law, board policies and/or other school rules and regulations 8) uses social media to enter into inappropriate contacts with students, their families or guardians.

Definitions:

Social media includes, but is not limited to, social networking sites, such as Twitter, Facebook, LinkedIn, You Tube, MySpace and services designed for mass communication of content.

Board of Education includes all names, logos, buildings, images and entities under the authority of the Board of Education.

Rules Concerning Personal Social Media Activity

1. An employee may not mention, discuss or reference the Board of Education, the school district or its individual schools, programs or teams on personal social networking sites, unless the employee also states that the post is the personal communication of the employee of the school district and that the views posted are the employee's alone and do not represent the views of the school district or the Board of Education.
2. Employees must refrain from mentioning other Board of Education employees or other members of the school community (e.g., parents or others) on personal social networking sites, without such individuals' express consent unless the employee is addressing an issue of public concern and the employee's speech falls under applicable constitutional protections pertaining to same. I))
3. Employees are required to maintain appropriate professional boundaries with students, parents, and colleagues. For example, it is not appropriate for a teacher or administrator to "mend" a student or his/her parent or guardian or otherwise establish special relationships with selected students through personal social media, and it is not

appropriate for an employee to give students or parents access to personal postings unrelated to school.

4. Unless given written consent, employees may not use the Board of Education's logo or trademarks on their personal posts. Please note that this prohibition extends to the use of logos or trademarks associated with individual schools, programs or teams of the school district.

5. Employees are required to use appropriately respectful speech in their personal social media posts; and to refrain from harassing, defamatory, abusive, discriminatory, threatening or other inappropriate communications. Such posts reflect poorly on the school district's reputation, can affect the educational process and may substantially and materially interfere with an employee's ability to fulfill his/her professional responsibilities.

6. Employees are individually responsible for their personal posts on social media. Employees may be sued by other employees, parents or others, and any individual that views an employee's social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Employees may be personally liable for such claims.

7. Employees are required to comply with all Board of Education policies and procedures with respect to the use of computer equipment, networks or electronic devices when accessing social media sites. Any access to personal social media activities while on school property, using school district equipment, or using any other Board of Education's provided services, must comply with those policies, and may not interfere with an employee's duties at work.

8. The Board of Education reserves the right to monitor all employee use of district computers and other electronic devices, including employee blogging and social networking activity, the identification of employee geographic location and all internet usage. An employee should have no expectation of personal privacy in any personal communication or post made through social media while using district computers, cellular telephones, other electronic data devices or network connections wireless or otherwise.

9. All posts on personal social media must comply with the Board of Education's policies concerning confidentiality, including the confidentiality of student information. If an employee is unsure about the confidential nature of information the employee is considering posting, the employee shall consult with his/her supervisor prior to making the post.

101. An employee may not link a personal social media site or webpage to the Board of Education's website or the websites of individual schools, programs or teams; or post Board of Education material on a social media site or webpage without written permission of his/her supervisor.

II. All Board of Education policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to public trust, illegal harassment, cyber-bullying, code of conduct, and protecting confidential information.

Rules Concerning District-Sponsored Social Media Activity

1. If an employee seeks to use social media sites as an educational tool or in relation to extracurricular activities or programs of the school district, the employee must seek and obtain the permission of his/her supervisor prior to preparing the site for student use.
2. If an employee wishes to use Facebook or other similar social media site to communicate meetings, activities, games, responsibilities, announcements etc., for a school-based club or an school-based activity or an official school-based organization, or an official sports team, the employee must also comply with the following rules:
3. The employee must set up the club, etc. as a group list which will be "closed" (e.g. membership in the group is limited to students, parents and appropriate school personnel, and "monitored" (e.g. the employee had the ability to access and supervise communications on the social media site).
4. When Facebook is used as the social media site, members will not be established as "friends," but as members of the group list. When other social media sites are used, the employee will establish a similar parameter on the basis of the functionality if the social media site utilized.
5. Anyone who has access to the communications conveyed through the site may only gain access by the permission of the coordinator (e.g. teacher, administrator, supervisor or coach). Persons desiring to access the page may join only after the coordinator invites them and allows them to join.
6. Parents shall be permitted to access any site that their child has been invited to join.
7. Access to the site may only be permitted for educational purposes related to the club, activity, organization or team.
8. The coordinator's responsible for the site will monitor it regularly.
9. The coordinator's supervisor shall be permitted access to any site established by the employee for a school-related purpose.
10. Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such district-sponsored social media activity.
11. Employees are required to use appropriately respectful speech in their social media posts on district-sponsored sites; and to refrain from harassing, defamatory, abusive, discriminatory, threatening or other inappropriate communications to protect the institutional voice.
12. Employees are required to comply with all Board of Education policies and procedures and all applicable laws with respect to the use of the Board of Education domains, computer equipment, networks or devices when accessing district-sponsored social media sites.
13. The Board of Education reserves the right to monitor all employee use of district computers and other electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any communication or post made through social media while using district computers, cellular telephones or other data devices.
14. All posts on district-sponsored social media must comply with the Board of Education's policies concerning confidentiality, including the confidentiality of student

information. If an employee is unsure about the confidential nature of information the employee is considering posting, the employee shall consult with his/her supervisor prior to making the post.

15. An employee may not link a district-sponsored social media site or webpage to any personal social media sites or sites not sponsored by the school district.

16. An employee may not use district-sponsored social media communications for private financial gain, political, commercial, advertisement, proselytizing or solicitation purpose.

17. An employee may not use district-sponsored social media communications in a manner that misrepresents personal views as those of the Board of Education, individual school or school district, or in a manner that could be construed as such.

Disciplinary Consequences

Violation of the Board's policy concerning the use of social media or these administrative regulations may lead to discipline up to and including the termination of employment consistent with state and federal law.

Legal References:

- U.S. Constitution, Amend. I
- Conn. Constitution, Article I, Sections 3, 4, 14
- Conn. Gen. Stat. § 31-48d Conn. Gen. Stat. § 31-51q
- Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250
- Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

Adopted:

September 28, 2012

Superintendent's Reasonable Interpretation
Social Networking Policy
8-23-12

Provision One: The Board will regulate the use of social media by employees when such use interferes with the work of the school district.

Superintendent's Reasonable Interpretation:

1. The administration will monitor and report instances of inappropriate use of social media by employees.
2. The mission and goals of the Stamford Public Schools should not be compromised or damaged by the use of social media by employees.

Evidence of Compliance:

1. A record of reports will be kept by the Superintendent of Schools or his/her designee.
2. A record of responses to violations will be kept.
3. A summary report will be completed annually.

Provision Two: The Board will regulate the use of social media by employees when such use is used to harass co-workers or other members of the school community.

Superintendent's Reasonable Interpretation:

1. The Human Resources Office will provide for employees a process for reporting harassing behaviors.
2. The Human Resources Office will investigate all claims of harassment by and between employees of the Stamford Public Schools.

Evidence of Compliance:

1. A record of reports regarding harassment through the use of social media will be kept by the Superintendent or his/her designee.

Provision Three: The Board will regulate the use of social media by employees when such use creates a hostile work environment.

Superintendent's Reasonable interpretation:

1. The Human Resources Office will provide for employees a process for reporting claims of a hostile work environment based on the use of social media.
2. The Human Resources Office will investigate all claims of a hostile work environment based on the use of social media.

Evidence of Compliance:

1. A record of reports regarding investigations of hostile work environment based on the use of social media will be kept by the Superintendent or his/her designee.,

Provision Four: The Board will regulate the use of social media by employees when such use breaches confidentiality obligations of school district employees.

Superintendent's Reasonable Interpretation:

1. Students have a right by law to privacy of educational and health records.
2. The administration requires that employees secure information regarding student records and testing.
3. The administration will monitor the use of social media to assure the privacy rights of students and employees.
4. Employees have a reasonable expectation that information regarding their health and personal well-being will be kept confidential.

Evidence of Compliance:

1. A record of reports regarding investigations of alleged breaches of confidentiality will be kept by the Superintendent or his/her designee.

Provision Five: The Board will regulate the use of social media by employees when such use disrupts the educational process.

Superintendent's Reasonable Interpretation:

1. Employees must safeguard the instructional process for students.
2. The administration will intercede and act to restrain any use of social media that disrupts the educational process.
3. The administration will hold employees responsible for protecting and environment in which students can work safely and productively.

Evidence of Compliance:

1. A record of reports regarding investigations of disruptions to the education process will be kept by the Superintendent or his/her designee.

Provision Six: The Board will regulate the use of social media by employees when such use harms the goodwill and reputation of the school district in the community.

Superintendent's Reasonable Interpretation:

1. The behavior of employees on and off duty has an impact on the reputation of the school district.
2. Employees have a responsibility to recognize the influence that their employment carries in the community as representatives of the Stamford Public Schools.
3. The administration will intercede and act to restrain any use of social media that impairs reputation of the school district.

Evidence of Compliance:

1. A record of reports regarding investigations of harm to the good will and reputation of the school district will be kept by the Superintendent or his/her designee .

Provision Seven: The Board will regulate the use of social media by employees when such use violates the law, board policies and/or other school rules and regulations.

Superintendent's Reasonable Interpretation:

1. Employees must adhere to board of education policies and regulations.
2. All use of social media must comply with all laws.
3. The administration will monitor the use of social media, enforce all governing laws, policies, rules and regulations.

Evidence of Compliance:

1. A record of reports regarding investigations of violations of law, board policies and/or other school rules and regulations will be kept by the Superintendent or his/her designee.

Provision Eight: The Board will regulate the use of social media when an employee uses social media to enter into inappropriate contacts with students, their families or guardians.

Superintendent's Reasonable Interpretation:

1. Employees are to recognize the line between personal and professional communication when dealing with students, parents and other employees.
2. Employees are to recognize that social media is not to be used to conduct personal business or express personal opinions

Evidence of Compliance:

1. A record of reports regarding investigations of harm to the goodwill and reputation of the school district will be kept by the Superintendent or his/her designee.

Summary: All violations of the social media policy and/or regulations will be investigated. The administration will take appropriate action if employees misuse social media. The administration will keep records of all reported misuse of social media and outcomes if such violations are found.

Personnel – Certified/Non certified**Staff Conduct****Public Trust Employees**

The Board of Education considers all employees, to be "public trust employees." The job effectiveness of such employees depends on the members of the community maintaining respect and confidence in such employees in regards to both their on-duty and off-duty conduct. Accordingly, the Board directs such employees to refrain from engaging in any conduct on or off school property which could damage the public's trust and confidence in such employees. Such conduct includes, but is not limited to, acts of moral misconduct (i.e. criminal conviction, such as commission of a felony) or conviction of any crime.

The Board considers any off-duty misconduct tending to damage the public's trust and confidence committed by such employees to have occurred in the course of employment. Accordingly, such misconduct, even if it occurs off school property or during off-duty time, can be the subject of disciplinary action by the Board up to and including termination of employment. Acceptance of an offer of employment by a Board of Education employee means that the person accepting the offer understands and accepts that acts tending to damage the public's trust and confidence, even if committed off school property or during off-duty time, will be considered willful misconduct, and may subject the employee to disciplinary action.

Federal Compliance

All employees will be provided with an explanation of both their responsibilities and their rights under law in terms of the actions they may take to maintain order, discipline, and an appropriate educational environment. Training will be provided that defines approved actions, and informs employees that they may be liable for harm when they engage in criminal, grossly negligent or reckless conduct, or act with flagrant indifference to the rights and safety of another person who suffers harm as a result. The Superintendent will develop rules that prescribe the circumstances under which the District administration and/or parents/guardians are to be notified of actions taken, any written documentation of actions taken that is necessary, and other appropriate procedures including staff training.

Legal References:

- 20 USCA - No Child Left Behind

Policy Adopted:

June 24, 2008

Personnel – Certified**Substitute Teachers**

Substitute teachers shall be employed on either a short-term or continuing basis, and shall be contacted from a list of qualified substitutes, approved by the Superintendent or designee. The Board encourages the use of innovative means of recruiting and employing qualified persons to maintain current lists.

Legal References:

- Connecticut General Statutes
- 10-183v Reemployment of teachers.
- 10-14Sa Certificates of qualification for teachers.

Policy Adopted:

June 24, 2008

Personnel – Certified

Substitute Teachers - Regulation

The Stamford Public Schools will seek to employ certified substitute teachers. Prior to being given assignments through the SubFinder system, substitute teachers will need to complete an application, Interview, fingerprints to be taken upon submission of application, cross check of the sexual offender registry, and induction program. Applicants for substitute teacher positions will be required to pay for fingerprints to be submitted to the Connecticut State Police and FBI. In the event that a charge, indictment or guilty verdict is discovered, the Executive Director of Human Capital Development shall review the matter taking into consideration the charge, disposition, and date of the disposition of the case. Any applicant with a charge or verdict for a crime of moral turpitude shall not be employed as a substitute teacher. For all charges, the Executive Director will look at the totality of the circumstances when making such a decision.

Substitutes shall be paid at one of the following rates: A. B. or C as noted below and receive no benefits. Substitutes shall not be paid retroactively at the long term assignment rate of pay but shall be paid on a forward moving basis as noted below.

A. Short Term Assignments

\$90.00 per day for up to the first 30 consecutive days in the same teacher's assignment.

B. Long Term Assignments

\$90.00 per day for the first 30 consecutive days in the same teacher's assignment, then \$155.00 per day beginning on the 31" day, and each day thereafter.

C. Long Term Assignments for Connecticut Certified Substitutes Teaching within Their Area of Certification

\$90.00 per day for the first 30 consecutive days in the same teacher's assignment then \$155.00 per day beginning on the 31" day and each day thereafter until the 60th day. If the substitute is covering for a teacher on unpaid leave and an interim contract will not otherwise create financial duplicity in this position, then on the 61" consecutive day in the assignment the substitute certified for that grade or subject shall be given an interim teaching contract and paid at the Bachelor Step L or Master degree. Step I salary until a date no later than the last day of the school year or another date as determined by the Executive Director. Such decision to place the substitute on the interim contract will be the sole decision of the Superintendent or designees.

Substitutes who are certified in Connecticut but are not in an assignment within their certificate area shall not be covered by section C. but will be paid under section B.

Substitute teachers are required to apply for and obtain substitute teacher certification when assigned to the same class for 40 consecutive days. The substitute shall bear the burden and pay all expenses in the application for long term substitute teacher. Applications are available at www.ct.gov/sde See

application: ED175 APPLICATION FOR EXTENSION OF SUBSTITUTE TEACHER
AUTHORIZATION BEYOND THE 40-DAY LIMIT

Regulation Adopted:

December 4, 2010

Personnel – Certified**Student Teachers**

It shall be the policy of the Board to accept student teachers to teach in Stamford classrooms under the supervision of a regular classroom teacher. The feasibility of having a student teacher will be based on the quality and experience of the training teacher available, number of other student teachers already arranged for, agreement of the cooperating teacher, and any other pertinent factors.

Policy Adopted:

June 24, 2008

Personnel – Certified**Maternity Disability and Child Care Leave****A. Disability**

(1) For any period of time as to which a teacher presents a statement by her physician that she is disabled from performing the duties of her job because of pregnancy or conditions attendant thereto, she shall be entitled to all job-related benefits provided in cases of any other temporary disability including the right to sick leave, continuation of health insurance, pension contributions and retirement credit.

(2) A teacher wishing to return to duty after such a period of disability resulting from pregnancy or any condition attendant thereto must present a written statement from her physician that she is physically able to resume the duties of her employment.

B. Child Care Leave

Child care leave may be granted to teachers upon the birth or adoption of a child if the following conditions are met:

(1) A request in writing must be made by the teacher to the Personnel Office at least thirty (30) days before commencement of leave.

(2) Leave will normally be for the remainder of the year in which the leave commences, plus the entire following year. A teacher may request one additional year. The maximum length of child care leave is two full years plus the fraction of the year in which the leave commenced.

(3) A teacher on child care leave will be guaranteed a return to duty only by the first day of the school year following the termination of his or her leave.

(4) A teacher will be returned to service on the step of the salary schedule to which he or she was entitled at the time of leave plus any seniority earned during such time as the teacher is receiving sick pay and other disability benefits under Section AI.

(5) A teacher must make application, in writing, to return to duty or to extend a child care leave at least sixty (60) days prior to the termination of that leave. Failure to do so will be considered an automatic resignation.

(6) Child care leave will be granted to teachers on tenure only, and only one spouse, if both are employed by the Stamford School System, will be granted child care leave at a time.

Policy Adopted:

Nov. 12, 1985

Policy Readopted:

July 24, 2001

Personnel – Certified/Non-Certified

Employee Protection

An employee may use reasonable force as is necessary to protect himself/herself from attack, to protect another person or property, to quell a disturbance threatening physical injury to others, or to obtain possession of weapons or other dangerous objects upon the person or in the control of a student.

Employees shall immediately report cases of assault suffered by them in connection with their employment to their Principal or other immediate superior, and may be reported to local law enforcement agencies. Such notification shall be forwarded immediately to the Superintendent who shall comply with any reasonable request from the employee for information in the possession of the Superintendent relating to the incident or the persons involved, and shall act as liaison between the employee, the police and the courts.

No school administrator shall interfere with the right of a teacher or other school employee to file a complaint with the local police authority in cases of threats of physical violence or actual physical violence against such teacher or employee.

As required by law, the Board of Education will file a report annually with the State Board of Education indicating the number of threats and physical assaults made by students upon teachers, administrators and other school personnel, and the number of physical assaults involving dangerous weapons made by students upon other students.

If criminal or civil proceedings are brought against an employee alleging that the employee committed an assault in connection with his/her employment, such employee may request the Board of Education to furnish legal counsel to defend the employee in any civil action or proceeding brought against the employee, within the limits set by law.

The Board of Education shall reimburse an employee for the cost of medical, surgical or hospital services (less the amount of any insurance reimbursement) incurred as the result of any injury sustained in the course of his/her employment.

Section 52-557b of the General Statutes grants immunity from liability for emergency medical assistance to a person in need of it when the assistance is given by a teacher or other school personnel on the school grounds, in a school building, or at a school function, provided that the teacher or other staff member has completed a course in first aid offered by the American Red Cross, the American Heart Association, the State Department of Health Services, or any municipal health department, as certified by that agency, has such immunity that extends to civil damages for any personal injuries which result from acts or omissions by the person giving the emergency care or first aid, which might

constitute ordinary negligence. Such immunity does not apply to acts or omissions constituting gross, willful or wanton negligence.

Legal Reference:

- Connecticut General Statutes
- 10-233b Removal of pupils from class.
- 10-233c Suspension of pupils.
- 10-233g Boards to report school violence. Reports of principals to police authority.
- 10-235 Indemnification of teachers, board and commission members and employees in damage suits; expenses of litigation.
- 10-236 Liability insurance.
- 10-236a Indemnification of educational personnel assaulted in the line of duty.
- 52-557b Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render.
- 53a-18 Use of reasonable physical force or deadly physical force generally.
- 53a-19 Use of physical force in defense of person.

Policy Adopted:

June 24, 2008

4148.1

4248.1

Personnel – Certified/Non-Certified

Employee Safety

General

Employees are entitled to work under safe conditions and shall be provided necessary training in safety techniques and precautions. The Superintendent of Schools and administrative staff shall maintain safe and healthy work places in each school and district facility with safe equipment and proper materials; safe methods and practices shall be developed and practiced by staff and students.

Use of Physical Force

Employees may use reasonable physical force as necessary to protect themselves from attack, to protect another person or property, to quiet a disturbance which threatens physical injury to others, or to obtain possession of weapons or other dangerous objects.

Physical Assaults on Teachers, Administrators, Other School Personnel, and Students

Employees shall report, as soon as possible, assaults on them in connection with their employment to their Principal or other immediate supervisor who may further report such assault to the local police. The Principals or supervisor shall notify the Superintendent of the incident.

The employee may also, in his/her discretion, file a complaint with the local police.

The Superintendent shall maintain records of any assaults for required reports to the Commissioner of Education. Legal Protection of Employer As required by the general statutes, the Board of Education shall indemnify Board members and employees. (cf. 4113/4213 Provisions of Negotiated Agreements)

Legal Reference:

- Connecticut General Statutes
- 10-233g Boards to report school violence. Reports of principals to police authority.
- 10-235 Indemnification of teachers, board members and employees in damage suits; expenses of litigation.
- 10-236a Indemnification of educational personnel assaulted in the line of duty.
- 53a-18 Use of reasonable physical force.
-

Policy Adopted:

June 24, 2008

4148.2

4248.2

Personnel – Certified/Non-Certified

Employee Safety

Employee Identification Badge System

To help ensure the protection of staff and students and reduce the possibilities of theft, vandalism and loss of District property, all District employees shall be issued and wear identification badges when on District property.

A badge system, with appropriate designation but without photograph, shall be used for visitors to schools during regular school hours and for substitutes and/or temporary employees.

Policy Adopted:

June 24, 2008

4151.9/4152.4 (a)
4251.9/4252.4

Personnel – Certified/Non-Certified

Military Leave

Benefits to Personnel Entering the Armed Forces

The benefits that apply to persons on military leave of absence shall be as provided in state and federal law.

Legal Reference:

- The Uniformed Services Employment Reemployment Rights Act (USERRA, 1994 as amended)
- Veterans Benefits Improvement Act of 2004, P.L. 108-454 §201, 203
- 20 CFR Part 1002, Notice of Rights and Duties Under the Uniformed Services Employment and Reemployment Rights Act; Interim Final Rule

Policy Adopted:

June 24, 2008

Personnel –Non-Certified

Recruitment and Selection

It is the responsibility of the Superintendent of Schools and of persons designated by the Superintendent to determine the personnel needs of the school district and to locate suitable candidates to recommend for employment to the Board of Education. An estimate of the cost of the recruitment and selection program will be made annually by the Superintendent and presented to the Board of Education for inclusion in the annual budget.

No inquiry in regard to an employee's race, color, national origin, ancestry, citizenship status, age, sex, disability, present or past history of mental disability, religion, sexual orientation, gender identity or expression, parental status, marital status, genetic information, past or present service in the uniformed services of the United States, or any other basis prohibited by law, shall be made of a person proposed for or seeking employment.

Prior to initial employment, a physician shall certify to the Superintendent of Schools that said employee is in good health and in fit condition for service. It shall be the duty of the Superintendent of Schools to see that persons nominated for employment shall meet all qualifications established by law and by the Board of Education for the type of position for which nomination is made.

(cf. 4111.1 - Affirmative Action).

Legal Reference:

- Applicable Connecticut anti-discrimination in employment statutes, including but not limited to CGS Section 46a-60, and implementing regulations
- Applicable federal anti-discrimination in employment statutes, including but not limited to Title VII of the 1964 Civil Rights Act, 42 USC Section 2000e, et seq., and implementing regulations

Policy Adopted:

September 10, 1963

Amended:

June 25, 2013

Personnel –Non-Certified

Drug and Alcohol Testing For School Bus drivers

The Stamford Public School district is committed to the establishment of a drug use and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (OTETA). The District shall adhere to federal law and regulations requiring a school bus driver's drug and alcohol testing program.

Contracts for transportation approved by this District shall contain assurance that the contractor will establish a drug and alcohol-testing program that meets the requirements of federal regulations and this policy and will actively enforce the regulations of this policy as well as federal requirements.

Legal Reference:

- United States Code, Title 49
- 2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)
- Code of Federal Regulations, Title 49
- 40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs
- 382 Controlled Substance and Alcohol Use and Testing
- 395 Hours of Service Drivers
- Holiday v. City of Modesto (1991) 229 Cal. App. 3d. 528, 540.
- International Brotherhood of Teamsters v. Department of Transportation
- 932 F. 2d 1292 (1991)
- American Trucking Association. Inc. v. Federal Highway Administration, (1995) WL 136022 (4th circuit) Connecticut General Statutes
- PA 95-140 An Act Authorizing Drug Testing of Drivers of Certain Commercial Motor Vehicle

Policy Adopted:

June 24, 2008

Personnel – Discretionary

The Board will review evaluations of discretionary personnel every spring. At that time, the Board will determine salaries and benefits for each discretionary position for the next fiscal year. Upon employment and annually thereafter, each discretionary employee shall be notified of the salary and benefits applicable to his/her position. The notification will include the available medical coverage, insurance, sick leave, vacation, legal holidays and retirement. Such notification shall not create a contract of employment for any particular period of time.

Policy Adopted:

Nov. 12, 1985

Policy Readopted:

July 24, 2001