

MANCHESTER BOARD OF EDUCATION
REGULAR MEETING
MONDAY, FEBRUARY 10, 2020
LINCOLN CENTER

Curriculum & Instruction Committee Meeting
(Meggers, Gundersen, Scappaticci, Stefanovicz)
Board of Education Meeting

5:30 P.M. - Directors' Rm.

**7:00 P.M. - Lincoln Center
Hearing Rm.**

A. OPENING

- 1) Call to order
- 2) Pledge of Allegiance
- 3) Secretary's Welcome
- 4) Board of Education Minutes 1-27-20 A - 4
- 5) Budget Workshop Minutes - 1-29-20 A - 5

B. COMMITTEE REPORTS –

- 1) Policy Committee Minutes 1-27-20 B - 1

C. CONSENT CALENDAR

- 1) Personnel Information C - 1
- 2) Transfer of Funds C - 2
- 3) Extended Field Trip Request - MHS - Wrestling - Competition in the LL State Wrestling Tournament - 14 Students - 2 Chaperones (Coaches) - Feb. 21 - 22, 2020 - Trumbull, CT C - 3
- 4) Approval of the Manchester High School Graduation Date for FY19-20 as June 16, 2020 at 6:30 p.m., at the Xfinity Theater, 61 Savitt Way, Hartford, CT. C - 4
- 5) Permission to apply for FY19-21, Carl D. Perkins Career and Technical Student Organization Grant (CTSO) C - 5
- 6) Appropriation for the FY19-20, Carl D. Perkins Career and Technical Education Secondary Basic Grant, in the amount of \$117,791 C - 6

D. REPORT FROM STUDENT REPRESENTATIVE –

- 1) Student Representative Report - Krista Myrie and Tiffany Henry

E. PUBLIC COMMENTS (any item before the board)

F. SUPERINTENDENT'S REPORT

- 1) Update on STEAM, Ms. Pari Ghetia, Director of Teaching & Learning
- STEAM

G. UNFINISHED BUSINESS - None

H. NEW BUSINESS -

Policy Recommendation:

The Policy Committee submits to the full Board its recommended policy change for a first reading and approval in accordance with its policy on policy changes:

- 1) a) Policy #4304 - Reports of Suspected Abuse or Neglect of Children H - 1a
 (by Anyone) or Sexual Assault of Students by School Employees
- b) Policy #4118 - Alcohol, Tobacco, and Drug Free Workplace H - 1b
- c) Policy #4013 - Sex Discrimination and Harassment in the Workplace H - 1c
- d) Policy #4114 - Non-Discrimination H - 1d
- e) Policy #4000 - Employment and Student Teacher Checks H - 1e
- 2) Action on Recommended Board of Education 2020-2021 Budget

RECOMMENDED MOTION: Move to adopt the Board of Education 2020-2021 Budget in the amount of \$121,017,593

I. PUBLIC COMMENTS - (comments limited to items on tonight's agenda)

J. COMMUNICATIONS - None

**K. ITEMS FOR FUTURE AGENDAS
Topics for Superintendent's Report**

Monday, February 24, 2020

**Winter Data Update
Update on Student Behavioral Supports**

Monday, March 9, 2020

Keeney School Improvement Plan

Monday, March 23, 2020

Illing School Improvement Plan

L. ADJOURNMENT

Welcome to the Manchester Board of Education meeting. Observers are always welcome. The following instructions are to assist those who wish to speak during the Public Comment session(s):

- 1) *Print your name and address on the sign-in sheet at the podium for accurate record keeping.*
- 2) *State your name and address for the record. Students state name only.*
- 3) *First Session: Three minute time limit for any item that may come before the Board. Listen for the bell.*
- 4) *Second Session: Comments must be limited to items on the Board's agenda for this meeting. The Board Chair has the discretion to limit comment time.*
- 5) *Written statements may be substituted for Board members if time runs out for speaker.*
- 6) *Immediate replies to questions/concerns should not be expected (Board Chair/Superintendent's discretion).*
- 7) *Inappropriate topics: Confidential information, personal issues and legal concerns. Please avoid derogatory and profane language. Board of Education Policy #1220.*

**Manchester Board of Education
Policy Committee
Minutes
Director's Room - Lincoln Center
January 27, 2020**

The meeting began at 5:30

Members Present: Mark Gundersen, Darryl Thames

Others Present: Matt Geary

The committee discussed proposed policy Changes driven by legislative updates. The following policies will be moved to the full Board of Education for consideration. Links to redline versions are included in the minutes.

[Reports of Suspected Abuse or Neglect of Children \(By Anyone\) or Sexual Assault of Students by School Employees # 4304](#)

[Alcohol, Tobacco, and Drug Free Workplace # 4118](#)

[Sex Discrimination and Harassment in the Workplace # 4013](#)

[Non - Discrimination #4114](#)

[Employment and Student Teacher Checks #4000](#)

[Student Discipline #5144](#)

[Homeless Students # 5118.1](#)

[Food Allergies and/or Glycogen Storage Disease #5005](#) (new)

[Smoking #1501](#)

The committee reviewed the draft equity policy and will continue to work on the policy before moving it forward to the full Board of Education for consideration.

[Equity Policy - Draft](#)

The committee discussed proposed policy changes designed to create high leverage for change and will move forward the revisions to the following policies

[Bullying and Safe School Climate Plan #5131.1](#)

[Evaluation of the Instructional Program #6180](#)

The committee will review the following policies again at its next policy meeting

[Minority Teacher Recruitment # 4235](#)

[Board Orientation Process / Onboarding New Members](#)

Under the agenda item of Other Policies for Discussion, Mr. Gundersen requested that the committee review Policy # 5131.81 Electronic Communication Devices. The Superintendent will gather a variety of local policies and bring them to the next meeting.

The meeting adjourned at 6:45.

Respectfully Submitted,
Matt Geary
Superintendent of Schools

PERSONNEL ACTIONS**APPOINTMENTS**

Ms. Rosannie Ortega to be a School Social Worker at Illing Middle School. Ms. Ortega received her Master's in Social Work from the University of Connecticut, and currently resides in East Hartford. It is recommended that her appointment be approved effective February 10, 2020 (Master's +30 / Step 1.5 \$55,196.00).

Ms. Margaret Gillespie to be a .6 Art Teacher at Bennet Academy. Ms. Gillespie received her Master's in Elementary Education from Eastern Connecticut State University and currently resides in Lebanon. It is recommended that her appointment be approved effective February 3, 2020 (Master's / Step 1.5, \$50,780.00 prorated).

RESIGNATIONS

Ms. Miranda Wojnar, District Numeracy Specialist, submitted her letter of resignation effective January 31, 2020. Ms. Wojnar has been with Manchester Public Schools since January 25, 2017. It is recommended that her resignation be accepted.

February 10, 2020

Town of Manchester
Board of Education

To: Manchester Board of Education
From: Mr. Matthew Geary, Superintendent of Schools
Subject: Transfer of Funds
Date: January 13, 2020

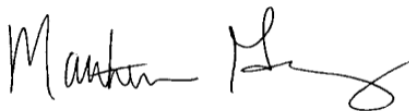
Background: In accordance with Board of Education Policy 3160, Transfer of Funds between Categories, I am requesting the Board approve the following transfers in the FY2019-2020 Budget.

Discussion/Analysis: Transfer from System-wide Science Field Trips in the amount of \$6,975.00. Transfer to System-wide Science Dues and Fees in the amount of \$6,975.00.

Financial Impact: None

Other Board/Commission Action: None

Recommendation: The Superintendent of Schools recommends that the Board of Education approve these transfers in the FY2019-2020 Budget.



Matthew Geary
Superintendent of Schools
Manchester, Connecticut
February 10, 2020

**Manchester Public Schools
Manchester, Connecticut**

TO: Accounting Department

School/Department: Science

Date of Request: 1/13/2020

Approver: Amy F. Radikas

Date Approved: 1/16/2020

JUSTIFICATION (Required Field): Transfer to cover cost of Goodwin College boat rental – field trip

SUBJECT: TRANSFER BUDGET MONIES FROM ONE LINE ACCOUNT TO ANOTHER:

DECREASE In whole dollars only:

\$ 6,975.00 Account # 14099270 5512

Description: Science Field Trips

\$ _____ Account # _____

Description: _____

\$ _____ Account # _____

Description: _____

\$ 6,975.00 **TOTAL DECREASE**

INCREASE In whole dollars only:

\$ 6,975.00 Account # 14099100 5810

Description: Science Dues & Fees

\$ _____ Account # _____

Description: _____

\$ _____ Account # _____

Description: _____

\$ 6,975.00 **TOTAL INCREASE (Must match total decrease)**

Accounting Department Only

Board Approval Needed: Yes X No ____

Date of Board Approval: _____

Date Transfer Completed: _____ Name: _____

Town of Manchester
Board of Education

To: Manchester Board of Education
From: Mr. Matthew Geary, Superintendent of Schools
Subject: Transfer of Funds
Date: February 5, 2020

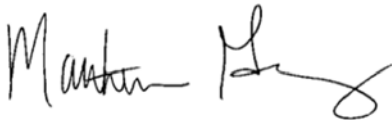
Background: In accordance with Board of Education Policy 3160, Transfer of Funds between Categories, I am requesting the Board approve the following transfers in the FY2019-2020 Budget.

Discussion/Analysis: Transfer from System-wide Plant Maintenance Capital Repair in the amount of \$14,627.00. Transfer to System-wide Plant Maintenance Contracted Services in the amount of \$14,627.00.

Financial Impact: None

Other Board/Commission Action: None

Recommendation: The Superintendent of Schools recommends that the Board of Education approve these transfers in the FY2019-2020 Budget.



Matthew Geary
Superintendent of Schools
Manchester, Connecticut
February 10, 2020

**Manchester Public Schools
Manchester, Connecticut**

TO: Accounting Department

School/Department: Buildings & Grounds

Date of Request: 2/5/2020

Approver: David Grande

Date Approved: 2/5/2020

JUSTIFICATION (Required Field): To replenish account and for B& G contracted services.

SUBJECT: TRANSFER BUDGET MONIES FROM ONE LINE ACCOUNT TO ANOTHER:

DECREASE In whole dollars only:

\$ 14,627.00 Account # 41799260 5608

Description: Plant Maintenance Capital Repair

\$ _____ Account # _____

Description: _____

\$ _____ Account # _____

Description: _____

\$ 14,627.00 **TOTAL DECREASE**

INCREASE In whole dollars only:

\$ 14,627.00 Account # 41799260 5430

Description: Plant Maintenance Contracted Srvcs.

\$ _____ Account # _____

Description: _____

\$ _____ Account # _____

Description: _____

\$ 14,627.00 **TOTAL INCREASE (Must match total decrease)**

Accounting Department Only

Board Approval Needed: Yes X No ____

Date of Board Approval: _____

Date Transfer Completed: _____ Name: _____

MANCHESTER PUBLIC SCHOOLS
45 North School Street
Manchester, CT 06042

EXTENDED FIELD TRIP REQUEST FORM

In accordance with Board of Education Policy titled “Instruction -6153” all extended field trips must be approved by the Superintendent of Schools. The following information must be forwarded to the Superintendent 30 days (four months for international trips) prior to the Board meeting which antedates the trips.

Name of School: Manchester High School **Date of Request:** 01/28/20

Name of Club or Activity: MHS – Wrestling

Trip to: Trumbull, CT **Purpose:** Competition in the LL State Wrestling Tournament

Number of Students participating: 14 Students **From:** Feb. 21 thru Feb. 22, 2020

Number of School Days missed: (0) days

Number and names of teachers and chaperones: Give ages of chaperones if under 25 and list relationship to system or staff.

- a. Gerry Navarra, Teacher, Wrestling Coach b. Kassandra Holder, Teacher, Wrestling Coach

Others:

Transportation: X Bus ___ Train ___ Plane ___ Car Other

Are Fundraising activities planned? X Yes _ No **If so, describe :** Money was raised at the Annual Wrestling Tournament, the Skip Arden Invitational.

How will funds be allocated to students participating? * Rooms will be paid for by MHS Wrestling.

Lodging: X Hotel/Motel ___ Camp ___ Private Home

If known, give specifics of room assignments: Quad Occupancy; Coaches will have their own rooms

Cost per teacher and/or chaperone: Hotel Accommodations (\$0.00) Chaperones may need to provide some of their own expenses if the field trip fund is not adequate.

Total Cost per Student: \$40.00



MANCHESTER HIGH SCHOOL

C - 4

134 EAST MIDDLE TURNPIKE, MANCHESTER, CT 06040

Ms. Katelyn Miner, Principal
860.647.3529
b11kamin@mpspride.org

January 30, 2020

Dear Manchester Board Of Education,

On behalf of Manchester High School, I am requesting that the Board of Education approve the date for the Manchester High School Class of 2020 Graduation to be Tuesday, June 16, 2020 at 6:30pm at the Xfinity Theatre, 61 Savitt Way, Hartford, CT 06120.

Respectfully Submitted,

Katelyn M. Miner

Katelyn Miner

Principal

Manchester High School

Town of Manchester
Board of Education

To: Manchester Board of Education

From: Matthew Geary, Superintendent of Schools

Subject: Permission to apply for FY 19/21 Carl D. Perkins Career and Technical Student Organization Grant (CTSO)

Date: February 5, 2020

Background:

Manchester Public Schools have demonstrated a record of excellence in career and technical education. The Carl D. Perkins Career and Technical Education Improvement Act (Perkins IV) sets a new vision of career and technical education (CTE) for the 21st century. The grant is funded by the State of Connecticut.

Discussion/Analysis:

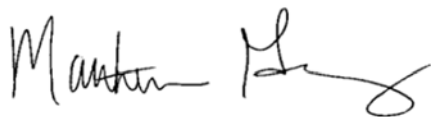
Funds will be used further develop the academic, career and technical skills of secondary students and post secondary students who elect to enroll in CTE programs.

Financial Impact: None

Other Board/Commission Action: None

Recommendations:

The Superintendent recommends that the Board of Education approve the filing of the Carl D Perkins Career and Technical Student Organization Grant application for FY19/21.



Matthew Geary
Superintendent of Schools
Manchester, Connecticut
February 10, 2020

**Town of Manchester
Board of Education**

To: The Manchester Board of Education

From: Matthew Geary, Superintendent of Schools

Subject: Appropriation of The Carl D. Perkins Career and Technical Education Secondary Basic Grant for the 2019-20 school year.

Date: January 29, 2020

Background:

Manchester Public Schools have demonstrated a record of excellence in career and technical education. The Carl D. Perkins Career and Technical Education Secondary Basic Grant will improve and expand education and career guidance systems for Manchester's youth. The grant is funded by the State of Connecticut.

Discussion/Analysis:

Funds will be used to:

1. Revise and/or re-write curriculum to ensure alignment with state/national common core standards in Business, Family Consumer Science, and Technology Education departments.
2. Provide professional development opportunities to ensure that students are exposed to specific career-based competencies, which will prepare them for a transition to a technologically-advanced employment workplace.
3. Provide funding for externships and field trips in conjunction with the College Career Pathways initiative.
4. Support specific developmental initiatives through funding for instructional programs, supplies and equipment for grades 9-12 in the aforementioned areas.

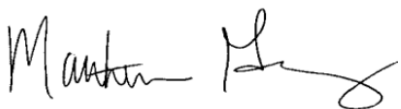
Financial Impact: None to the Board of Education.

Other Board/Commission Action: None.

Recommendations:

The Superintendent of Schools recommends the Board of Education request the Board of Directors appropriate \$117,791 for the FY 2019-20 Carl D. Perkins Career and Technical Education Secondary Basic Grant provided through the State of Connecticut.

Attachments: Award letter and budget.



Matthew Geary, Superintendent of Schools
Manchester, Connecticut
February 10, 2020



STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



GRANT AWARD NOTIFICATION

1 Grant Recipient

MANCHESTER PUBLIC SCHOOLS
45 NORTH SCHOOL STREET
MANCHESTER, CT 06040-2022

4 Award Information

Grant Type: FEDERAL
Statute: P.L. 109-270
CFDA #: 84.048A
SDE Project Code: SDE0000000000002

Grant Number: 077-000 12060-20742-2020-84010-170002

2 Grant Title

CARL D PERKINS CAREER & TECH. EDUC. ACT

5 Award Period

7/1/2019 - 6/30/2020

3 Education Staff

Program Manager:

Harold Mackin (860) 713-6779

Payment & Expenditure Inquiries:

Jeffrey Lindgren 860-713-6624

6 Authorized Funding

Grant Amount: \$117,791

Funding Status: Final

7 Terms and Conditions of Award

This grant is contingent upon the continuing availability of funds from the grant's funding source and the continuing eligibility of the State of Connecticut and your town/agency to receive such funds.

Fiscal and other reports relating to this grant must be submitted as required by the granting agency. Written requests for budget revisions for expenditures made between July 1, 2019 and June 30, 2020 must be received at least 60 days prior to the expiration of the grant period but no later than May 1, 2020. For grants awarded for two-year periods beginning July 1, 2019, final second-year budget revision requests covering the entire two-year period must be received at least 60 days prior to the expiration of the grant period but no later than February 1, 2021. The grantee shall provide for an audit acceptable to the granting agency in accordance with the provisions of Sections 7-394a and 7-396a of the Connecticut General Statutes. The following attachment(s) are incorporated by reference: ED114.

The grant may be terminated upon 30 days written notice by either party. In the event of such action, all remaining funds shall be returned in a timely fashion to the granting agency.

This grant is awarded under the Carl D. Perkins Career and Technical Education Improvement Act of 2006 and is subject to all provisions therein. Expenditures for administrative costs, including indirect charges, may not exceed 5% of the total amount expended.

This grant has been approved.

1/29/2020

Melissa K. Wlodarczyk Hickey, Ed.D
Reading/Literacy Director
CT. State Department of Education

BUDGET FORM

Created On: 1/29/2020

ED 114

Fiscal Year: 2020
Grantee Name: MANCHESTER **Grantee:** 077-000
Grant Title: CARL D PERKINS CAREER & TECH. EDUC. ACT
Project Title: PERKINS SECONDARY BASIC GRANT
Fund: 12060 **SPID:** 20742 **Year:** 2020 **PROG:** 84010 **CF1:** 170002 **CF2:**
Grant Period: 7/1/2019 - 6/30/2020 **Authorized Amount:** \$117,791
Project Code: SDE000000000002

AUTHORIZED AMOUNT BY SOURCE:

LOCAL BALANCE:

CARRYOVER DUE:

CURRENT DUE: \$117,791

CODES	DESCRIPTIONS	BUDGET
111A	NON-INSTRUCTIONAL	
111B	INSTRUCTIONAL	4,437
200	PERSONAL SERVICES-EMPLOYEE BENEFITS	339
320	PROFESSIONAL EDUCATIONAL SERVICES	11,166
322	IN SERVICE	
330	EMPLOYEE TRAINING AND DEVELOPMENT SERVICES	2,807
510	STUDENT TRANSPORTATION SERVICES	5,067
580	TRAVEL	1,035
600	SUPPLIES	37,860
700	PROPERTY	55,080
917	INDIRECT COST	
	TOTAL	\$117,791
XANR	AGRICULTURE & NATURAL RESOURCES	
XAVC	ARTS, AUDIO VIDEO TECH, AND COMM. SRVCS.	
XBAS	BUSINESS & ADMIN. SERVICES	
XCON	CONSTRUCTION	
XETS	EDUCATION AND TRAINING SERVICES	
XFS	FINANCIAL SERVICES	
XHS	HEALTH SERVICES	
XHSS	HUMAN SERVICES	
XHT	HOSPITALITY & TOURISM	
XITS	INFO. TECH. TELECOM. SERVICES	
XLP	LEGAL & PROTECTIVE SERVICES	
XMAN	MANUFACTURING	
XPAG	PUBLIC ADMINISTRATION/GOVERNMENT SERVICE	
XSRT	SCIENTIFIC RESEARCH, ENGR. AND TECH SVCS	
XTDL	TRANSPORTATION, DIST. AND LOGISTICS SVCS	
XWRS	WHOLESALE/RETAIL SALES & SERVICES	

Original Request Date: 10/1/2019

This budget was approved by Harold Mackin on 1/28/2020.

New-Policy # 4304
Personnel

**REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN (BY ANYONE) OR
SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**

Conn. Gen. Stat. Section 17a-101 et seq. requires school employees who have reasonable cause to suspect or believe (1) that any child under eighteen has been abused or neglected, has had a non accidental physical injury, or injury which is at variance with the history given of such injury, or has been placed at imminent risk of serious harm, or (2) that any person who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, and the perpetrator is a school employee, to report such suspicions to the appropriate authority. In furtherance of this statute and its purpose, it is the policy of the **Manchester** Board of Education to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, non-accidental physical injury, imminent risk of serious harm, or sexual assault of a student by a school employee, in accordance with the procedures set forth below.

1. Scope of Policy

This policy applies not only to school employees who are required by law to report suspected child abuse and/or neglect, non-accidental physical injury, imminent risk of serious harm, or sexual assault of a student by a school employee, but to ALL EMPLOYEES of the Board of Education.

2. 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, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in a Board elementary, middle or high school; or (b) any other person who, in the performance of his

or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Manchester Public Schools, pursuant to a contract with the Board.

"Sexual assault" means, for the purposes of the mandatory reporting laws and this policy, a violation of Sections 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the Connecticut General Statutes. Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

"Statutory mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101 et seq. to report suspected abuse and/or neglect of children or the sexual assault of a student by a school employee. The term "statutory mandated reporter" includes all school employees, as defined above, and any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics, and is eighteen years of age or older.

3. What Must Be Reported

a) 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 any child under the age of eighteen years:

- i) has been abused or neglected;
- ii) has had non-accidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon him/her;
- iii) is placed at imminent risk of serious harm; or

b) 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 any person, regardless of age, who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee:

- i) sexual assault in first degree;
- ii) aggravated sexual assault in the first degree;
- iii) sexual assault in the second degree;
- iv) sexual assault in the third degree;
- v) sexual assault in the third degree with a firearm; or

- vi) sexual assault in the fourth degree.

Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

- c) The suspicion or belief of a Board employee may be based on factors including, but not limited to, observations, allegations, facts or statements by a child or victim, as described above, or a third party. Such suspicion or belief does not require certainty or probable cause.

4. 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, or is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.

- (1) The employee shall make an oral report as soon as practicable, but not later than twelve (12) 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, or is a victim of sexual assault by a school employee.

(a). Such oral report shall be made by telephone or in person to the Commissioner of the Department of Children and Families ("DCF") or the local law enforcement agency. ~~The Department of Children and Families~~ DCF has established a 24 hour Child Abuse and Neglect Careline at 1-800-842-2288 for the purpose of making such oral reports.

(b). (a) An electronic report shall be made in the manner prescribed by the Commissioner ~~of Children and Families~~ DCF. An employee making an electronic report shall respond to further inquiries from the Commissioner of ~~Children and Families~~ DCF or designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee.

- (2) The employee shall also make an oral report as soon as practicable to the Building Principal or his/her designee, and/or the Superintendent or his/her designee. If the Building Principal is the alleged perpetrator of the abuse/neglect

or sexual assault of a student, then the employee shall notify the Superintendent or his/her designee directly.

(3) In cases involving suspected or believed abuse, neglect, or sexual assault of a student 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.

(4) Not later than forty-eight (48) hours after making an oral report, the employee shall submit a written **or electronic** report to the Commissioner of ~~Children and Families~~ DCF or the Commissioner's designee containing all of the required information. The written **or electronic** report should be submitted **in the manner prescribed by the Commissioner of DCF.** ~~on the DCF-136 form or any other form designated for that purpose.~~ **When such report is submitted electronically, the employee shall respond to further inquiries from the Commissioner of DCF or designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee.**

(5) The employee shall immediately submit a copy of the written **or electronic** report to the Building Principal or his/her designee and to the Superintendent or the Superintendent's designee.

(6) If the report concerns suspected abuse, neglect, or sexual assault of a student by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Commissioner of ~~Children and Families~~ DCF (or his/her designee) shall submit a copy of the written **or electronic** report to the Commissioner of Education (or his/her designee).

5. 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.

a) 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, or is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.

(1) The employee shall make an oral report as soon as practicable, but not later than twelve ~~(12)~~ hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected, placed at imminent risk of serious harm or is a victim of sexual assault by a school employee. 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.

(2) 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 or is a victim of sexual assault by school employee, he/she shall cause reports to be made in accordance with the procedures set forth for statutory mandated reporters.

- b) Nothing in this policy shall be construed to preclude an employee reporting suspected child abuse, neglect or sexual assault by a school employee from reporting the same directly to the Commissioner of ~~Children and Families~~ DCF.

6. Contents of Reports

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

- a) The names and addresses of the child* and his/her parents or other person responsible for his/her care;
- b) the age of the child;
- c) the gender of the child;
- d) the nature and extent of the child's injury or injuries, maltreatment or neglect;
- e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;
- f) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings;
- g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
- i) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;

- j) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
- k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

*For purposes of this Paragraph, the term “child” includes any victim of sexual assault by a school employee, as described in Paragraph 3,2 above.

7. Investigation of the Report

a) The Superintendent or his/her designee shall thoroughly investigate reports of suspected abuse, neglect or sexual assault if/when such report involves an employee of the Board of Education or other individual under the control of the Board, provided ~~such investigation does not impede an investigation by the Department of Children and Families (“DCF”).~~ the procedures in subparagraph (b), below are followed. In all other cases, DCF shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.

b) Recognizing that DCF is the lead agency for the investigation of child abuse and neglect reports and reports of a student’s sexual assault by school employees, the Superintendent’s investigation shall permit and give priority to any investigation conducted by the Commissioner of ~~Children and Families~~ DCF or the appropriate local law enforcement agency. The Superintendent shall conduct the district’s investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of ~~Children and Families~~ DCF or the appropriate local law enforcement agency that the district’s investigation will not interfere with the investigation of the Commissioner of ~~Children and Families~~ DCF or the local law enforcement agency.

c) The Superintendent shall coordinate investigatory activities in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate.

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

e) When the school district is conducting an investigation involving suspected abuse or neglect or sexual assault of a student by an employee of the Board or other individual under the control of the Board, the Superintendent’s investigation shall include an opportunity for the individual

suspected of abuse, neglect or sexual assault to be heard with respect to the allegations contained within the report. During the course of such investigation, the Superintendent may suspend a Board employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation. If the individual is one who provides services to or on behalf of students enrolled in the Manchester Public Schools, pursuant to a contract with the Board of Education, the Superintendent may suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the Manchester Public Schools, pending the outcome of the investigation.

8. Evidence of Abuse, Neglect or Sexual Assault by a School Employee

a) If, upon completion of the investigation by the Commissioner of ~~Children and Families~~ DCF ("Commissioner"), the Superintendent has received a report from the Commissioner that he or she has reasonable cause to believe that (1) a child has been abused or neglected by a school employee, as defined above, and the Commissioner has recommended that such employee be placed on the Department of ~~Children and Families~~ DCF child abuse and neglect registry, or (2) a student is a victim of sexual assault by a school employee, the Superintendent shall request (and the law provides) that DCF notify the Superintendent not later than five (5) working days after such finding, and provide the Superintendent with records, whether or not created by DCF, concerning such investigation. The Superintendent shall suspend such school employee. Such suspension shall be with pay and shall not result in the diminution or termination of benefits to such employee.

b) Not later than seventy-two (72) hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or the Commissioner of Education's representative, of the reasons for and the conditions of the suspension. The Superintendent shall disclose such records 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, if any.

c) The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the Superintendent and/or Board of Education acts pursuant to the provisions of Conn. Gen. Stat. §10-151. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.

d) The suspension of a school employee employed in a position requiring an authorization or permit shall remain in effect until the Superintendent and/or Board of Education acts pursuant to any applicable termination provisions. If the contract of employment of a school employee holding an authorization or permit from the State Department of Education is terminated, or such school employee resigns such employment, the Superintendent shall notify the

Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.

e) Regardless of the outcome of any investigation by the Commissioner of ~~Children and Families~~ DCF 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 or neglected by a school employee or that a student has been a victim of sexual assault by a school employee.

f) The Manchester Public Schools shall not employ a person whose employment contract is terminated or who resigned from employment following a suspension pursuant to Paragraph 8(a) of this policy and Conn. Gen. Stat. § 17a-101i, if such person is convicted of a crime involving an act of child abuse or neglect or an act of sexual assault of a student, as described in Paragraph ~~3~~2 of this policy.

9. Evidence of Abuse, Neglect or Sexual Assault by An Independent Contractor of the Board of Education

If the investigation by the Superintendent and/or the Commissioner of ~~Children and Families~~ DCF produces evidence that a child has been abused or neglected, or a student has been sexually assaulted, by any individual who provides services to or on behalf of students enrolled in the Manchester Public Schools, pursuant to a contract with the Board of Education, the Superintendent shall permanently suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the Manchester Public Schools.

10. 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.

11. Confidential Rapid Response Team

The Superintendent shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected abuse or neglect or sexual assault of a student by a school employee, as described in Paragraph ~~3~~2 above, and (2) provide immediate access to information and individuals relevant to the department's investigation. The confidential rapid response team shall consist of a teacher and the Superintendent, a local police officer and any other person the Board of Education, acting through its Superintendent, deems appropriate.

12. Disciplinary Action for Failure to Follow Policy

Except as provided in Section ~~12~~ 14 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.

13. Hiring of Personnel

The Manchester Public Schools shall not hire any person whose employment contract was previously terminated by a board of education or who resigned from such employment, if such person has been convicted of a violation of Section 17a-101a of the Connecticut General Statutes, as amended, relating to mandatory reporting, when an allegation of abuse or neglect or sexual assault has been substantiated.

14. Non-Discrimination Policy/Prohibition Against Retaliation

The Board of Education expressly prohibits retaliation against individuals reporting child abuse or neglect or the sexual assault of a student by a school employee and 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 or sexual assault by a school employee. The Board of Education also prohibits any employee from hindering or preventing or attempting to hinder or prevent any employee from making a report pursuant to this policy or state law concerning suspected child abuse or neglect or the sexual assault of a student by a school employee or testifying in any proceeding involving child abuse or neglect or the sexual assault of a student by a school employee.

15. Distribution of Policy and Posting of Careline Information

This policy shall be distributed annually to all school employees employed by the Board. The Board shall document that all such school employees have received this written policy and completed the training and refresher training programs required by in Section ~~14~~ 16, below. The Board shall post the Internet web site address and telephone number for the ~~Department of Children and Families~~ DCF Child Abuse and Neglect Careline in a conspicuous location frequented by students in each school under the jurisdiction of the Board.

16. Training

a) All new school employees, as defined above, shall be required to complete an educational training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program shall be developed and approved by the Commissioner of ~~Children and Families~~ DCF.

b) All school employees, as defined above, shall take a refresher training course developed and approved by the Commissioner of ~~Children and Families~~ DCF at least once every three years.

c) The principal for each school shall annually certify to the Superintendent that each school employee, as defined above, working at such school, is in compliance with the training provisions in this policy and as required by state law. The Superintendent shall certify such compliance to the State Board of Education.

17. Records

a) The Board shall maintain in a central location all records of allegations, investigations, and reports that a child has been abused or neglected by a school employee employed by the Board or that a student has been a victim of sexual assault by a school employee employed by the Board, as defined above, and conducted in accordance with this policy. Such records shall include any reports made to the ~~Department of Children and Families~~ DCF. The State Department of Education shall have access to such records upon request.

b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the Commissioner of ~~Children and Families~~ DCF, upon request and for the purposes of an investigation by the Commissioner of ~~Children and Families~~ DCF of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept on file by the Board. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of the Board, and records of the personal misconduct of such teacher. For purposes of this section, "teacher" includes each certified professional employee below the rank of superintendent employed by the Board in a position requiring a certificate issued by the State Board of Education.

18. Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure

The Manchester Board of Education has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of its sexual assault and abuse prevention and awareness program, as outlined in Board Policy ~~5142.2~~ **5142.2, Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure**. Upon receipt of any report of child sexual abuse and/or sexual assault from any source, a school employee shall report such suspicion to the Safe School Climate Coordinator in addition to complying with his/her obligations under this Policy and the law regarding mandatory reporting of abuse, neglect and sexual assault.

Legal References:

Connecticut General Statutes:

Section 10-151

[Section 10-221s](#)

Section 17a-101 et seq.

Section 17a-101q, Statewide Sexual Abuse and Assault Awareness and Prevention Program

Section 17a-103

Section 46b-120

Section 53a-65

~~Public Act 16-67, "An Act Concerning the Disclosure of Certain Education Personnel Records, Criminal Penalties for Threatening in Educational Settings and the Exclusion of a Minor's Name from Summary Process Complaints"~~

~~Public Act 16-188, "An Act Concerning Education Issues"~~

ADOPTED: February, 2017

REVISED: _____

Appendix A

RELEVANT EXCERPTS OF STATUTORY DEFINITIONS OF SEXUAL ASSAULT AND RELATED TERMS COVERED BY MANDATORY REPORTING LAWS AND THIS POLICY

An employee of the Board of Education must make a report in accordance with this policy when the 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 any person, regardless of age, who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee. The following are relevant excerpts of the sexual assault laws and related terms covered by mandatory reporting laws and this policy.

"Intimate Parts" (Conn. Gen. Stat. § 53a-65)

"Intimate parts" means the genital area or any substance emitted therefrom, groin, anus or any substance emitted therefrom, inner thighs, buttocks or breasts.

"Sexual Intercourse" (Conn. Gen. Stat. § 53a-65)

"Sexual intercourse" means vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Its meaning is limited to persons not married to each other. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body.

"Sexual Contact" (Conn. Gen. Stat. § 53a-65)

"Sexual contact" means any contact with the intimate parts of a person not married to the actor for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person or any contact of the intimate parts of the actor with a person not married to the actor for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person.

Sexual Assault in First Degree (Conn. Gen. Stat. § 53a-70)

A person is guilty of sexual assault in the first degree when such person (1) compels another person to engage in sexual intercourse by the use of force against such other person or a third person, or by the threat of use of force against such other person or against a third person which reasonably causes such person to fear physical injury to such person or a third person, or (2) engages in sexual intercourse with another person and such other person is under thirteen

years of age and the actor is more than two years older than such person, or (3) commits sexual assault in the second degree as provided in section 53a-71 and in the commission of such offense is aided by two or more other persons actually present, or (4) engages in sexual intercourse with another person and such other person is mentally incapacitated to the extent that such other person is unable to consent to such sexual intercourse.

Aggravated Sexual Assault in the First Degree (Conn. Gen. Stat. § 53a-70a)

A person is guilty of aggravated sexual assault in the first degree when such person commits sexual assault in the first degree as provided in section 53a-70 and in the commission of such offense (1) such person uses or is armed with and threatens the use of or displays or represents by such person's words or conduct that such person possesses a deadly weapon, (2) with intent to disfigure the victim seriously and permanently, or to destroy, amputate or disable permanently a member or organ of the victim's body, such person causes such injury to such victim, (3) under circumstances evincing an extreme indifference to human life such person recklessly engages in conduct which creates a risk of death to the victim, and thereby causes serious physical injury to such victim, or (4) such person is aided by two or more other persons actually present. No person shall be convicted of sexual assault in the first degree and aggravated sexual assault in the first degree upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information.

Sexual Assault in the Second Degree (Conn. Gen. Stat. § 53a-71)

A person is guilty of sexual assault in the second degree when such person engages in sexual intercourse with another person and: (1) Such other person is thirteen years of age or older but under sixteen years of age and the actor is more than three years older than such other person; or (2) such other person is impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual intercourse; or (3) such other person is physically helpless; or (4) such other person is less than eighteen years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; or (5) such other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (6) the actor is a psychotherapist and such other person is (A) a patient of the actor and the sexual intercourse occurs during the psychotherapy session, (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual intercourse occurs by means of therapeutic deception; or (7) the actor accomplishes the sexual intercourse by means of false representation that the sexual intercourse is for a bona fide medical purpose by a health care professional; or (8) the actor is a school employee and such other person is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (9) the actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and such other person is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction

in a secondary school setting, or (B) is under eighteen years of age; or (10) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and such other person is under eighteen years of age; or (11) such other person is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

Sexual Assault in the Third Degree (Conn. Gen. Stat. § 53a-72a)

A person is guilty of sexual assault in the third degree when such person (1) compels another person to submit to sexual contact (A) by the use of force against such other person or a third person, or (B) by the threat of use of force against such other person or against a third person, which reasonably causes such other person to fear physical injury to himself or herself or a third person, or (2) engages in sexual intercourse with another person whom the actor knows to be related to him or her within any of the degrees of kindred specified in section 46b-21.

Sexual Assault in the Third Degree with a Firearm (Conn. Gen. Stat. § 53a-72b)

A person is guilty of sexual assault in the third degree with a firearm when such person commits sexual assault in the third degree as provided in section 53a-72a, and in the commission of such offense, such person uses or is armed with and threatens the use of or displays or represents by such person's words or conduct that such person possesses a pistol, revolver, machine gun, rifle, shotgun or other firearm. No person shall be convicted of sexual assault in the third degree and sexual assault in the third degree with a firearm upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information.

Sexual Assault in the Fourth Degree (Conn. Gen. Stat. § 53a-73a)

A person is guilty of sexual assault in the fourth degree when: (1) Such person subjects another person to sexual contact who is (A) under thirteen years of age and the actor is more than two years older than such other person, or (B) thirteen years of age or older but under fifteen years of age and the actor is more than three years older than such other person, or (C) mentally incapacitated or impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual contact, or (D) physically helpless, or (E) less than eighteen years old and the actor is such other person's guardian or otherwise responsible for the general supervision of such other person's welfare, or (F) in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (2) such person subjects another person to sexual contact without such other person's consent; or (3) such person engages in sexual contact with an animal or dead body; or (4) such person is a psychotherapist and subjects another person to sexual contact who is (A) a patient of the actor and the sexual contact occurs during the psychotherapy session, or (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent

upon the actor, or (C) a patient or former patient of the actor and the sexual contact occurs by means of therapeutic deception; or (5) such person subjects another person to sexual contact and accomplishes the sexual contact by means of false representation that the sexual contact is for a bona fide medical purpose by a health care professional; or (6) such person is a school employee and subjects another person to sexual contact who is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (7) such person is a coach in an athletic activity or a person who provides intensive, ongoing instruction and subjects another person to sexual contact who is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (8) such person subjects another person to sexual contact and (A) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and (B) such other person is under eighteen years of age; or (9) such person subjects another person to sexual contact who is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

APPENDIX B

Operational Definitions of Child Abuse and Neglect

The purpose of this policy is to provide consistency for staff in defining and identifying operational definitions, evidence of abuse and/or neglect and examples of adverse impact indicators.

The following operational definitions are working definitions and examples of child abuse and neglect as used by the Connecticut ~~Department of Children and Families~~ DCF.

For the purposes of these operational definitions:

- a person responsible for a child's health, welfare or care means:
 - the child's parent, guardian, foster parent, an employee of a public or private residential home, agency or institution or other person legally responsible under State law for the child's welfare in a residential setting; or any staff person providing out-of-home care, including center-based child day care, family day care, or group day care.
- a person given access to a child is a person who is permitted to have personal interaction with a child by the person responsible for the child's health, welfare or care or by a person entrusted with the care of a child. ~~for the purpose of education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring or mentoring.~~
- a person entrusted with the care of a child is a person who is given access to a child by a person responsible for the health, welfare or care of a child for the purpose of providing education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring or mentoring.
- **Note:** Only a "child" as defined above may be classified as a victim of child abuse and/or neglect; only a "person responsible", "person given access", or "person entrusted" as defined above may be classified as a perpetrator of child abuse and/or neglect.
 - While only a child under eighteen may be a victim of child abuse or neglect, a report under mandatory reporting laws and this policy is required if an 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 any person, regardless of age, who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, as set forth in this policy, and the perpetrator is a school employee.

Physical Abuse

A child may be found to have been physically abused who:

has been inflicted with physical injury or injuries other than by accidental means,

is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment or cruel punishment, and/or has injuries at variance with the history given of them.

Evidence of physical abuse includes:

[excessive physical punishment](#)

bruises, scratches, lacerations

burns, and/or scalds

reddening or blistering of the tissue through application of heat by fire, chemical substances, cigarettes, matches, electricity, scalding water, friction, etc.

injuries to bone, muscle, cartilage, ligaments:

fractures, dislocations, sprains, strains, displacements, hematomas, etc.

head injuries

internal injuries

death

misuse of medical treatments or therapies

malnutrition related to acts of commission or omission by an established caregiver resulting in a child's malnourished state that can be supported by professional medical opinion

deprivation of necessities acts of commission or omission by an established caregiver resulting in physical harm to child

cruel punishment.

Sexual Abuse/Exploitation Sexual Abuse/Exploitation

Sexual Abuse/Exploitation is any incident involving a child's non-accidental exposure to sexual behavior.

Evidence of sexual abuse includes, but is not limited to the following:

rape

penetration: digital, penile, or foreign objects

oral / genital contact

indecent exposure for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim

incest

fondling, including kissing, for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim

sexual exploitation, including possession, manufacture, or distribution of child pornography.

online enticement of a child for sexual acts, child prostitution, child-sex tourism, unsolicited

obscene material sent to a child, or misleading domain name likely to attract a child to an inappropriate website

coercing or forcing a child to participate in, or be negligently exposed to, pornography and/or sexual behavior

disease or condition that arises from sexual transmission

other verbal, written or physical behavior not overtly sexual but likely designed to “groom” a child for future sexual abuse.

Legal References: Federal Law 18 U.S.C. 2215 Sexual Exploitation of Children.

Emotional Maltreatment-Abuse

Emotional Maltreatment-Abuse is:

act(s), statement(s), or threat(s), which

has had, or is likely to have an adverse impact on the child; and/or

interferes with a child’s positive emotional development.

Evidence of emotional maltreatment-abuse includes, but is not limited to, the following:

rejecting;

degrading;

isolating and/or victimizing a child by means of cruel, unusual, or excessive methods of discipline; and/or

exposing the child to brutal or intimidating acts or statements.

Indicators of Adverse Impact of emotional maltreatment-abuse may include, but are not limited to, the following:

depression;

withdrawal;

low self-esteem;

anxiety;

fear;

aggression/ passivity;

emotional instability;

sleep disturbances;

somatic complaints with no medical basis;

inappropriate behavior for age or development;

suicidal ideations or attempts;

extreme dependence;

academic regression;

and/or trust issues.

Physical Neglect

A child may be found neglected who:

has been abandoned;
is being denied proper care and attention physically, educationally, emotionally, or morally;
is being permitted to live under conditions, circumstances or associations injurious to his well-being; and/or
has been abused.

Evidence of physical neglect includes, but is not limited to:

inadequate food;
malnutrition;
inadequate clothing;
inadequate housing or shelter;
erratic, deviant, or impaired behavior by the person responsible for the child's health, welfare or care; by a person given access to the child; or by a person entrusted with the child's care which adversely impacts the child;
permitting the child to live under conditions, circumstances or associations injurious to his well-being including, but not limited to, the following:
substance abuse by caregiver, which adversely impacts the child physically
substance abuse by the mother of a newborn child and the newborn has a positive urine or meconium toxicology for drugs
psychiatric problem of the caregiver which adversely impacts the child physically
exposure to family violence which adversely impacts the child physically
exposure to violent events, situations, or persons that would be reasonably judged to compromise a child's physical safety
non-accidental, negligent exposure to drug trafficking and/or individuals engaged in the active abuse of illegal substances
voluntarily and knowingly entrusting the care of a child to individuals who may be disqualified to provide safe care, e.g. persons who are subject to active protective or restraining orders; persons with past history of violent/drug/sex crimes; persons appearing on the Central Registry
non-accidental or negligent exposure to pornography or sexual acts
inability to consistently provide the minimum of child-caring tasks
inability to provide or maintain a safe living environment
action/inaction resulting in death
abandonment
action/inaction resulting in the child's failure to thrive
transience
inadequate supervision:
creating or allowing a circumstance in which a child is alone for an excessive period of time given the child's age and cognitive abilities

holding the child responsible for the care of siblings or others beyond the child's ability failure to provide reasonable and proper supervision of a child given the child's age and cognitive abilities.

Note:

- Inadequate food, clothing, or shelter or transience finding must be related to caregiver acts of omission or commission and not simply a function of poverty alone.
- Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level.
- Adverse impact may not be required if the action/inaction is a single incident that demonstrates a serious disregard for the child's welfare.

Medical Neglect

Medical Neglect is the unreasonable delay, refusal or failure on the part of the person responsible for the child's health, welfare or care or the person entrusted with the child's care to seek, obtain, and/or maintain those services for necessary medical, dental or mental health care when such person knows, or should reasonably be expected to know, that such actions may have an adverse impact on the child.

Evidence of medical neglect includes, but is not limited to:

frequently missed appointments, therapies or other necessary medical and/or mental health treatments;

withholding or failing to obtain or maintain medically necessary treatment from a child with life-threatening, acute or chronic medical or mental health conditions; ~~and/or~~

withholding medically indicated treatment from disabled infants with life threatening conditions.

Note: Failure to provide the child with immunizations or routine well child care in and of itself does not constitute medical neglect.

Educational Neglect

Except as noted below, **Educational Neglect** occurs when, ~~by action or inaction, the parent or person having control of a child five (5) years of age and older and under eighteen (18) years of age who is not a high school graduate~~ a school-aged child has excessive absences from school through the intent or neglect of the parent or caregiver.

~~fails to register the child in school~~

~~fails to allow the child to attend school or receive home instruction in accordance with CONN. GEN. STAT. §10-184~~

~~failure to take appropriate steps to ensure regular attendance at school if the child is registered.~~

Definition of School-Aged Child: Except as noted below, a school-aged child is a child five years of age and older and under 18 years of age who is not a high school graduate.

Note: Excessive absenteeism and school avoidance may be presenting symptoms of a failure to meet the physical, emotional or medical needs of a child. Careline staff shall consider these potential additional allegations at the time of referral.

Criteria:

- For children school-aged to age 12, excessive absenteeism may be indicative of the parent's or caregiver's failure to meet the educational needs of a student.
- For children older than age 12, excessive absenteeism, coupled with a failure by the parent or caregiver to engage in efforts to improve the child's attendance, may be indicative of educational neglect.
- For children older than age 12, excessive absenteeism through the child's own intent, despite the parent's or caregiver's efforts, is not educational neglect. Rather, this is truancy, which is handled through the school district.

Child's Characteristics. In determining the criteria for excessive absenteeism, the following characteristics of the child shall be considered by the social worker:

- Age
- Health;
- Level of functioning;
- Academic standing; and
- Dependency on parent or caregiver

Parent or Caregiver's Characteristics. In determining the criteria for excessive absenteeism, the following characteristics of the parent or caregiver shall be considered by the social worker:

- Rationale provided for the absences;
- Efforts to communicate and engage with the educational provider; and
- Failure to enroll a school-aged child in appropriate educational programming (including homeschooling).

Exceptions (in accordance with Conn. Gen. Stat. § 10-184):

1. A parent or person having control of a child may exercise the option of not sending the child to school at age five (5) or age six (6) years by personally appearing at the school district office and signing an option form. In these cases, educational neglect occurs if the parent or person having control of the child has registered the child at age five (5) or age (6) years and then does not allow the child to attend school or receive home instruction.

~~**Note:** Failure to sign a registration option form for such a child is not in and of itself educational neglect.~~

2. A parent or person having control of a child seventeen (17) years of age may consent to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form.

Note: Failure to sign a registration option form for such child is not in and of itself educational neglect.

Emotional Neglect

Emotional Neglect is the denial of proper care and attention, or failure to respond to a child's affective needs by the person responsible for the child's health, welfare or care; by the person given access to the child; or by the person entrusted with the child's care which has an adverse impact on the child or seriously interferes with a child's positive emotional development.

Note: Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level. Adverse impact is not required if the action/inaction is a single incident which demonstrates a serious disregard for the child's welfare.

Note: The adverse impact may result from a single event and/or from a consistent pattern of behavior and may be currently observed or predicted as supported by evidenced based practice.

Evidence of emotional neglect includes, but is not limited to, the following:

- inappropriate expectations of the child given the child's developmental level;
- failure to provide the child with appropriate support, attention and affection;
- permitting the child to live under conditions, circumstances or associations; injurious to his well-being including, but not limited to, the following:
 - substance abuse by caregiver, which adversely impacts the child emotionally;
 - psychiatric problem of the caregiver, which adversely impacts the child emotionally;
 - exposure to family violence which adversely impacts the child emotionally.

Indicators may include, but are not limited to, the following:

- Depression;
- withdrawal;
- low self-esteem;
- anxiety;
- fear;
- aggression/ passivity;
- emotional instability;
- sleep disturbances;
- somatic complaints with no medical basis;

- inappropriate behavior for age or development;
- suicidal ideations or attempts;
- extreme dependence;
- academic regression;
- trust issues.

Moral Neglect

Moral Neglect: Exposing, allowing, or encouraging the child to engage in illegal or reprehensible activities by the person responsible for the child's health, welfare or care or person given access or person entrusted with the child's care.

Evidence of Moral Neglect includes but is not limited to:

Stealing;

using drugs and/or alcohol;

and involving a child in the commission of a crime, directly or by caregiver indifference.

Appendix C

INDICATORS OF CHILD ABUSE AND NEGLECT

Indicators of Physical Abuse

HISTORICAL

Delay in seeking appropriate care after injury.

No witnesses.

Inconsistent or changing descriptions of accident by child and/or parent.

Child's developmental level inconsistent with history.

History of prior "accidents".

Absence of parental concern.

Child is handicapped (physically, mentally, developmentally) or otherwise perceived as "different" by parent.

Unexplained school absenteeism.

History of precipitating crisis

PHYSICAL

Soft tissue injuries on face, lips, mouth, back, buttocks, thighs or large areas of the torso;

Clusters of skin lesions; regular patterns consistent with an implement;

Shape of lesions inconsistent with accidental bruise;

Bruises/welts in various stages of healing;

Burn pattern consistent with an implement on soles, palms, back, buttocks and genitalia; symmetrical and/or sharply demarcated edges;

Fractures/dislocations inconsistent with history;

Laceration of mouth, lips, gums or eyes;

Bald patches on scalp;

Abdominal swelling or vomiting;

Adult-size human bite mark(s);

Fading cutaneous lesions noted after weekends or absences;

Rope marks.

BEHAVIORAL

Wary of physical contact with adults;

Affection inappropriate for age

Extremes in behavior, aggressiveness/withdrawal;

Expresses fear of parents;

Reports injury by parent;

Reluctance to go home;

Feels responsible (punishment "deserved");
Poor self-esteem;
Clothing covers arms and legs even in hot weather.

Indicators of Sexual Abuse

HISTORICAL

Vague somatic complaint;
Excessive school absences;
Inadequate supervision at home;
History of urinary tract infection or vaginitis;
Complaint of pain; genital, anal or lower back/abdominal;
Complaint of genital itching;
Any disclosure of sexual activity, even if contradictory.

PHYSICAL

Discomfort in walking, sitting;
Evidence of trauma or lesions in and around mouth;
Vaginal discharge/vaginitis;
Vaginal or rectal bleeding;
Bruises, swelling or lacerations around genitalia, inner thighs;
Dysuria;
Vulvitis;
Any other signs or symptoms of sexually transmitted disease;
Pregnancy.

BEHAVIORAL

Low self-esteem;
Change in eating pattern;
Unusual new fears;
Regressive behaviors;
Personality changes (hostile/aggressive or extreme compliance);
Depression;
Decline in school achievement;
Social withdrawal; poor peer relationship;
Indicates sophisticated or unusual sexual knowledge for age;
Seductive behavior, promiscuity or prostitution;
Substance abuse;
Suicide ideation or attempt;

Runaway.

Indicators of Emotional Abuse

HISTORICAL

Parent ignores/isolates/belittles/rejects/scapegoats child
Parent's expectations inappropriate to child's development
Prior episode(s) of physical abuse
Parent perceives child as "different"

PHYSICAL

(Frequently none);
Failure to thrive;
Speech disorder;
Lag in physical development;
Signs/symptoms of physical abuse.

BEHAVIORAL

Poor self-esteem
Regressive behavior (sucking, rocking, enuresis)
Sleep disorders
Adult behaviors (parenting sibling)
Antisocial behavior;
Emotional or cognitive developmental delay;
Extremes in behavior - overly aggressive/compliant;
Depression;
Suicide ideation/attempt.

Indicators of Physical Neglect

HISTORICAL

High rate of school absenteeism;
Frequent visits to school nurse with nonspecific complaints;
Inadequate supervision, especially for long periods and for dangerous activities;
Child frequently unattended; locked out of house;
Parental inattention to recommended medical care
No food intake for 24 hours;
Home substandard (no windows, doors, heat), dirty, infested, obvious hazards;
Family member addicted to drugs/alcohol.

PHYSICAL

Hunger, dehydration;

Poor personal hygiene, unkempt, dirty;

Dental cavities/poor oral hygiene;

Inappropriate clothing for weather/size of child, clothing dirty; wears same clothes day after day;

Constant fatigue or listlessness;

Unattended physical or health care needs;

Infestations;

Multiple skin lesions/sores from infection.

BEHAVIORAL

Comes to school early, leaves late;

Frequent sleeping in class;

Begging for/stealing food;

Adult behavior/maturity (parenting siblings);

Delinquent behaviors;

Drug/alcohol use/abuse.

ALCOHOL, TOBACCO AND DRUG-FREE WORKPLACE

PURPOSE

The purpose of this policy is to establish a workplace which is free of the effects of alcohol and second-hand smoke, and free from drug abuse. By accomplishing this purpose, the Board also seeks to promote a safe, healthy working environment for all employees and to reduce absenteeism, tardiness and other job performance problems which may be caused by alcohol and/or drug abuse. This policy is adopted in accordance with state law and the Drug Free Workplace Act.

STATEMENT OF POLICY

Employees shall not be involved with the unlawful manufacture, distribution, possession, or use of an illegal drug, controlled substance or alcohol and shall not be under the influence of such substances while on school property or while conducting Board business on or off school property. Any employee who discovers illegal drugs or alcohol on school property shall notify the Superintendent or his/her designee who shall investigate the matter. An employee must report any conviction under a criminal drug statute for violations occurring on or off school property while on Board business, to the Superintendent or his/her designee within five (5) days after the conviction. The Board will notify any agency awarding a grant to the Board of such conviction, within ten (10) days thereafter. Employees shall only use prescription drugs on school property, or during the conduct of Board business, that have been prescribed by a licensed medical practitioner, and such drugs shall be used only as prescribed. However, in accordance with Conn. Gen. Stat. § 21a-408a through 408q, the Board specifically prohibits the palliative use of marijuana on school property, at a school-sponsored activity, or during the conduct of Board business, and specifically prohibits employees from being under the influence of intoxicating substances, including marijuana used for palliative purposes, during work hours.

The Board prohibits smoking, including smoking using an electronic nicotine delivery system, and the use of tobacco products on school property, including property owned, leased, contracted for, or utilized by the Board, or at any school-sponsored activity. For purposes of this policy, the term “electronic nicotine delivery system” shall mean an electronic device ~~that may be used to simulate smoking~~ in the delivery of nicotine or other ~~substance~~ substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, ~~and the~~ including, but not limited to, electronic cigarette liquid. The term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not ~~contain~~ include nicotine, ~~that~~ and is inhaled by the user of such product.

Violations of this policy may result in disciplinary action, up to and including possible termination of employment.

DEFINITIONS

“School property” means any land and all temporary and permanent structures comprising the district’s elementary and secondary schools, and administrative office building and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots.

School-sponsored activity” means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property.

EMPLOYEE ASSISTANCE

In appropriate circumstances, the Board shall provide an employee with an opportunity for rehabilitation in overcoming addiction to, dependence upon or other problem with alcohol or drugs. An employee who feels he or she has developed an addiction to, dependence upon or other problem with alcohol or drugs, is encouraged to seek assistance. Certain benefits for alcoholism or drug addiction are provided under the Board's group medical insurance plan. An employee may be given an opportunity to participate in a rehabilitation program which requires absence from work for bona fide treatment. Such absence may be charged to the employee's accrued and unused sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any applicable Board policies and regulations. Any request for assistance with a drug or alcohol problem will be treated as confidential and only those persons "needing to know" will be made aware of such request.

Legal References:

Connecticut General Statutes:

[Public Act 19-13](#)

Conn. Gen. Stat. § 10-233a(h) (definition of school-sponsored activity)

[Conn. Gen. Stat. §19a-342](#)

[Conn. Gen. Stat. §19a-342a](#)

Conn. Gen. Stat. § 21a-408a through 408q (palliative use of marijuana)

United States Code:

Safe and Drug-Free Schools and Community Act, 41 U.S.C. Section 7101 et seq.

Pro-Children Act of 2001, 20 U.S.C. § 7973, as amended by the Every Student Succeeds Act, Public Law 114-95, § 4001

ADOPTED _____

Personnel**4013****Sexual Harassment and Sex Discrimination in the Workplace****STATEMENT**

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

Discrimination

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

Harassment

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

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

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

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

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

Legal References:

United States Constitution, Amendment XIV

Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a).

Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990.

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

Title IX of the Education Amendments of 1972, 34 CFR § 106, et seq.

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

Public Act 19-16, "An Act Combatting Sexual Assault and Sexual Harassment"

Public Act 19-93, "An Act Concerning Sexual Harassment and Sexual Assault"

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

Connecticut General Statutes § 46a-60 Discriminatory employment practices prohibited.

Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207

ADOPTED:11.13.13

REVISED: _____

Personnel

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

Name of the complainant : _____

Date of the complaint: _____

Date of the alleged discrimination/harassment : _____

Name or names of the discriminator(s) or harasser(s): _____

Location where such discrimination/harassment occurred: _____

Name(s) of any witness(es) to the discrimination/harassment: _____

Detailed statement of the circumstances constituting the alleged discrimination or

harassment: _____

Personnel

4013

ADMINISTRATIVE REGULATIONS REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT IN THE WORKPLACE (PERSONNEL)

[Note: The following administrative procedures are not part of the sex discrimination and sexual harassment policy and need not be approved by the Board, unless such approval is required per Board policy. However, because a complaint procedure is legally required, these administrative regulations are included for your convenience.]

Manchester Board of EducationSex Discrimination and Sexual Harassment Complaint ProcedureComplaint Procedure

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

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

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

Any employee who believes that he or she has been discriminated against or sexually harassed in the workplace in violation of this policy may also file a complaint with the Eastern Region Office of the Connecticut Commission on Human Rights and Opportunities, 100 Broadway, Norwich, Connecticut 06360, telephone (860)-886-5703, and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER 800-669-4000). Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within 180300 days of the date when the alleged discrimination/harassment occurred. Remedies for sex discrimination and sexual harassment include cease and desist orders, back pay, compensatory damages, punitive damages, hiring, promotion or reinstatement.

Title IX Coordinator

The Title IX Coordinator for the Manchester Board of Education is: Sinthia Sone-Moyano, whose office is located at 45 North School Street, Manchester, Connecticut 06457 and whose telephone number is 860-647-3451.

[Note: Although we have included this sample notice in our model policy documents for the convenience of our Board of Education clients, the notice does not need to be approved as a Board policy.]

[To be posted in a conspicuous place readily available

for viewing by employees and emailed to employees within three months of hire with the subject line “Sexual Harassment Policy” or words of similar import]

SEXUAL HARASSMENT IS ILLEGAL

AND IS PROHIBITED

BY

THE CONNECTICUT ~~DISCRIMINATORY~~ DISCRIMINATION EMPLOYMENT PRACTICES
ACT

(Section 46a-60(a)(8) of the Connecticut General Statutes)

AND

TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

(42 United States Code Section 2000e et seq.)

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

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

Examples of sexual harassment include:

Unwelcome sexual advances

Suggestive or lewd remarks

Unwanted hugs, touches, kisses

Requests for sexual favors

RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT

Derogatory or pornographic posters, cartoons, or drawings.

Remedies for sexual harassment may include:

Cease and desist orders

Back pay

Compensatory damages

Punitive Damages

Hiring, promotion, or reinstatement

Retaliation against any employee for complaining about sexual harassment is prohibited under this policy and is illegal.

Violation of this policy is grounds for discipline, including discharge.

Individuals who engage in acts of sexual harassment may also be subject to civil and criminal penalties.

An infraction of this policy by supervisors or co-workers should be reported immediately to Sinthia Sone-Moyano Title IX Coordinator, or Superintendent if the Title IX Coordinator is the Subject of the complaint. Confidentiality will be maintained to the extent possible.

Any employee who believes that he or she has been harassed or discriminated against in the workplace in violation of this policy may also contact:

The Connecticut Commission on Human Rights and Opportunities

Eastern Region Office

100 Broadway

Norwich, CT 06360

(860)-886-5703

and/ or:

The Equal Employment Opportunity Commission

Boston Area Office

John F. Kennedy Federal Building

475 Government Center

Boston, MA 02203

Phone (800) 669-4000

Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within ~~one~~^{three} hundred ~~and eighty (180)~~⁽³⁰⁰⁾ days of the date when the alleged harassment/ discrimination occurred.

PERSONNEL

4114

NON-DISCRIMINATION

The Manchester Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, [alienage](#), ancestry, disability, pregnancy, genetic information, veteran status or gender identity or expression, except in the case of a bona fide occupational qualification.

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, religion, color, national origin, [alienage](#), sex, sexual orientation, marital status, age, disability, pregnancy, genetic information, veteran status or gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, [alienage](#), disability (including pregnancy), veteran status or gender identity or expression.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity

or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Any employee wishing to file a complaint regarding discrimination may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations accompany Board Policy # 4114 and are available online at www.mpspride.org or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy # 4013 Sex Discrimination/Harassment in the Workplace; Policy #4012 Section 504/ADA).

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office

U.S. Department of Education

8th Floor

5 Post Office Square

Boston, MA 02109- 3921

(617) 289-0111

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office

John F. Kennedy Federal Building

475 Government Center

Boston, MA 02203

(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities

450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

Ms. Sinthia Sone-Mayano
Director of Human Resources
45 North School Street
Manchester, CT 06042
860-647-5041

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

Ms. Sinthia Sone-Mayano
Director of Human Resources
45 North School Street
Manchester, CT 06042
860-647-5041

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of disability may contact the Board's Section 504/ADA Coordinator:

Ms. Sarah Burke
Director of Pupil Personnel Services
45 North School Street
Manchester, CT 06042
860-647-5041

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
Age Discrimination in Employment Act, 29 U.S.C. § 621
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L. 110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq. [1-1n, “Gender Identity or Expression” defined Connecticut General Statutes §](#)
[Connecticut General Statutes § 10-153. Discrimination on basis of marital status](#)
[Connecticut General Statutes § 46a-58. Deprivation of Rights](#)
Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-60
Connecticut General Statutes § 46a-81a Discrimination on basis of sexual orientation:
Definitions
Connecticut General Statutes § 46a-81c Sexual orientation discrimination: Employment.
~~Public Act 17-127, An Act Concerning Discriminatory Practices Against Veterans, Leaves of Absence for National Guard Members, Application for Certain Medicaid Programs, and Disclosure of Certain Records to Federal Military Law Enforcement.~~

ADOPTED: 6-9-14

Revised: January 2018

Adopted: February 2018

Revised: _____

ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (PERSONNEL)

It is the policy of the Manchester Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), genetic information, veteran status or gender identity or expression is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is the express policy of Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, marital status, sexual orientation, national origin, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled, as appropriate, in accordance with other Board policies (e.g., Policy 4013, Sex Discrimination/Harassment in the Workplace (Personnel) and Policy #4012 Section 504/ADA (Personnel)).

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), genetic information, gender identity or expression, or veteran status. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and implementing Administrative Regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as an individual feels that he or she has been subjected to discrimination or harassment

on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), genetic information, gender identity or expression, or veteran status he/she should make a written complaint to the Superintendent, or his/her designee. The individual and any respondent (if applicable) will be provided a copy of the Board's policy and regulation and made aware of his/her rights.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed Remedy

Any individual who makes an oral complaint of harassment or discrimination will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the staff member receiving the oral complaint will either reduce the complaint to writing or assist the individual with completing the written complaint form.

All complaints received by staff members are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent or his/her designee shall promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator ("respondent") and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation

to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination, the investigator should: offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;

1. provide the complainant and respondent (if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
2. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
3. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
4. confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
5. communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be extended by fifteen (15) business days during periods of time when school is in session or reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
6. if a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary (see sub- paragraph 6);
7. whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the

recurrence of the harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;

8. if either party to the complaint is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the party requesting an appeal, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) following the receipt of the written request for review.

If a complaint involves allegations of discrimination harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy #4013) Sex Discrimination/ Harassment in the Workplace; Policy #4012 Section 504/ADA).

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office of Civil Rights
U.S. Department of Education 8th
Floor
5 Post Office Square, Suite 900
Boston, MA 02109-3921
(617) 289-0111

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities 450
Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator.

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of disability may contact the Board's Section 504/ADA Coordinator

Revised: January 2018

Adopted: February 2018

DISCRIMINATION COMPLAINT FORM

(For Complaints Based on race, color, religion, age, sex, marital status, sexual orientation, national origin, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression)

Name of the complainant

Date of the complaint

Date of the alleged discrimination/harassment

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

Location where such discrimination/harassment occurred

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

Detailed statement of the circumstances constituting the alleged discrimination or harassment

EMPLOYMENT AND STUDENT TEACHER CHECKS**4000**

As set forth below, each applicant for a position with the district ~~shall be asked~~, and each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience in the district, shall be asked to provide in writing: (1) whether he/she has ever been convicted of a crime; ~~(2) whether there are any criminal charges pending against him/her~~ and at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending; and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). If the applicant’s current or most recent employment occurred out of state, the applicant will also be asked whether he/she is included on an equivalent database and/or abuse/neglect registry maintained in that other state.* Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

In addition, the district shall conduct an employment history check for each applicant for a position, as set forth below.

For the purposes of this policy:

“Sexual misconduct means” any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“Abuse or neglect” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“Former employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

I. Employment History Check procedures

- A. The district shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the district:

1. Requiring the applicant:

- a. to list the name, address, and telephone number of each current or former employer (please note the definition of “former employer” ~~employer~~ above, including the applicable twenty year reporting period) during any of the previous twenty years; ~~if~~, if
 - i. such current or former employer was a local or regional board of education, council of a state or local charter school, interdistrict magnet

- school operator, or a supervisory agent of a nonpublic school, and/or
- ii. the applicant's employment with such current or former employer caused the applicant to have contact with children; -

b. to submit a written authorization that

- (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the information requested under paragraph I.A.2 of this policy and the release of related records by such employers,
- (ii) consents to and authorizes disclosure by the Department of Education of the information requested under paragraph I.A.3 of this policy and the release of related records by the department, and
- (iii) releases those employers and the Department of Education from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and

c. to submit a written statement of whether the applicant

- (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
- (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g or abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
- (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;

2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department of Education, which shall request the following:
 - a. the dates employment of the applicant, and
 - b. a statement as to whether the employer has knowledge that the applicant:
 - (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated;
 - (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or
 - (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct. Such review may be conducted telephonically or through written communication. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the district receives a request for such information about an employee or former employee, the district shall respond with such information. The district may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (f), such employer shall respond not later than five (5) business days after receiving such request.
3. Requesting information from the Department of Education concerning:
 - a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,
 - b. whether the Department of Education has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
 - c. whether the Department of Education has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.

- B. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, if the district receives information that an applicant for a position with or an employee of the board has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of Education of such information.
- C. The district shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The district may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the district's review of information received under this section, provided:
 - 1. The applicant complied with paragraph I.A.1 of this policy;
 - 2. The district has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the district; and
 - 3. The applicant affirms that the applicant is not disqualified from employment with the district.
- E. The district shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
 - 1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
 - 2. Affects the ability of the district to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
 - 3. Requires the district to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the district, unless, after investigation, such allegation is dismissed or found to be false.
- F. The district shall not offer employment to a person as a substitute teacher, unless such person and the district comply with the provisions of paragraph I.A of this policy. The district shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The district shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the district as a substitute teacher as described in paragraph III.B.2 of this policy, provided the district does not have any knowledge of a reason that such person should be removed from such list.

- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a. and I.A.1.c of this policy and a written authorization under paragraph I.A.1.b. of this policy. Such contractor shall contact any current or former employer (please note the definition of “former employer” ~~employer~~ above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee’s employment with such current or former employer employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the district, either telephonically or through written communication. If the district receives such information, it shall determine whether such employee may work in a position involving direct student contact at any school in the district. No determination by the district that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.
- H. Any applicant who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the district that may include
1. denial of employment, or
 2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151.
- I. If the district provides information in accordance with paragraph I.A.2. or I.G. of this policy, the district shall be immune from criminal and civil liability, provided the district did not knowingly supply false information.
- J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (f) of Conn. Gen. Stat. § 31-51i, the district shall provide, upon request by another local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G. of this policy or to the Commissioner of Education pursuant to paragraph I.B. of this policy any information that the district has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.

- K. Prior to offering employment to an applicant, the district shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school, or if the applicant’s employment with such current or former employer caused the applicant to have contact with children in order to obtain information and recommendations that may be relevant to the applicant’s fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.
- L. The district shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

II. DCF Registry Checks

Prior to hiring any person for a position with the district, and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district begins such student teaching experience, begins such student teaching experience, the district shall require such applicant or student to submit to a records check of information maintained on the Registry concerning the applicant.

For any applicant whose current or most recent employment occurred out of state, the district shall request that the applicant provide the district with authorization to access information maintained concerning the applicant by the equivalent state agency in the state of most recent employment, if such state maintains information about abuse and neglect and has a procedure by which such information can be obtained. Refusal to permit the district to access such information shall be considered grounds for rejecting any applicant for employment.

The district shall request information from the Registry or its out of state equivalent promptly, and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

- A. No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or designee will either obtain the information from the Registry or, if the applicant’s consent is required to access the information, will supply the applicant with the release form utilized by DCF, or its out of state equivalent when available, for obtaining information from the Registry.

- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF or its out of state equivalent, with a copy to the Superintendent or his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- C. Upon receipt of Registry or out-of-state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.
- D. If notification is received by the Superintendent or designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.

III. Criminal Records Check Procedure

- A. ~~Each person hired by the district shall be required to submit to state and national criminal record checks within thirty (30) calendar days from the date of employment. Each person otherwise placed within a school under any public assistance employment program, employed by a provider of supplemental services pursuant to federal law or in a nonpaid, noncertified position completing preparation requirements for the issuance of an educator certificate, who performs a service involving direct student contact shall~~ also student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district shall be required to submit to state and national criminal record checks within ~~thirty~~ sixty (60) calendar days from the date such ~~worker student~~ begins to perform such student teaching experience service. Record checks will be processed according to the following procedure:*

1. No later than five (5) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or his/her designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Manchester Police, their designee, or C.R.E.C. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks. The Superintendent or his/her designee will also provide each applicant with the following notifications before the applicant obtains his/her fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.
2. No later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Manchester Police, their designee, or C.R.E.C. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks. [Fees and costs associated with the fingerprinting process and the submission and process of requests are waived for student teachers, in accordance with state law.](#)
4. Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check. The affected applicant/employee may notify the Superintendent or his/her designee in writing within five (5) calendar days that the affected/employee will challenge his/her criminal history record check. Upon written notification to the Superintendent or his/her designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or his/her designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or his/her designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.

5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Notwithstanding anything in Paragraph E of Section III of this Policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in Paragraph D of Section III of this Policy,

above.

B. Criminal Records Check for Substitute Teachers:

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for prior criminal history record checks to be forwarded to the Superintendent then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.
2. If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district, provided a substitute teacher is subjected to such checks at least once every five years.

such

IV. Sex Offender Registry Checks

School district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience. Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the school district.

V. Credit Checks

The district may also ask a prospective employee for a credit report for employment for certain district positions, where the district's receipt of a credit report is substantially related to the employee's potential job. Substantially related is defined to mean "the information contained in the credit report is related to the position for which the employee or prospective employee who is the subject of the report is being evaluated." Prior to asking for a credit report, the district will determine whether the position falls within one of the categories as described in this paragraph. The position must: (1) be a managerial position which involves setting the direction or control of the district; (2) involve access to employees' personal or financial information; (3) involve a fiduciary responsibility to the district, including, but not limited to, the authority to issue payments, collect debts, transfer money or enter into contracts; (4) provide an expense account or district debit or credit card; or (5) involve access to the district's nonfinancial assets valued at two thousand five dollars or more.

When a credit report will be requested as part of the employment process, the district will provide written notification to prospective employee regarding the use of credit checks. That notification must be provided in a document separate from the employment application. The notification must state that the district may use the information in the consumer credit report to make decisions related to the individual's employment.

The district will obtain consent before performing the credit or other background checks. If the district intends to take an action adverse to a potential employee based on the results of a credit report, the district must provide the prospective employee with a copy of the report on which the district relied in making the adverse decision, as well as a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act," which should be provided by the company that provides the results of the credit check. The district will notify the prospective employee either orally, in writing or via electronic means that the adverse action was taken based on the information in the consumer report. That notice must include the name, address and phone number of the consumer reporting company that supplied the credit report; a statement that the company that supplied the report did not make the decision to take the unfavorable action and cannot provide specific reasons for the district's actions; and a notice of the person's right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and to get an additional free report from the company if the person asks for it within sixty (60) calendar days.

VI. Notice of Conviction

If, at any time, the Board of Education receives notice of a conviction of a crime by ~~(1)~~ a person holding a certificate, authorization or permit issued by the State Board of Education, ~~or (2) a person employed by a provider of supplemental services;~~ the Board shall send such notice to the State Board of Education. In complying with this requirement, the district shall not disseminate the results of any national criminal history records check.

VII. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the Board of Education shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

VIII. Personal Online Accounts

For purposes of these Administrative Regulations, “personal online account” means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the Board, including, but not limited to, electronic mail, social media and retail-based Internet web sites. “Personal online account” does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the Board.

A. During the course of an employment check, the Board may not:

1. request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing a personal online account;
2. request or require that an applicant authenticate or access a personal online account in the presence of the Board; or
3. require that an applicant invite a supervisor employed by the Board or accept an invitation from a supervisor employed by the Board to join a group affiliated with any personal online account of the applicant.

B. The Board may request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing:

1. any account or service provided by Board or by virtue of the applicant’s employment relationship with the Board or that the applicant uses for the Board’s business purposes, or
2. any electronic communications device supplied or paid for, in whole or in part, by the Board.

- C. In accordance with applicable law, the Board maintains the right to require an applicant to allow the Board to access his or her personal online account, without disclosing the user name and password, password or other authentication means for accessing such personal online account, for the purpose of:
1. conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an applicant's personal online account; or
 2. conducting an investigation based on the receipt of specific information about an applicant's unauthorized transfer of the Board's proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

IX. School Volunteers

Procedures for school volunteers and chaperones are outlined in Policy 1401

- X. Policy Inapplicable to Operators of School Transportation Vehicles and Students Employed by the School District
- A. This policy will not apply to an operator of a school transportation vehicle who is already required to submit to a criminal history records check pursuant to Connecticut General Statutes 14-44 (d).
 - B. This policy will also not apply to a student employed by the local or regional school district in which the student attends school.

XI. Falsification of Records.

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References:

- Conn. Gen. Stat. § 10-212.
- Conn. Gen. Stat. § 10-221d.
- Conn. Gen. Stat. § 10-222c
- Conn. Gen. Stat. § 31-40x
- Conn. Gen. Stat. § 31-51i
- Conn. Gen. Stat. § 31-51tt

the Education Statutes.”

~~Public Act 17-220, “An Act Concerning Education Mandate Relief.”~~

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

Adopted: - 1994

Revised: - August 23, 2010

Revised: - February 25, 2013

Revised – March 13, 2017

Revised – March 26, 2018

Agency Privacy Requirements for Noncriminal Justice Applicants

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as a job or license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy.

- Officials must provide to the applicant written notice¹ that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the job, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- Officials should not deny the job, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.²

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

If you need additional information or assistance, contact:

<p align="center">Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480</p>	<p align="center">Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306</p>
--	--

¹ Written notification includes electronic notification, but excludes oral notification.

² See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).

Noncriminal Justice Applicant's Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification³ by _____ that your fingerprints will be used to check the criminal history records of the FBI.
- If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the job, license, or other benefit based on information in the criminal history record.⁴
- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁵
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/about-us/cjis/background-checks>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI at the same address as provided above. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)
- If you need additional information or assistance, please contact:

Connecticut Records:

**Department of Emergency Services and Public Protection
State Police Bureau of Identification (SPBI)
1111 Country Club Road
Middletown, CT 06457
860-685-8480**

Out-of-State Records:

**Agency of Record
OR
FBI CJIS Division-Summary Request
1000 Custer Hollow Road
Clarksburg, West Virginia 26306**

³ Written notification includes electronic notification, but excludes oral notification.

⁴ See 28 CFR 50.12(b).

⁵ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

Federal Bureau of Investigation
United States Department of Justice
Privacy Act Statement

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Social Security Account Number (SSAN). Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

Additional Information: The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any systems(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).