

**ENFIELD BOARD OF EDUCATION  
ENFIELD, CONNECTICUT  
Council Chambers  
8200 Enfield Street  
Enfield, CT  
7:00 PM Regular Meeting**

**Time-Place:**

**Date: 01/08/19**

- 1. Call to Order – 7:00 PM**
- 2. Invocation or Moment of Silence – Sarah Hernandez**
- 3. Pledge of Allegiance – Sarah Hernandez**
- 4. Fire Evacuation Announcement**
- 5. Roll Call**
- 6. Board Guest(s)**
  - a. ETLA**
- 7. Superintendent's Report**
  - a. Student Representatives**
  - b. MLK Day - NS**
  - c. January Events**
- 8. Audiences**
- 9. Board Members' Comments**
- 10. Unfinished Business**
  - a. BOE Policies - Approve 4000 Series (First Section) – Second Reading**
- 11. New Business**
  - a. Superintendent's FY2019/20 Budget Presentation**
  - b. January 22<sup>nd</sup> BOE Meeting – Location Change Needed**
- 12. Board Committee Reports**

<b>a. Curriculum Committee</b>	<b>e. Joint Facilities Committee</b>
<b>b. Finance, Budget Committee</b>	<b>f. JFK Building Committee</b>
<b>c. Policy Committee</b>	<b>g. Any other Committees</b>
<b>d. Leadership Committee</b>	
- 13. Approval of Minutes:**
  - Regular BOE Meeting Minutes – December 11, 2018**
- 14. Approval of Accounts and Payroll**
- 15. Correspondence and Communications**
- 16. Executive Session**
  - Matter(s) Related to Personnel**
- 17. Adjournment**



**Date:** January 8, 2019  
**To:** Enfield Board of Education  
**From:** Mr. Christopher J. Drezek  
**Re:** Board Guest(s)

- a. ETLA: Tonight, we welcome our Enfield Transitional Learning Academy (ETLA) Special Education Teacher Maureen LaFrancis. She will introduce the students that are present from the Alcorn ETLA program. The students will give the Board an update about the program.



**Date:** January 8, 2019  
**To:** Enfield Board of Education  
**From:** Mr. Christopher J. Drezek  
**Re:** Superintendent's Report

- a. **Student Representatives:** Enclosed in your packet, you will find a report with some of the events/happenings at Enfield High School. Each Student Representative may have some additional information or comments to share with the Board.
- b. **MLK Day - NS:** All EPS schools and offices will be closed on Monday, January 21<sup>st</sup> for Martin Luther King, Jr. Day. All schools and activities will resume on Tuesday, January 22<sup>nd</sup>.
- c. **January Events:** Listed below are some of the events/happening in our schools during January.
- 01-10-19 EHS Orchestra & Chamber Ensembles Concert will be held in the Enfield High School Auditorium at 6:30 PM;
  - 01-15-19 JFK Gr. 6 Band & Orchestra Concert will be held in the John F. Kennedy Middle School Auditorium at 7:00 PM;
  - 01-16-19 JFK Chorus Concert will be held at the John F. Kennedy Middle School Auditorium at 7:00 PM;
  - 01-17-19 EHS Band Concert will be held in the Enfield High School Auditorium at 6:30 PM.



**Date:** January 8, 2019  
**To:** Enfield Board of Education  
**From:** Mr. Christopher J. Drezek  
**Re:** BOE Policies – Approve 4000 Series (First Section) – Second Reading

Members from the Board's Policy Committee are recommending a Second Reading of the 4000 Series for a second and final reading tonight. The first section of the 4000 Series has been placed on the Board's website for public input. Policy Chair Rich Regnier may have some additional comments to share with the Board at this time.

Therefore, the Enfield Board of Education may take any action(s) deemed appropriate regarding approving the first section of the 4000 Series as a Second Reading as presented.



**Date:** January 8, 2019  
**To:** Enfield Board of Education  
**From:** Mr. Christopher J. Drezek  
**Re:** Superintendent's FY2019/20 Budget Presentation

At this time, I will present my FY2019-20 Budget recommendations to the Board.

Therefore, the Enfield Board of Education may take any action(s) deemed appropriate regarding the FY2019-20 Budget presentation.



**Date:** January 8, 2019  
**To:** Enfield Board of Education  
**From:** Mr. Christopher J. Drezek  
**Re:** January 22<sup>nd</sup> BOE Meeting – Location Change Needed

We set the dates for the 2019 meeting schedule and did not take into consideration Martin Luther King, Jr day moving the Town Council meeting from January 21<sup>st</sup> to January 22<sup>nd</sup>. The Town Council will meet in Council Chambers and the Board of Education will need to move to another location for the January 22<sup>nd</sup> meeting. The Board can meet in the Alcorn Professional Development Conference room if so desired or another location.

Therefore, the Enfield Board of Education may take any action(s) deemed appropriate regarding changing the location of the January 22<sup>nd</sup> BOE meeting.



**Date:** January 8, 2019  
**To:** Enfield Board of Education  
**From:** Mr. Christopher J. Drezek  
**Re:** Executive Session

The Board of Education needs to discuss the following item:

- Matter(s) Related to Personnel

Therefore, I recommend that the Enfield Board of Education enter executive session, with the appropriate personnel invited, for the reasons described above. An affirmative vote of two-thirds of the members present and voting is required. Board members can remain in Council Chambers for the executive session.

Item #7c.



**EHS Student Representative Report – January 8, 2019**

- EHS Orchestra & Chamber Ensembles Concert will be held on January 10<sup>th</sup> at 6:30 PM in the Auditorium;
- EHS Band Concert will be held on January 17<sup>th</sup> at 6:30 PM in the Auditorium.



*A new policy to consider.*

SECOND  
READING

## **Personnel -- Certified/Non-Certified**

### **Concepts and Roles in Personnel**

The personnel policies of a school system are an essential part of the program of public education in a community. The philosophy of a school system and the community is generally reflected in such policies.

Through its personnel policies, the Board of Education wishes to establish conditions that will attract and hold the highest qualified personnel for all positions who will devote themselves to the education and welfare of our students.

Policy development must be approached with attitudes of mutual faith and good will. Cooperation and participation of the employees' organizations, administration and the Board of Education are essentials in the formulation of personnel policies. If the predominant values and standards are based upon a democratic philosophy, the personnel policies and procedures will add to the dignity of each individual.

The long-range goals on which these policies will be based are:

1. To recruit, select, and employ the highly qualified personnel to staff the district's schools.
2. To provide staff compensation and benefit programs sufficient to attract and retain qualified employees.
3. To provide an in-service training program for all employees to improve their performance.
4. To conduct an employee evaluation program that will contribute to the continuous improvement of staff performance.
5. To assign personnel to ensure that they are used as effectively as possible.
6. To develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction.

Provisions for the implementation of adopted personnel policies should include channels of communication and procedures for the handling of professional and ethical problems, through which all persons or groups affected may voice their opinions.

To keep its personnel policies and the corresponding administrative regulations in the highest state of effectiveness to achieve the above purposes, the Superintendent of Schools is directed to establish the procedures needed.

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy to consider.*

## **Personnel -- Certified/Non-Certified**

### **Title IX**

The Board of Education agrees to comply with Title IX of the Education Amendments of 1972 and the Regulations promulgated pursuant thereto, the Board designates the Assistant Superintendent of Schools, as Compliance Officer. The Board shall, at least annually, notify all students, parents, employees and labor organizations with which it deals of the name, address and phone number of the Compliance Officer and the procedure for processing grievances.

Except as hereinafter noted, all complaints shall be addressed in writing to the Board designated Compliance Officer and he/she shall be responsible for investigating all complaints. Upon investigation, the Compliance Officer shall effectuate any changes deemed necessary to eliminate any discriminatory practices and shall inform the complainant in writing of his/her actions within ten (10) days of the receipt of such complaint.

If the complainant is not satisfied with the action of the Compliance Officer, within ten (10) days, the complainant may appeal the action of the Compliance Officer in writing to the Board of Education. The Board of Education shall hold a hearing within fifteen (15) days of receipt of such written request and shall decide what, if any, remedies are necessary to eliminate the practices deemed discriminatory. The Board shall notify the complainant in writing of its decision within ten (10) days after such a hearing.

Employees who are represented by labor organizations recognized by this Board for the purposes of collective bargaining shall process all complaints of alleged Title IX violations through the grievance procedures set forth in the applicable collective bargaining contracts.

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

29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.

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

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

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

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

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

## Personnel -- Certified/Non-Certified

### Title IX

#### Legal Reference (continued)

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

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

#### Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

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

10-153 Discrimination on account of marital status.

17a-101 Protection of children from abuse.

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy to consider.*

## **Personnel -- Certified**

### **Certified Personnel**

All certified staff positions are created only with the approval of the Board. It is the Board's intent to activate and maintain a sufficient number of positions to accomplish the school system's goals and objectives.

Before any new position is established, the Superintendent will present for the Boards' approval a job description for the position which specifies the necessary job qualifications, the job's performance responsibilities, and the method by which the performance of these responsibilities will be evaluated.

The Superintendent shall maintain a comprehensive and up-to-date set of job descriptions of all positions in the school system in a separate manual.

(cf. 2130 - Job Descriptions)

(cf. 4118.3 - Duties of Personnel)

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy to consider.*

## **Personnel -- Certified/Non-Certified**

### **Goals and Objectives**

#### **Permanent Personnel**

The Board of Education recognizes that a dynamic and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general welfare of the staff. The Board's specific personnel goals are:

1. to recruit, select and employ the best qualified personnel to staff the school system;
2. to provide staff compensation and benefits programs sufficient to attract and retain qualified employees;
3. to provide an in-service training program for all employees which fosters improved performance and increased rates of staff retention and promotion;
4. to conduct an employee appraisal program that will contribute to the continuous improvement of staff performance;
5. to assign personnel so as to ensure they are utilized as effectively as possible; and
6. to develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction.

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy to consider.*

## **Personnel -- Certified/Non-Certified**

### **Recruitment and Selection**

The Board desires the Superintendent to develop and maintain a recruitment program designed to attract and hold the best possible personnel who are “effective teachers” as defined by federal law in the District’s schools. All District teachers must meet applicable state certification and licensure requirements, including any requirements for certification obtained through alternate routes to certification.

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

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

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

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

The Superintendent shall insure that the District is in compliance with the provisions of Title I and the Every Student Succeeds Act. Manuals and handbooks shall comply with federal law as to the qualifications for instructional personnel. Parents/guardians of students in Title I schools shall be informed annually, at the beginning of each school year, of their right to request information about whether their child’s teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; is teaching under emergency or other provisional status through which state qualifications or licensing criteria have been waived; and is teaching in the field of discipline of the certification of the teacher. The qualifications of services provided by paraprofessionals shall also be provided. Timely notices shall also be provided to parents/guardians that the student has been assigned, or has been taught in a Title I school for 4 or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

## Personnel -- Certified/Non-Certified

### Recruitment and Selection (continued)

#### Hiring of Retired Teachers

A **retired** teacher receiving benefits from the Teachers Retirement System (TRS) may be reemployed by the Board for up to one full school year in a position (1) designated by the Commissioner of Education as a subject shortage area, or (2) at a school located in a priority school district for the school year in which the teacher is being employed. Such employment may be for up to one full school year. Such reemployment may be extended for an additional school year, provided the Board (a) submits a written request for approval to the Teachers' Retirement Board, (b) certifies that no qualified candidates are available prior to the reemployment of such teacher and (c) indicates the type of assignment to be performed, the anticipated date of rehire and the expected duration of the assignment.

The salary of such teacher shall be fixed at an amount at least equal to that paid other teachers in the District with similar training and experience for the same type of service.

Except as indicated below, and in the first paragraph in this section, a certified educator receiving retirement benefits from the Teachers Retirement System (TRS) may not be employed in a certified position receiving compensation paid out of public money appropriated for school purposes except that such educator may be employed in such a position and receive no more than forty-five percent of the maximum salary level for the assigned position. Any certified educator who receives in excess of such amount shall reimburse the Board for the amount of such excess.

Commencing July 1, 2016, to June 30, 2018, the exemption from the limitation on the compensation of a reemployed certified educator apply to an educator who (A) is receiving retirement benefits from TRS based on thirty-four or more years of credited service, (B) is reemployed in a district designated as an alliance district (pursuant to C.G.S. 10-262u), and (C) was serving in the district on July 1, 2015.

On and after July 1, 2016, a certified educator receiving retirement benefits from the system may be employed and receive compensation, health insurance benefits, and other employment benefits provided to active teachers employed by such school system provided such teacher does not receive a retirement income during such employment. Payment of such teacher's retirement income shall resume on the first day of the month following the termination of such employment.

**Note:** TRB has indicated that a six month break in service is required before a retired teacher, who has retired before age 62 or normal retirement (20 years of service and age 60 or 35 years of service) can be reemployed by any Connecticut school district.

## Personnel -- Certified/Non-Certified

### Recruitment and Selection (continued)

#### *Optional language to consider:*

The Board wishes to avoid the appearance of cronyism in its hiring practices. "Cronyism" is defined as "the giving of special treatment, preference, jobs, political appointments, or contracts to people who are friends, donors, or political cohorts rather than to people based on their abilities or qualifications."

On the application form, an applicant for any position in the school district shall disclose any previous relationship with the Superintendent or any Board member. Previous relationships will include any business, financial, personal, political or family connections. This will also include school relationships such as knowing the individual in high school, college, or graduate school.

The Superintendent shall provide the Board with full disclosure of any prior knowledge or relationship with any candidate recommended for employment.

The Board of Education authorizes the Superintendent to employ teachers.

(cf. 4115 – Evaluation)

Legal Reference:      Connecticut General Statutes  
                                 10-151 Employment of teachers. Notice and hearing on termination of contract (as amended by P.A. 12-116 An Act Concerning Educational Reform)  
                                 10-153 Discrimination on account of marital status.  
                                 10-183v Reemployment of teachers, as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, P.A. 16-91, An Act Making Changes to the Teachers' Retirement System, and PA 17-173 An Act Concerning Minor Revisions and Additions to the Education Statutes  
                                 10-220 Duties of Boards of Education.  
                                 31-126 Unfair Employment Practices.  
                                 46a-60 Discriminatory employment practices prohibited.  
                                 Title IV Equal Employment Opportunities.  
                                 34 C.F.R. 200.55 Federal Regulations.  
                                 P.L. 114-95 Every Student Succeeds Act, S.1177-55, 56

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)



*Existing policy, presently numbered 4111 adopted 2/24/09, appropriate as modified and with addition of legal reference.*

## **Personnel - Certified/Non-Certified**

### **Recruitment and Selection**

### **Equal Employment Opportunity**

The Enfield Board of Education provides equal employment opportunities based solely on job-related skills, ability, and merit. Applicants and employees are to be treated without regard to any race, color, religious creed, age marital or civil union status, national origin, ancestry, gender identity, mental-retardation, physical or intellectual disability or sexual orientation. This policy includes but is not limited to recruitment, recruitment advertising, employment, pay rates and other compensation, selection for training, transfer, promotion, demotion, layoff, recall from layoff, or termination.

### **Affirmative Action**

State and Federal requirements mandate exceptions to the above in regard to treatment of minorities. The Board expects the Superintendent to comply with all Affirmative Action laws and regulations applicable to the school district. This includes a serious attempt to recruit applicants from minority populations.

The Superintendent will designate the appropriate administrator(s) to direct and oversee ongoing affirmative action efforts, including appropriate notification to all school district employees in applicable requirements and procedures. The Superintendent or designee will ensure that any employees or applicant filing a complaint or assisting in an investigation are protected from coercion, interference, or discrimination as provided by applicable State and Federal regulations.

The Superintendent or designee shall draft appropriate administrative regulations and shall make a comprehensive annual report to the Board highlighting the administrations' Affirmative Action efforts and results.

Legal Reference: Connecticut General Statutes  
4a-60 Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions rather than municipalities  
4a-60a Contracts of the state and political subdivisions, other than municipalities, to contain provisions re nondiscrimination on the basis of sexual orientation  
10-153 Discrimination on account of marital status.  
46a-60 Discriminatory employment practices prohibited.  
46a-81a Discrimination on the basis of sexual orientation  
Title VII, Civil Rights Act U.S.C. 2000e, et. seq.  
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. §4212  
Title II of the Genetic Information Nondiscrimination Act of 2008

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new regulations to consider.*

## Personnel -- Certified/Non-Certified

### Equal Employment Opportunity

#### Affirmative Action

#### Discriminatory Pre-Employment Inquiries

The following list provides questions that can or should not be asked on employment application forms and in pre-employment interviews or other pre-employment inquiries. Some of the questions listed as potentially discriminatory may be asked legally if they relate to bona fide occupational requirements of a particular job, or if there are affirmative action considerations. The following list is excerpted and adapted from a handbook by the Montgomery County (Md.) Human Relations Commission.

Subject	Job-Related, Non-Discriminatory Questions	Not Job-Related, Potentially Discriminatory Questions
<b>Name</b>	Applicant's full name. Have you ever worked for this business or organization under a different name? Is any additional information relative to a different name necessary to check on your work record? If yes, explain.	Applicant's maiden name. Original name of applicant whose name has been changed by court order or otherwise.
<b>Address/Residence</b>	What is your mailing address? How long a resident of this state or city? (for tax purposes)	Where did you live previously?
<b>Age/Birthdate</b>	May ask only whether applicant is within the legal age range for your employment purpose.	How old are you? What is your date of birth?
<b>Birthplace</b>		Birthplace of applicant, his or her parents, spouse, or other close relative. Requirement that applicant submit birth certificate, and naturalization or baptismal records.

## Personnel -- Certified/Non-Certified

### Equal Employment Opportunity

### Affirmative Action

### Discriminatory Pre-Employment Inquiries (continued)

Subject	Job-Related, Non-Discriminatory Questions	Not Job-Related, Potentially Discriminatory Questions
<b>Citizenship</b>	Are you a citizen of the U.S.? (May be asked only to determine whether applicant has legal right to work in the U.S.? Do you have the legal right to remain permanently in the U.S.?)	Of what country are you a citizen? Are you a naturalized or native-born citizen? When did you become a citizen? Are your parents or spouse naturalized or native-born citizens of the U.S.? Requirement to submit naturalization or birth certificates.
<b>Relatives</b>	Names of applicant's relatives already employed by the school system.	Requirement to furnish address of any relative.
<b>Religion</b>	General questions regarding work hours only, such as: Are you available to work the hours and days required for the job?	Inquiries into religious affiliation.
<b>Sex</b>		Any inquiry regarding applicant's sex including title of Mr., Miss, or Mrs. Any questions regarding family planning.
<b>Special Skills</b>	Inquiries into special skills such as typing, foreign languages, writing, operating computers, etc.	
<b>Organizations</b>	Inquiry into membership in professional organizations or hobby groups relevant to the job.	Inquiry into membership into specific organizations; the name or character of which reveal personal information which could discriminate against the applicant.

## Personnel -- Certified/Non-Certified

### Equal Employment Opportunity

### Affirmative Action

### Discriminatory Pre-Employment Inquiries (continued)

Subject	Job-Related, Non-Discriminatory Questions	Not Job-Related, Potentially Discriminatory Questions
<b>National origin</b>	Inquiry into languages applicant speaks or writes, but only if relevant to the job.	Inquiry into applicant's lineage, ancestry, descent, national origin, nationality, or parentage. Nationality of applicant's parents or spouse. What is your mother's tongue?
<b>Marital Status</b>		Any inquiries into marital status, plans for a family, or number of dependents. Is your spouse employed and where? What is your spouse's name?
<b>Military Service</b>	Inquiry into applicant's military experience in the Armed Forces of the U.S. or in a state militia (branch, service dates, occupational specialty, reason for leaving.)	Inquiry into applicant's general military experience, not job related.
<b>Dependents</b>		Do you have any children? How old are your children? Do you have any dependents? What childcare arrangements have you made?
<b>Driver's License</b>	May be asked about only if driving is necessary for the job.	Do you have a valid driver's license?
<b>Education</b>	Inquiry into the academic, vocational, or professional education of the applicant and the schools he/she attended.	

## Personnel -- Certified/Non-Certified

### Equal Employment Opportunity

### Affirmative Action

### Discriminatory Pre-Employment Inquiries (continued)

Subject	Job-Related, Non-Discriminatory Questions	Not Job Related, Potentially Discriminatory Questions
<b>Emergency Notification</b>	Name and address of person to be notified in case of accident or emergency.	Name and address of nearest relative to be notified in case of emergency.
<b>Experience</b>	Inquiries into work experience.	
<b>Health/Pregnancy</b>	Do you have any impairments - physical, mental or medical - which would interfere with your ability to do the job for which you have applied? Are there any positions for which you should not be considered or job duties you cannot perform because of a physical or mental handicap? Inquiries into contagious or communicable diseases which may endanger others.	Are you pregnant? Are you using any contraceptives? Are you planning to have a family? Requirement that women be given a pelvic examination. Do you have a disability or handicap? Do you use any adaptive device or aid? Have you ever been treated for the following diseases...?
<b>Height or Weight</b>		Any inquiries regarding applicant height or weight.
<b>Photograph</b>		Requirement that applicant submit a photograph either before or after the pre-employment inquiry.
<b>Race or Color</b>		Questions regarding the complexion or color of skin, national origin, ancestry, etc. (see also "National Origin".)
<b>References</b>	Who suggested that you apply for a position here? Name and address of person(s) for reference.	

## **Personnel -- Certified/Non-Certified**

### **Equal Employment Opportunity**

#### **Affirmative Action**

#### **Discriminatory Pre-Employment Inquiries (continued)**

**Note:** After a person has been hired, the school system may make some inquiries that are not permissible in a pre-employment interview or form. Such inquiries must be made uniformly of all employees, and answers must not be used to discriminate unfairly in assignments and transfers.

Legal Reference:       Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Executive Order 11246, 42 U.S.C. 2000e note.

Equal Pay Act of 1963, 29 U.S.C. 206(d).

Regulation approved:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*Existing policy, presently numbered 4111.1 adopted 3/24/09, appropriate as renumbered, and with addition of legal reference.*

## **Personnel -- Certified/Non-Certified**

### **Minority Recruitment**

The Enfield Board of Education will maintain and implement its plan for minority staff recruitment. The plan shall include long and short term goals, objectives, recruitment, hiring and retention procedures. The Enfield Board of Education is committed to continuing its practice of advertising in minority newspapers, attending college recruitment fairs and working with area districts in order to increase the pool of minority candidates.

Legal Reference: Connecticut General Statutes

10-151 Employment of teachers. Notice and hearing on termination of contract.

10-153 Discrimination on account of marital status.

10-220 Duties of Boards of Education. (as amended by PA 98-252)

46a-60 Discriminatory employment practices prohibited.

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new administrative regulation to consider.*

## **Personnel - Certified/Non-Certified**

### **Minority Recruitment**

The District plan is a comprehensive strategy with short-term, long-term and ongoing components. The District plan includes a process for identifying potential candidates, and hiring and retaining minority teachers.

### **Identification**

#### **1. Short-term strategies**

The District will use traditional and non-traditional ways to recruit an increased number of minority candidates for district positions. Short-term strategies include:

- Establish and maintain an up-to-date list of vacancies by category;
- Attend minority teacher recruitment fairs, both state and regional;
- Use current minority staff to assist in the identification of minority candidates;
- Use the Capitol Region Education Council (CREC) website;
- Use the websites of various colleges and universities, particularly those noted to have a significant minority population;
- Develop a marketing package for the schools and town;
- Seek minority substitute teacher candidates; and
- Maintain involvement with the minority teacher recruitment program.

CREC, in cooperation with other regional Education Service Centers, is the most valuable resource for the school district. CREC markets Connecticut districts in public relations materials, establishes contact with colleges, recruits college teacher candidates, offers Praxis tutorial assistance, sponsors minority recruitment fairs, sponsors an interview day, provides files on minority teacher candidates, sponsors future teacher club activities, and coordinates a support group for minority teachers.

#### **2. Long-term strategies**

Effective recruitment of minority teachers will depend upon the early identification and nurturing of future educators beginning as early as middle school. Long-term strategies include:

- Establish a future teachers' club in the middle and high school to nurture potential teachers; and
- Develop a school-to-career program in the areas of education and government.



## **Personnel - Certified/Non-Certified**

### **Minority Recruitment (continued)**

#### **Hiring**

The District will use uniform techniques to assure that all applicants receive equal treatment and consideration in the hiring process. Hiring strategies include:

- Participate in minority teacher recruitment fairs;
- Review the District's hiring practices annually;
- Grant authority to those responsible for interviewing to make decisions without delay;
- Provide in-service training for administrators regarding cultural differences for interviewing and hiring committees;
- Ensure that interview questions are not culturally or racially insensitive;
- Develop community contacts with business, civic, and other community organizations to increase and provide a network of hiring opportunities; and
- Create a standard hiring packet that includes information about housing, social activities, churches, banks, and town services.

#### **Retention**

Maintaining a successful and productive relationship between the school district and minority teachers is a critical component of a minority-staffing plan. Retention strategies include:

- Schedule periodic meetings throughout the year with all first-year teachers;
- Provide new hires with a support network, such as mentors;
- Avoid asking minority staff members to serve as experts for special cultural days or events;
- Encourage support and participation in minority teacher support groups; and
- Provide diversity training for all staff.

Regulation approved:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy.*

## **Personnel – Certified/Non-Certified**

### **Non-Union Personnel**

The Superintendent of Schools is responsible for the annual review of all non-union personnel employed by the Board of Education. The Superintendent will make recommendations to the Board concerning all working conditions for non-union personnel.

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy.*

## **Personnel -- Certified**

### **Certification**

Every instructional employee shall be certified according to the provisions of applicable state law.

It is the responsibility of the employee to submit proof of appropriate certification to the school system prior to the commencement of employment with the Enfield Public Schools. The school system will maintain a record of the employee's credential as required by law.

It shall be the sole responsibility of the certified employee to see that his/her credentials for certification are completed before the date of expiration and to file the completed certification with the school system.

In the event of a lapse in certification, employee's status shall be immediately changed to "Substitute" (per diem) with no benefits, and his/her salary will be reduced to the current rate of pay for substitutes. If employee fails to obtain appropriate certification within 40 days s/he may be subject to termination of employment. If, within a reasonable period of time following a lapse in certification, employee provides evidence of appropriate certification, the employee's salary and benefits shall be reinstated, retroactive to the effective date of certification.

***Note: On or July 1, 2018, to qualify for a professional educator certificate, an individual with a provisional educator certificate must hold a master's degree in an appropriate subject matter area, as determined by the State Board of Education, related to the teacher's certification endorsement area.***

### **Distinguished Educator Designation**

The Board of Education encourages certified staff to aspire and to achieve the designation of "Distinguished Educator."

To achieve this designation, the individual must hold a professional educator certificate, have taught successfully for at least five years, have advanced education in addition to a master's degree, that can include training in mentorship or coaching teachers, and meets the performance requirements established by the State Board of Education. Teachers, so designated, will be considered eligible to serve as mentors for the District's teacher education and mentoring program.

Legal Reference: Connecticut General Statutes

10-145b Teaching certificate (as amended by P.A. 12-116 An Act Concerning Educational Reform, P.A. 15-108 An Act Concerning Teacher Certification Requirements for Shortage Areas, Interstate Agreements for Teacher Certification Reciprocity, Minority Teacher Recruitment and Retention and Cultural Competency Instruction and PA 17-173 An Act Concerning Minor Revisions and Additions to the Education Statutes and PA 17-68, An Act Concerning Various Revisions and Additions to the Education Statutes)

## Personnel -- Certified

### Certification

Legal Reference: Connecticut General Statutes (continued)

- 10-146c Interstate agreements to facilitate educator certification (as amended by P.A. 15-108)
- 10-145d State board regulations for teacher certificates et. al. (as amended by P.A. 12-116, An Act Concerning Educational Reform and P.A. 15-108)
- 10-145o Teacher education and mentoring program (as amended by P.A. 12-116, An Act Concerning Educational Reform)
- 34 C.F.R. 200.55 – Federal Regulations Regarding Highly Qualified Teachers

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*Existing policy, presently numbered 4114.1 adopted 3/24/09, appropriate as renumbered.*

## **Personnel -- Certified**

### **Physical Examinations**

#### **New Personnel**

1. Each new school employee shall be tested for tuberculosis in accordance with the provisions of section 2 of this policy. Such a test shall consist of an intradermal injection skin test. Any employee with a positive test must then have a symptom screen and chest x-ray to rule out active disease.
2. Each school employee shall have such a tuberculosis examination before but not later than thirty days (30) after entering employment, except that an employee or prospective employee who submits written verification of a negative tuberculosis finding not more than one year prior to the start of employment, shall be deemed to have complied with this requirement.
3. Employees may have the test completed by their primary care physician or through a health/medical center designated by the Human Resources Office. Employees are responsible for the full cost of their tuberculosis test.
4. Information regarding the test is available to employees through the Human Resource Office.

Reference: Recommendations of the Connecticut Advisory School Health Council and the Inter-Departments School Health Committee of the State Departments of Health and Education.

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy.*

## **Personnel -- Certified/Non-Certified**

### **Security Check/Fingerprinting**

In order to create a safe and orderly environment for students, all offers of employment will be conditional upon the successful outcome of a criminal record check. In addition, any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired.

*Note: Applicants for all positions, certified or non-certified must submit to a check of Department of Children and Families Child Abuse and Neglect Registry.*

Applicants, as required, shall make disclosures containing (1) current and past employers' contact information; (2) authorization allowing contact with such employers; and (3) statements about any past misconduct, discipline, or licensure penalties as a result of sexual misconduct or abuse allegations.

The District, prior to hiring such applicants, applicants, will (1) ensure that they complete the above stated three requirements; (2) review applicants' employment history after making a documented, good faith effort to contact previous employers for information; and (3) request any available information about applicants from SDE.

The background/reference checks shall be done in compliance with the statutory guidelines contained in Board policy #4112.51/4212.51, as amended.

District employees shall within 30 days after they are hired submit to state and national criminal checks. District students employed by the school system are exempted from this requirement.

Workers placed in a school under a public assistance employment program shall also submit to the criminal check if such individuals will have direct contact with students.

School nurses and nurse practitioners appointed by the Board or under contract with the Board shall also submit to a criminal history check pursuant to C.G.S. 29-17a.

Student teachers placed in District schools as part of completing preparation requirements for the issuance of an educator certificate, effective July 1, 2010, shall also be required to undergo the same criminal background checks already required for school employees.

### **Criminal Justice Information**

Criminal Justice Information (CJI) is to be maintained in accordance with the administrative regulation pertaining to the use and disclosure of criminal justice information.

## **Personnel -- Certified/Non-Certified**

### **Security Check/Fingerprinting**

(cf. 4112.51/4212.51 - Employment/Reference Checks)

Legal Reference: Connecticut General Statutes

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissed. (as amended by PA 01-173, PA 04-181 and June 19 Special Session, PA 09-1, PA 11-93 and PA 16-67)

29-17a Criminal history checks. Procedure. Fees.

PA 16-67 An Act Concerning the Disclosure of Certain Education Personnel Records

Criminal Justice Information Services (CJIS) Security Policy, Version 5.4, U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, October 6, 2015.

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new regulation.*

## **Personnel – Certified/Non-Certified**

### **Security Check/Fingerprinting**

Each person hired by the school system shall be required to submit to state and national criminal record checks. In order to process such record checks, the following procedure will be followed:

1. No later than ten calendar days after the Superintendent or his/her designee has notified job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or his/her designee will supply the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Regional Service Center. This packet shall also contain all documents and materials necessary for the Regional Service Center to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks.
2. No later than ten 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. 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.
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.
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.



## **Personnel – Certified/Non-Certified**

### **Security Check/Fingerprinting (continued)**

6. Each applicant for a position involving direct student contact is required to make three disclosures to the Board for a position involving direct student contact. The applicant must:
  - a. Provide the District with contact information for current and former employers if they were education employers or the employment otherwise involved contact with children. The contact information must include each employer's name, address, and telephone number.
  - b. Provide a written authorization that consents to and authorizes such former employers to disclose information and related records about him or her that is requested on the SDE-designed standardized form that interviewing education employers send. The authorization also must consent to and authorize SDE to disclose information and related records to requesting education employers and release such former employers and SDE from any liability that may arise from such disclosure or release.
  - c. Give a written statement about whether he or she:
    - i. was 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. was disciplined or asked to resign from a job or resigned from or otherwise separated from any job while an allegation of abuse or neglect was pending or under investigation by the Department of Children and Families (DCF), or an allegation of sexual misconduct was pending or under investigation or because of an allegation substantiated by DCF of abuse or neglect or sexual misconduct or a conviction for abuse or neglect or sexual misconduct; or
    - iii. had a professional or occupational license or certificate suspended or revoked or ever surrendered one 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 because of an allegation substantiated by DCF of abuse or sexual misconduct or a conviction for abuse or sexual misconduct.

## Personnel – Certified/Non-Certified

### Security Check/Fingerprinting (continued)

7. The District is prohibited from offering employment for any position involving direct student contact until the following has occurred:
  - a. the applicant has complied with the above disclosure requirements;
  - b. the District has reviewed, either through written or telephone communication, the applicant's employment history on the standardized form filled out by current and past employers, which current or former employers must complete and return within five business days of receipt; and
  - c. the District has requested information from SDE about the applicant's eligibility status for a position requiring a certificate, authorization, or permit; previous disciplinary action for a substantiated finding of abuse or neglect or sexual misconduct; and notice of a criminal conviction or pending criminal charges against the applicant.
8. A good faith effort to reach an applicant's current and previous employers shall be made. A "good faith effort" is one requiring no more than three phone calls on three separate days.
9. The District may request additional information from an applicant's current or former employers relating to any response the applicant listed on the standardized SDE form, to which the applicant must respond within five business days of receipt. Immunity is provided from criminal and civil liability to any employer who provides such information, as well as to SDE, as long as the information supplied is not knowingly false.
10. The information available to the Board from SDE about an applicant may include:
  - a. any information about the applicant's eligibility for employment with such education employer in a position that requires a certificate, authorization, or permit;
  - b. whether SDE knows if the applicant was disciplined for a finding of abuse or neglect or sexual misconduct, and any information related to the finding; and
  - c. whether SDE has been notified that the applicant has been convicted of a crime or of pending criminal charges against the applicant and any information about such charges.
11. Applicants for substitute teaching positions must also fulfill the disclosure requirements as listed above. The District will also request information from the applicant's prior employers and SDE (in the same manner required for other applicants).

## **Personnel – Certified/Non-Certified**

### **Security Check/Fingerprinting (continued)**

12. Adult education teachers and substitute teachers, if they are continuously employed by the district, do not have to be refingerprinted after fulfilling the initial requirement.
13. The District shall maintain a list of individuals suitable to work as substitute teachers. Only those on the list may be hired as substitute teachers. An individual remains on the list as long as (1) he or she is continuously employed by the District as a substitute teacher and (2) District does not have any knowledge that would cause the person to be removed from the list.
14. School nurses and nurse practitioners appointed by the Board or under contract with the Board shall also submit to a criminal history check pursuant to C.G.S. 29-17a.
15. Student teachers placed in District schools as part of completing preparation requirements for the issuance of an educator certificate shall also submit to a criminal history check. The criminal history check shall be done prior to being placed in a school for clinical experiences such as field experiences, student teaching or internship. Candidates are required to be fingerprinted at one of the RESCs and not through local police stations or the school district. The District is required to notify the State Board of Education if notice is received that a student teacher has been convicted of a crime.
16. Each applicant for a certified position must submit to a records check of the Department of Children and Families (DCF) Child Abuse and Neglect Registry established pursuant to C.G.S. 17a-101k before the applicant may be hired. The Superintendent or his/her designee shall request the required records check of DCF in accordance with the procedures established by DCF.
17. Each applicant for a non-certified position must submit to a records check of the Department of Children and Families (DCF) Child Abuse and Neglect Registry established pursuant to C.G.S. 17a-101k before the applicant may be hired. The Superintendent or his/her designee shall request the required records check of DCF in accordance with the procedures established by DCF.
18. Contractors that apply for positions involving direct student contact are required to perform the checks on their employees who would fill such positions. These checks are similar to the ones the District must perform on applicants.
  - a. A contractor's employee must fulfill the three disclosure requirements that a regular, direct applicant for such a position must fulfill.

## Personnel – Certified/Non-Certified

### Security Check/Fingerprinting (continued)

- b. The contractor must contact any current or former employers that were education employers and request, by telephone or in writing, any information about whether there was a finding of abuse or neglect or sexual misconduct against the employee, and which the employer must report if there is one.
  - c. Should the contractor receive any information indicating such a finding or otherwise has knowledge of one, he or she must immediately forward, either by telephone or in writing, the information to the District.
  - d. The District must determine whether the employee may work in a position involving direct student contact at any of its schools.
  - e. It is not considered a breach of contract for the District to determine that the contractor's employee is forbidden to work under any such contract in such a position.
- 19. The District shall notify SDE when it receives information that applicants or employees have been disciplined for a finding of abuse or sexual misconduct.
- 20. The District is required to provide upon request, to any other education employer or to the Commissioner of Education, information it may have about a finding of abuse or sexual misconduct for someone being vetted for hire as a direct employee of the Board or a contractor's employee.
- 21. The Board is prohibited from entering into any collective bargaining agreement, employment contract, resignation or termination agreement, severance agreement, or any other agreement or take any action that results in any of the following outcomes:
  - a. has the effect of suppressing information about an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
  - b. affects the education employer's ability to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
  - c. requires the district to expunge information about an allegation or finding of suspected abuse or neglect or sexual misconduct from any documents it maintains, unless after investigation the allegation is dismissed or found to be false.

## **Personnel – Certified/Non-Certified**

### **Security Check/Fingerprinting (continued)**

22. The District may employ or contract with an applicant for up to 90 days while awaiting the complete review of their application information, as long as the following has occurred:
  - a. the applicant has submitted to the District the three required disclosures,
  - b. the District has no information about the applicant that would disqualify him or her from employment, and
  - c. the applicant affirms that he or she is not disqualified from employment with the education employer.
23. Applicants who knowingly provide false information or knowingly fail to disclose information that is statutorily required to the District is subject to discipline by the District. Such discipline may include denial of employment or termination of a certified employee's contract.

### **Criminal Justice Information\***

Policies #4112.5/4212.5 and #4112.51/4212.51 and applicable law require applicants for employment in the District to submit to state and national criminal record checks. All results for such background checks and accompanying information is considered "Criminal Justice Information (CJI)." Such information is to be maintained, used and disclosed in compliance with this administrative regulation. These regulations apply to all CJI that the District possesses or controls in any form or format, including CJI contained in correspondence, documentation or reports of the District.

### **Definitions**

**Criminal Justice Information (CJI)** means the results of any state or federal criminal record checks of an applicant for employment in the district, volunteer, employee, or contractor and all copies thereof.

**Criminal Justice Information Officer (CJI Officer)** means the individual appointed by the Superintendent to be responsible for the use, disclosure, and safeguarding of CJI in the District. This individual serves as the District's primary point of contact for CJI matters and these regulations.

**Permitted Individual** means an individual designated by the Superintendent, or his/her designee, who may access CJI. Such individuals may include, but are not limited to, human resources personnel, and certain administrative staff.

## **Personnel – Certified/Non-Certified**

### **Security Check/Fingerprinting (continued)**

#### **Request and Use of Criminal Justice Information**

An employee, contractor, applicant, volunteer, will be asked by the District for CJI as permitted or required by applicable policy and/or law.

The Superintendent or his/her designee shall designate those individuals who will be considered “Permitted Individuals” for purposes of these regulations. CJI may not be accessed by any other member of the District staff or be used for any reason without obtaining prior written approval from the CJI Officer. CJI used by the “Permitted Individual” is limited to that permitted or required by law or District policy.

“Permitted Individuals” must satisfy applicable legal screening requirements prior to access to CJI, including the following:

1. Permitted Individuals who are Connecticut residents shall be screened by the District through a Connecticut and national fingerprint-based record check after designations as a Permitted Individual.
2. Permitted Individuals who are not Connecticut residents shall be subject to a District state and national fingerprint-based record check and follow FBI guidance pertaining to additional screening requirements.

The Connecticut Department of Emergency Services and Public Protection may be consulted by the CJI Officer pertaining to the execution of the above cited screening requirements.

A Permitted Individual’s access to CJI may be terminated with or without cause at the discretion of the Superintendent, CJI Officer, or their respective designees. Upon termination of the Permitted Individual’s employment in or contract with the District, such individual’s access to CJI is to be immediately terminated. Reassignment or modification of a Permitted Individual’s professional responsibilities is considered cause to reconsider CJI access.

#### **Maintenance and Safeguarding of Criminal Justice Information (CJI)**

The District will designate the locations, files and information systems where CJI is to be maintained. These controlled areas, locked when unattended, are limited to Permitted Individuals and other authorized personnel. If not possible to reasonably restrict access, all CJI is to be maintained in encrypted format in a manner consistent with legal requirements and industry standards.

The written approval of the CJI Officer is required in order to remove CJI from a controlled area. The CJI Officer must develop a protocol to ensure the protection of CJI while being transported and while out of the controlled area.

## **Personnel – Certified/Non-Certified**

### **Security Check/Fingerprinting (continued)**

### **Maintenance and Safeguarding of Criminal Justice information (CJI) (continued)**

CJI that is maintained in paper format must be kept in a physically secure location, with a posted notice of restricted access to such records. An access log or sign-in sheet is to be used to record access to paper records.

The Criminal Justice Information Services (CJIS) Security Policy contains safeguards for CJI records maintained in electronic format which the District shall comply. These safeguards include, but are not limited to, maintaining CJI on secure electronic systems and media; positioning information systems in a manner to prevent unauthorized individuals access and viewing CJI; storing electronic media containing CJI in a secure location; instituting access controls to limit access to Permitted Individuals; validating and authenticating information system users accessing CJI; developing protocols for configuration management and providing necessary access for system modifications and maintenance; providing the capability to detect and protect against threats to the integrity of CJI; developing parameters for auditing electronic systems containing CJI; and instituting media protection policies and procedures.

### **Disclosure of CJI by Permitted Individuals**

CJI may be disclosed by Permitted Individuals to (1) District staff upon written approval of the Superintendent, CJI Officer or their respective designees when such disclosure is viewed as reasonably necessary for the performance of District function or policy or consistent with applicable law; (2) third-party individuals/entities when such disclosure has been approved by the Superintendent or CJI Officer or their respective designees, when consistent with applicable law; or as otherwise required or permitted by law. All such disclosures shall be logged.

### **Security Incident Response**

“Security Incident” is the actual or suspected acquisition, access, use, or disclosure of CJI in a manner not permitted by these regulations or applicable law. A Security Incident must be reported immediately to the CJI Officer, who will investigate, collect relevant evidence and respond to all such incidents.

The CJI Officer is to document each security incident including the District’s response, steps taken to mitigate harm to the affected individuals and changes, as necessary to District policies and procedures to avoid a reoccurrence of such incidents.

Security incidents are to be reported in writing to the District, regarding an individual’s CJI that may have been accessed, acquired or disclosed during the Security Incident. Affected individuals and/or appropriate government agencies will be notified by the District as required by law or as the District determines appropriate.

## **Personnel – Certified/Non-Certified**

### **Security Check/Fingerprinting (continued)**

#### **Record Retention, Disposal and Destruction of CJI**

CJI shall be maintained by the District in conformity with applicable record retention laws. Records containing CJI shall be stored for extended periods only if they are key elements for the integrity and/or utility of case files and/or criminal record files. Any audit records and transaction logs are to be maintained for one year. All records containing CJI are to be destroyed when the District is no longer required to keep CJI on file.

CJI containing paper records shall be disposed of as to make them unreadable and unable to be reconstructed, by shredding or incineration of such records. Electronic media containing CJI shall be destroyed utilizing a method that renders the CJI unreadable, indecipherable or unable to be reconstructed. Media destruction is to be done only by authorized personnel and witnessed and the method used documented.

#### **Training**

District staff with access to CJI shall initially be trained in the use, disclosure and safeguarding of such information and no less than biennially after the initial training.

(cf. 4112.51/4212.51 - Employment/Reference Checks)

Legal Reference: Connecticut General Statutes

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissed. (as amended by PA 01-173, PA 04-181, June 19 Special Session, PA 09-1, PA 11-93 and PA 16-67)

17a-101k Registry of findings of abuse or neglect of children maintained by Commissioner of Children and Families. Notice of finding of abuse or neglect of child. Appeal of finding. Hearing procedure. Appeal after hearing. Confidentiality. Regulations.

29-17a Criminal history checks. Procedure. Fees.

PA 16-67 An Act Concerning the Disclosure of Certain Education Personnel Records.

PA 16-83 An Act Concerning Fair Chance Employment



## **Personnel – Certified/Non-Certified**

### **Security Check/Fingerprinting (continued)**

Legal Reference: Connecticut General Statutes (continued)

Criminal Justice Information Services (CJIS) Security Policy, Version 5.4,  
U.S. Department of Justice, Federal Bureau of Investigation, Criminal  
Justice Information Services Division, October 6, 2015.

\*This section of the administrative regulation pertaining to Criminal Justice Information (CJI) is based upon information originally developed by the law firm of Shipman and Goodwin.

Regulation approved:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

## 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 notice (*Written notice includes electronic notification, but excludes oral notification*) 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. (See 5 U.S.C. 552a(b); 28U.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))

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.

### Connecticut Records:

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

### Out-of-State Records:

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

If you need additional information or assistance, contact: \_\_\_\_\_.

## 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 notification 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 (See 28 CFR 50.12(b)).
- 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. (See 5 U.S.C. 552a(b); 28U.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)).
- 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.)

### **Connecticut Records:**

**Department of Emergency Services and Public Protection  
State Police Bureau of Identification (SPBI)  
111 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**

If you need additional information or assistance, please contact: \_\_\_\_\_.

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

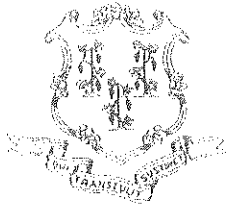
**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential 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).



STATE OF CONNECTICUT  
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION

**Automated Fingerprint Identification System (AFIS) Agreement  
for Fingerprint Card Submissions  
by and between  
the State of Connecticut Department of Emergency Services and Public Protection  
and  
\_\_\_\_\_Public School, Board of Education**

*WHEREAS*, the State of Connecticut Department of Emergency Services and Public Protection (hereinafter "DESPP") operates a central Automated Fingerprint Identification System (hereinafter "AFIS"); and

*WHEREAS*, \_\_\_\_\_Public School, Board of Education (hereinafter "BOE"), is established pursuant to Connecticut General Statutes (C.G.S.) § 10-220 and has been authorized to submit hard copy fingerprint cards to AFIS pursuant to the limited purposes set forth in C.G.S. § 10-212, § 10-221d, the Adam Walsh Act of 2006 (AWA), and the National Child Protection Act 1993/Volunteers for Children Act of 1998 (NCPA/VCA), as applicable.

*WHEREAS*, the BOE is a qualified entity pursuant to the NCPA/VCA.

*NOW, THEREFORE*, DESPP and BOE, by and through their Commissioners or other authorized individuals, enter into this Agreement to permit BOE to send hard copy fingerprint cards to the State Police Bureau of Identification (SPBI) for submission to AFIS and receive back the results of the state and/or national criminal history record information (CHRI) via email.

1. **Effective Date.** This Agreement shall be effective upon signature by both parties.
2. **Authority to Enter Agreement.** DESPP is authorized to enter into this agreement through the Commissioner of the Department of Emergency Services and Public Protection, pursuant to the authority provided under C.G.S. § 4-8.
3. **Duration of Agreement.** This Agreement shall remain in full force and effect unless terminated by DESPP, giving BOE written notice of such intention at least thirty (30) days in advance. DESPP reserves the right to suspend or revoke access to CHRI without notice in the event of a breach of the conditions of this Agreement. Notwithstanding any provisions in this Agreement, DESPP, through a duly authorized employee, may terminate the Agreement whenever DESPP makes a written determination that such termination is in the best interests of the State. DESPP shall notify BOE in writing of termination pursuant to this section, which notice shall specify the effective date of termination and the extent to which BOE must complete its performance under the Agreement prior to such date.

4. **DESPP Responsibilities.** DESPP shall:

- a) Electronically process BOE applicant prints as required and report results of required state and/or national record checks via a generic email.
- b) Identify a liaison as the primary point of contact for any issues related to this agreement.

5. **BOE Responsibilities.** BOE shall:

- a) Provide qualifying fingerprints that meet submission criteria pursuant to the specific purposes pursuant to C.G.S. §10-212, §10-221d, the AWA, and/or the NCPA/VCA.
- b) Assign a Local Agency Security Officer (hereinafter "LASO") in accordance with the United States Department of Justice (USDOJ) FBI Criminal Justice Information Services Security Policy (hereinafter "CJIS Security Policy").
- c) Ensure appropriate security measures as applicable to the physical security of communication equipment; personnel security to include screening requirements; technical security to protect against unauthorized use; and security of criminal justice information (hereinafter "CJI") in accordance with the provisions of the CJIS Security Policy. BOE shall further:
  - a. Assign a generic email to be used by DESPP to communicate CJI, CHRI and related notifications only.
  - b. Ensure that CJI is maintained in a physically secure location or controlled area as defined in the CJIS Security Policy.
  - c. Ensure that all persons with access to physically secure locations or controlled areas, including, but not limited to, support personnel, contractors, vendors, and custodial workers, are escorted by authorized personnel at all times. Authorized personnel are BOE personnel who have been appropriately trained and vetted through the screening process and have been granted access to CJI for the specific purposes provided in the C.G.S. §10-212, §10-221d, the AWA, and/or the NCPA/VCA. The use of cameras or other electronic means to monitor a physically secure location or controlled area does not constitute an escort.
  - d. Ensure that access to CJI, in any form, is limited to BOE personnel requiring access to such information for the specific purposes provided in the C.G.S. §10-212, §10-221d, the AWA, and/or the NCPA/VCA.
  - e. Ensure that all BOE personnel accessing CJI are properly trained before access to CJI is authorized. Training must include Security Awareness Training in accordance with the provisions of the CJIS Security Policy.
  - f. Ensure that BOE personnel having access to CJI sign an acknowledgment form attached hereto as Attachment A acknowledging that they have received copies of this Agreement and Attachment A and that they are responsible for complying with the terms contained therein. Such forms shall be maintained in the official personnel files of such personnel.
- d) Ensure that all security incidents are reported to the CJIS Security Officer ("CSO") or their designee. If a person already has access to CJI and is subsequently arrested and/or convicted, continued access to CJI shall be determined by the CSO. If the CSO or their designee determines that access to CJI by the person would not be in the public interest, access shall be denied and BOE shall be notified in writing of the access denial.

- e) Comply with all audit requirements for CJIS Systems, including, but not limited to, appropriate and reasonable quality assurance procedures.
- f) Ensure that, prior to fingerprinting, all persons fingerprinted are provided with a copy of the Noncriminal Justice Applicant's Privacy Rights form.
- g) Ensure that, prior to fingerprinting, all persons fingerprinted pursuant to NCPA/VCA are provided with a NCPA/VCA Waiver and Consent Form (Waiver). A copy of the Waiver shall be maintained for a minimum of one year from the date of fingerprint submission.
- h) Violations of the CJIS Security Policy can result in the suspension or termination of system access for BOE, individual suspension or termination of access to CJI, criminal and/or administrative investigation, arrest, and/or prosecution and conviction for violation of state and federal statutes designated to protect confidentiality and integrity of CJI and related data.

6. **Transaction Fees.** BOE applicants shall remit full payment for all transactions with the submission of hard copy fingerprint cards. Fees shall be calculated as follows:

Statute	Category	State Fee	Federal Fee
C.G.S. §10-212	BOE Nurse or Nurse Practitioner	\$0.00	\$12.00
C.G.S. §10-221d	BOE Employee	\$0.00	\$12.00
AWA	Individual employed, under consideration for employment, or otherwise in a position in which the individual would work with or around children in the school.	\$50.00	\$12.00
AWA Volunteer	Volunteers in a position in which the individual would work with or around children in the school.	\$50.00	\$10.75
NCPA/VCA	Individuals who provide treatment, education, training, instruction, supervision, or recreation to children, the elderly, or individuals with disabilities on behalf of the BOE.	\$50.00	\$12.00
NCPA/VCA Volunteer	Volunteers who provide treatment, education, training, instruction, supervision, or recreation to children, the elderly, or individuals with disabilities on behalf of the BOE.	\$50.00	\$10.75

The fingerprinting fee at a Connecticut State Police location shall be fifteen (\$15.00) dollars, and the fingerprinting fee varies if fingerprints are taken by a local police location. Fees are subject to change due to legislative enactments and federal assessments.

7. **Modification or Amendment of the Agreement.** This Agreement may not be modified or amended unless in writing signed by an authorized representative of both parties.

**8. Indemnification**

BOE shall indemnify and hold harmless the State of Connecticut, the State of Connecticut Department of Emergency Services and Public Protection, its officers, agents, employees, commissions, boards, departments, divisions, successors and assigns from and against all actions (pending or threatened and whether at law or in equity in any forum), liabilities, damages, losses, costs and expenses, including but not limited to reasonable attorneys' and other professionals' fees, resulting from (i) misconduct or negligent or wrongful acts (whether of commission or omission) of BOE or any of its officers, representatives, agents, servants, consultants, employees or other persons or entities with whom BOE is in privity of oral or written contract; (ii) liabilities arising directly or indirectly in connection with this Agreement out of the acts of BOE and (iii) damages, losses, costs and expenses, including but not limited to, attorneys' and other professionals' fees, that may arise out of such claims and/or liabilities.

9. The following documents are incorporated by reference and made part of this MOU:
- a. CJIS Security Policy;
  - b. National Crime Prevention and Privacy Compact, 42 U.S.C. Section 14616; and
  - c. Title 28, Code of Federal Regulations, Parts 20 and 25, Section 50.12, and Chapter IX.

**THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION**

By: \_\_\_\_\_ (Date) \_\_\_\_\_  
Dora B. Schriro  
Commissioner  
Duly Authorized Pursuant to C.G.S. Section 4-8

BOE

By: \_\_\_\_\_ (Date) \_\_\_\_\_  
Name  
Title  
Duly Authorized



## ATTACHMENT A

### ACKNOWLEDGEMENT

I, \_\_\_\_\_, acknowledge the following:

1. I have received a copy of the Agreement between the State of Connecticut Department of Emergency Services and Public Protection ("DESPP") and the BOE concerning access to the DESPP Automated Fingerprint Identification System ("AFIS").
2. I understand that I am being allowed to submit applicant prints via hard copy fingerprint cards into AFIS pursuant to a Federal Bureau of Investigation-approved state or federal statute.
3. I understand that I am not authorized to submit any other fingerprints into AFIS except those authorized by the Agreement.
4. I will fully cooperate with state or federal personnel regarding any audit, system check, and user privilege inquiries.
5. I understand that I am responsible for complying with the Agreement between the State of Connecticut DESPP and the BOE and that noncompliance may result in suspension or revocation of user privileges and/or other action as provided by law.

By: \_\_\_\_\_  
Signature Date

cc: Official Personnel File

*A new policy.*

## **Personnel -- Certified/Non-Certified**

### **Employment/Reference Checks**

The Board of Education (Board) believes that it is critical that references on an application be checked prior to an offer of employment. Also, in order to create a safe and orderly environment for students, all offers of employment will be conditional upon the successful outcome of a criminal record check. In addition, any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired.

### **Requirements for Applicants**

The Board shall not offer employment to an applicant for a position, including any position which is contracted for, if such applicant would have direct student contact, prior to the Board requiring of such applicant to provide:

1. Contact information for current and former employers if they were education employers or the employment otherwise involved contact with children. The contact information must include the name, address and telephone number of each current or former employer.
2. Written authorization that consents to and authorizes such former employers to disclose information and related records about him or her that is requested on the State Department of Education (SDE) designated standardized form that interviewing employers send. The authorization also must consent to and authorize SDE to disclose information and related records to the District upon request and release such former employees and the SDE from any liability that may arise as a result of such disclosure or release.

**“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 (20) years prior to applying for a position with the Board of Education, governing council of a state or local charter school or inter-district magnet school operator.

3. To provide a written statement of whether he or she:
  - a. was 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;
  - b. was 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 the Department of Children and Families (DCF), or an allegation 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; or

## **Personnel -- Certified/Non-Certified**

### **Employment/Reference Checks (continued)**

- c. has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered one 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 because an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct.

### **Reference Checking Procedures**

The District shall conduct a review of the applicant's employment history by contacting those employers listed in the required information provided by the applicant. Such review shall be conducted using the SDE form that requests:

1. the dates of employment of the applicant;
2. a statement as to whether the employer has knowledge that the applicant 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; 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 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 by telephone or through written communication, not later than five business days after any such current or former employer of the applicant receives a request for such information, and responds with such information. The Board may request more information concerning any response made by a current or former employer. Such employer shall respond not later than five business days after receiving such request; and

The District shall also request information from SDE concerning:

1. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit;
2. whether SDE has knowledge that a finding has been substantiated by the Department of Children and Families of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding;
3. whether SDE 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.

## **Personnel -- Certified/Non-Certified**

### **Employment/Reference Checks**

#### **Reference Checking Procedures (continued)**

The Board shall notify SDE if it receives information that an applicant for a position with the District or a current employee has been disciplined for a finding of abuse or neglect or sexual misconduct.

The Board will not employ an applicant for a position involving direct student contact who does not comply with the provisions of this policy.

#### **Temporary Hires**

The Board may employ or contract with an applicant on a temporary basis for a period not to exceed ninety days, pending the Board's review of the required and submitted applicant information provided:

1. The applicant has submitted to the District the three required disclosures;
2. The Board, has no knowledge of information pertaining to the applicant that would disqualify him/her from employment; and
3. The applicant affirms that he or she is not disqualified from employment with the Board.

### **Employment Agreements**

The Board shall not enter into any collective bargaining agreement, employment contract, resignation or termination agreement, 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 local or regional Board of Education, council or operator to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
3. Requires the Board, to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the Board, unless after investigation such allegation is dismissed or found to be false.

### **Substitute Teachers**

The Board shall only hire applicants for substitute teaching positions who comply with this policy and who fulfill the disclosure requirements and after requesting information from the applicant's prior employers and SDE. The Board shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The Board shall hire only substitutes who are on such list.

## **Personnel -- Certified/Non-Certified**

### **Employment/Reference Checks**

#### **Substitute Teachers (continued)**

Approved substitutes shall remain on such list as long as he or she is continuously employed by the Board as a substitute teacher, provided the Board does not have any knowledge of a reason that such person should be removed from the list.

#### **Adult Education Teachers**

Persons employed by the Board as a teacher for a non-credit adult class or adult education activity, as defined in C.G.S. 10-67, who is not required to hold a teaching certificate for his/her position shall/shall not undergo state and national criminal history records checks. (Board is permitted to determine)

#### **Contractors and Their Employees**

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 the contractor all information required of any applicant for a position in the district as previously described in this policy. The contractor shall contact any current or former employer of such employee that was a Board of Education, council or operator or if such employment caused the employee to have contact with children, and request, either by telephone or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee.

Such employer shall report to the contractor any such finding, either by telephone or through written communication. If the contractor receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, immediately forward such information to the Board of Education with which the contractor is under contract, either by telephone or through written communication.

Any Board of Education that receives such information shall determine whether such employee may work in a position involving direct student contact at any school under the Board's jurisdiction. No determination by a Board of Education that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.

#### **Falsification of Records/Information**

Any applicant who knowingly provides false information or knowingly fails to disclose information required by this policy in compliance with applicable statutes shall be subject to discipline by the Board. Such discipline may include denial of employment, or termination of the contract of a certified employee.

It is understood that any employer and SDE who provide information to the Board and in accordance with this policy shall be immune from criminal and civil liability, provided the employer or SDE did not knowingly supply false information.

## **Personnel -- Certified/Non-Certified**

### **Employment/Reference Checks (continued)**

#### **Communication**

The District, as required, shall communicate with other education employers and also between an education employer and SDE, about findings of abuse or sexual misconduct by applicants or employees. The Board will notify SDE when it receives information that applicants or employees have been disciplined for a finding of abuse or sexual misconduct. In addition, the Board will provide, upon request, to any other education employer or to the Commissioner of Education, information it may have about a finding of abuse or sexual misconduct for someone being vetted for hire as a direct employee of an education employer or a contractor's employee.

#### **Definitions**

**"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 of a child or youth"** is defined as (a) inflicting physical injury or non-accidental injuries; (b) inflicting injuries that do not match the story associated with their origin; or (c) maltreatment, including malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment, or cruel punishment; and

**"Neglect of a child or youth"** is defined as (a) abandonment; (b) denial of proper care and attention physically, educationally, emotionally, or morally; or (c) allowing the child to live under conditions, circumstances, or associations injurious to the child's well-being.

**"Abuse and neglect"** also includes sexual assault as defined in the statutes. (C.G.S. 46b-120, and includes any violation of section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a).

**"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 (20) years prior to applying for a position with the Board of Education, governing council of a state or local charter school or inter-district magnet school operator.

#### **Offer of Employment**

Prior to offering employment to an applicant, the Board shall make a documented good faith effort to contact each current and any former employer that was a Board of Education, council or operator or if such employment otherwise caused the applicant to have contact with children of the applicant in order to obtain information and recommendations which may be relevant to the applicant's fitness for employment, provided such effort shall not be construed to require more than three telephone requests made on three separate days.

## **Personnel -- Certified/Non-Certified**

### **Employment/Reference Checks**

#### **Offer of Employment (continued)**

The Board shall not offer employment to any applicant who had any previous employment contract terminated by a Board, council or operator or who resigned from such employment, if such person has been convicted of abuse or neglect or sexual misconduct.

#### **Sex Offender Registry Checks**

The Board requires school district personnel to cross-reference the Connecticut Department of Public Safety's Sexual Offender Registry prior to hiring any new employee. Registration as a sexual offender constitutes grounds for denial of employment opportunities.

#### **Employment Assistance Prohibited**

Pursuant to the federal Every Student Succeeds Act (ESSA), the Board prohibits the Board, individual Board members, and any individual or entity who is a District employee, contractor or agent of the District from assisting a District employee, contractor, or agent in obtaining a new job/position if the Board, individual, or entity knows, or has probable cause to believe, that such District employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative file does not violate this prohibition.

This prohibition does not apply under certain conditions specified by ESSA such as:

1. The matter has been reported to law enforcement authorities and it has been officially closed or the school officials have been notified by the prosecutor or police after an investigation that there is insufficient information to establish probable cause, or;
2. The individual has been acquitted or otherwise cleared of the alleged misconduct, or;
3. The case remains open without charges for more than four (4) years after the information was reported to a law enforcement agency.

This policy shall not apply to a student employed by the Board.

#### **Credit Checks**

The District may ask an applicant for a credit report for certain district positions, where the receipt of such report is substantially related to the employee's potential position. Substantially related means "the information contained in the credit report is related to the position for which the applicant who is the subject of the report is being evaluated." A credit report will be requested if the position is (1) a managerial position which involves setting the direction or control of the district; (2) involves access to employees' personal or financial information; (3) involves 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) provides an expense account or District debit or credit card; or (5) involves access to the District's nonfinancial assets valued at two thousand five dollars or more.

## **Personnel -- Certified/Non-Certified**

### **Employment/Reference Checks**

#### **Credit Checks (continued)**

In requesting a credit report as part of the employment process, written notification will be provided to the prospective employee regarding the use of credit checks. That notification must be provided in a document separate from the employment application. The 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.

Consent will be obtained prior to performing the credit checks. When an action adverse to a potential employee based on the credit report, is taken the District will provide the applicant with a copy of the report which the District used in making the adverse decision, as well as a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act," provided by the company that submits the results of the credit check. The District will notify the prospective employee the adverse action was taken based on the information in the consumer report. That notice will 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.

(cf. 4112.5 – Security Check/Fingerprinting)

(cf. 4121 – Substitute Teachers)

Legal References: Connecticut General Statutes

1-200 through 1-241 of the Freedom of Information Act.

5-193 through 5-269 State Personnel Act

10-151c Records of teacher performance and evaluation not public records.

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissal.

10-222c Hiring policy. (as amended by PA 16-67 and PA 17-220)

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g)



## **Personnel -- Certified/Non-Certified**

### **Employment/Reference Checks**

Legal References: (continued)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act (ESSA), P.L. 114-95 codified as U.S.C. §1001 et seq.

PA 16-67 An Act Concerning the Disclosure of Certain Educational Personnel Records

20 U.S.C. 7926 Prohibition on aiding and abetting sexual abuse

P.A. 17-220 An Act Concerning Mandate Relief

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

**STATE OF CONNECTICUT**  
**Contractor Verification**  
**(in accordance with Public Act 16-67)**

**Directions to Contractor:** Connecticut law requires that any contractor applying or bidding for a contract (including individuals who are independent contractors) with a local or regional board of education, a governing council of a state or local charter school, or interdistrict magnet school operator require any employee with the contractor who would be in a position involving direct student contact to supply the contractor with the information provided in this form. Information may be collected either through a written communication or telephonically.

In addition, pursuant to Connecticut General Statutes (C.G.S.) § 10-233c, the contractor is required to contact — either telephonically or through written communication — any current or former employer of an employee if such employer was a local or regional board of education, a governing council of a state or local charter school, or interdistrict magnet school operator or if the employment caused the employee to have contact with children, to request any information concerning whether there was a finding of abuse or neglect or sexual misconduct against the employee. If the contractor receives any information indicating such a finding, or otherwise has knowledge of such a condition, the contractor must immediately forward such information to any local or regional board of education with which the contractor is under contract.

**Directions to Employee of Contractor:** Pursuant to Connecticut state law, employees of a contractor who would be in a position involving direct student contact must supply all of the information provided in Section 2 of this form.

**Section 1 - To be completed by Contractor**

Name	
Street Address	
City, State, Zip Code	
Contact person	
Telephone number/email address	

**Section 2 — To be completed by Employee of Contractor**

**Part A.** On a separate sheet of paper, please list the name, address and telephone number of each current or former employer, if such current or former employer was a local or regional board of education, a governing council of a state or local charter school, or interdistrict magnet school operator, or if such employment otherwise caused you to have contact with children.

**Part B. Please complete the questions below in their entirety.**

**Have you ever:**

Y      N  
☐   ☐

Been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department (answer "no" if the investigation resulted in a finding that all allegations were unsubstantiated)?

Y      N  
☐   ☐

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 the Department of Children and Families (the "department"), or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to section 17a-101g of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct?

Y      N  
☐   ☐

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 the Department of Children and Families (the "department"), or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to section 17a-101g of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct?

Y      N  
☐   ☐

Had a professional or occupational license or certificate suspended or revoked or ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by the department or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by the department of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct?

**Part C - Written Consent and Disclosure Authorization.** I hereby authorize the entities I have listed in Section 2 of this form to release to the entity listed in Section 1 of this form the information required to be released by my previous employer pursuant to (C.G.S.) §10-222c along with any related records. I hereby consent to and authorize disclosure by the State Department of Education of the information requested pursuant to C.G.S. §10-222c, as amended by Public Act 16-67, and I hereby authorize the release by the State Department of Education of any related records. I further hereby release the above-named employer(s) and the State Department of Education from any and all liability of any kind that may arise from the disclosure or release of records requested pursuant to C.G.S. §10-222c, as amended by Public Act 16-67.

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**Signature of Applicant**

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**Date**

**NOTES:**

The terms provided below are currently defined in state law as follows. Please note that statutes may be amended from time to time.

**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.” Connecticut General Statutes §10-222c(k).

**Abuse or Neglect means** “abuse or neglect as described in Section 46b-120, and includes any violation of Sections 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a.” Connecticut General Statutes §10-222c(k).

*The Connecticut State Department of Education is an affirmative action/equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, gender identity or expression, sexual orientation, marital status, national origin, ancestry, age, criminal record, political beliefs, genetic information, intellectual disability, past or present history of mental disability, learning disability, or physical disability, including, but not limited to, blindness or any other basis prohibited by Connecticut state and/or federal nondiscrimination laws.*

**STATE OF CONNECTICUT**  
**Educational Employer Verification**  
**(in accordance with Public Act 16-67)**

**Directions for School District/Entity Considering Applicant for Employment:** Each local or regional board of education, governing council of a state or local charter school or an interdistrict magnet school operator is required to obtain the information listed on this form from ALL current or former employer(s) of the applicant if such employer was a local or regional board of education, a governing council of a state or local charter school, an interdistrict magnet school operator or if the employment caused the applicant to have contact with children. Applicants are required under the law to provide a prospective employer with the name, address and telephone number of all current or former employers that meet the above criteria. Information may be collected either through a written communication or telephonically.

**Directions for Current/Previous Employer:** The applicant listed below is under consideration for a position with the school/district listed below in Section 2. The individual identified below has reported current/previous employment with your organization or contractual services with your organization in a position in which he/she had contact with children. As required by Connecticut General Statutes Section 10-222c, as amended by Public Act 16-67, please provide the information requested in Section 3. In accordance with the provisions of Public Act 16-67, you are required to respond to this request within five business days.

**Section 1 – To be completed by the Applicant**

Name of applicant	
Former name(s) (if applicable)	
Street address	
City, State, Zip Code	
Approximate dates of employment with employer listed in Section 3 of this form	
Position held with employer listed in Section 3 of this form	

**Section 2 – To be completed by Prospective Employer**

Name of prospective employer	
Street address of prospective employer	
City, State, Zip Code	
Contact person	
Telephone number/email address	

**Section 3 – To be completed by the Current/Former Employer**

Name of employer	
Date of receipt of this notice	
Date of employment of above-named applicant	
Contact person	
Telephone number/email address	

**Y**      **N**  
☐      ☐      Been the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation currently pending with any current or prior employer, state agency or municipal police department or which has been substantiated?

**Y**      **N**  
☐      ☐      Been 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?

**Y**      **N**  
☐      ☐      Had a professional or occupational license, certificate, authorization or permit suspended or revoked or 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?

\_\_\_\_\_  
**Signature of Superintendent or HR Director**

\_\_\_\_\_  
**Date**

Return all completed information to the Prospective Employer listed in Section 2 of this form.

**NOTES:**

The terms provided below are currently defined in state law as follows. Please note that statutes may be amended from time to time.

Sexual Misconduct – “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.” Connecticut General Statutes §10-222c(k).

Abuse or neglect – “abuse or neglect as described in Section 46b-120, and includes any violation of Sections 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a.” Connecticut General Statutes §10-222c(k).

*Existing policy, number 4112.6 adopted 8/25/09, appropriate as written.*

## **Personnel -- Certified/Non-Certified**

### **Personnel Records**

Personnel records shall be maintained securely and confidentially in the central office for all current employees and shall include information customarily kept in personnel files. Files also shall be maintained for past employees, including years of employment, salaries and such other basic and essential information as shall be deemed appropriate by the administration as specified by state and federal laws.

The Superintendent and/or Human Resources Director, on behalf of the Board, shall notify an employee and a collective bargaining representative, if any, in writing when a request is made for disclosure of the employee's personnel, medical or similar files, if the Superintendent is required by law to release the information or he/she reasonably believes disclosure would invade the employee's privacy.

Records of a teacher's performance and evaluation shall not be released without the written consent of the teacher unless required by law.

All written materials shall be made available for inspection by the employee at an off-duty time in the presence of an administrator.

To the extent and as required by State and Federal law, the District shall release information upon request to the parents/guardian regarding the professional qualifications and degrees of teachers and the qualifications of who provide instruction to their child at that school.

Files containing medical information regarding an employee shall be kept separate from other personnel files and may not be disclosed unless required by law.

Copying fees shall be charged in accordance with State and Federal Law.

Legal Reference:      Connecticut General Statutes  
                                 1-206 Denial of access to public records or meetings.  
                                 1-213 Agency administration. Disclosure of personnel, birth and tax records.  
                                 1-214 Objection to disclosure of personnel or medical files  
                                 1-215 Record of arrest as public record  
                                 10-151a Access of teacher to supervisory records and reports in personnel file.  
                                 10-151c Records of teacher performance and evaluation not public records.  
                                 (as amended by PA 02-138 and PA 13-122)  
                                 The Americans with Disabilities Act  
                                 Section 1112(c)(6) The Every Student Succeeds Act (ESSA)  
                                 Section 1112(e)(1)(B) The Every Student Succeeds Act (ESSA)

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy.*

## **Personnel -- Certified/Non-Certified**

### **Nepotism: Employment of Relatives**

It is the policy of the Board of Education that individuals shall not be appointed to any full-time, part-time or temporary position which would create a supervisor/employee relationship within any one department between two individuals who are related by blood, marriage\*, civil union or law.

\*The term "marriage" includes a same-sex marriage that is legally recognized in Connecticut.

As used in this policy, the word "Department" shall mean and include those levels of organization under the Superintendent's office into which the various structural areas of operation of the school district are divided.

In the event of marriage or civil union between employees of the District, creating a relationship which violates this policy, one of the persons affected must transfer to a location compatible with policy provisions, or in cases of refusal to transfer, be terminated from that location by the end of the school/fiscal year or within six months from the date the relationship was established, whichever is the greater period.

The degrees of relationship included in the above restrictions are as follows:

- By Blood:** Parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin.
- By Marriage:** Husband, wife, stepparent, stepchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, half-sister, half-brother, uncle, aunt, nephew, niece.
- By Law:** Guardianship relationships, adoptive parent/child relationships, partner in a civil union, same-sex marriage.

In the appointment and selection of new employees, the District shall adhere to this policy. All current supervisor/employee relationships established prior to the adoption of this policy will not be affected by this policy so long as they remain in present assignments.

(cf. 9270 – Conflict of Interest)



## **Personnel -- Certified/Non-Certified**

### **Nepotism: Employment of Relatives**

Legal Reference: Connecticut General Statutes  
7-479 Conflicts of Interest  
46b-38nn Equality of benefits, protections and responsibilities (civil unions)  
46b-38oo applicability of statutes to civil unions and parties to a civil union.  
10-153a et seq. Teacher Negotiation Act  
7-467 et seq. Municipal Employees Relations Act  
*United States v. Windsor*, U.S. 133 S. Ct. 2675 (2013)

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new regulation.*

## **Personnel -- Certified/Non-Certified**

### **Nepotism: Employment of Relatives**

The following regulations shall govern conflict of interest in the employment of staff:

1. Persons related by blood, marriage, or civil union partner to a Board of Education member may not be employed to a full-time position in the school district.
2. Persons related by blood, marriage or civil union partner to members of the administrative staff shall not be appointed to a position that is in a line relationship involving supervision and evaluation of the position.
3. Members of the same family may be employed at the same department or work location when approved in writing by the Superintendent or the Superintendent's designee. (Exception: members of the same family shall not be approved in direct line of supervision.)

For purposes of this regulation the term “marriage” is defined to include a same-sex marriage that is legally recognized as a marriage under any state law.

It is the intent of these rules to avoid any situation where a conflict of interest can arise either on the part of the member of the Board of Education or a member of the administrative staff.

(cf. 9270 – Conflict of Interest)

Legal Reference:      Connecticut General Statutes  
                             7-479 Conflicts of Interest  
                             46b-38nn Equality of benefits, protections and responsibilities (civil unions)  
                             46b-38oo applicability of statutes to civil unions and parties to a civil union.  
                             10-153a et seq. Teacher Negotiation Act  
                             7-467 et seq. Municipal Employees Relations Act  
                             *United States v. Windsor*, U.S. 133 S. Ct. 2675 (2013)

Regulation approved:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy.*

## **Personnel – Certified/Non-Certified**

### **Employment at Will**

The Superintendent or designee shall make assignments of personnel in the best interest of the Enfield Public Schools.

The Superintendent or his/her designee shall specify and assign duties to personnel, and shall be responsible for the enforcement of such rules and other contractual obligations as the Board may from time to time establish for the proper and efficient operation of the District.

The assignment of personnel may include assignments, at times, not restricted to the traditional school day in order to maximize the effectiveness of staff programs, and time for instruction.

Transfers shall be made in the best interest of the Enfield Public Schools.

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*Existing regulation, presently numbered 4115 approved 11/19/01, appropriate as renumbered.*

## **Personnel – Certified/Non-Certified**

### **Assignment and Transfer of Staff**

#### **I. Assignment and Transfer**

- A. A teacher returning from sabbatical leave of absence will be placed into the position formerly held. If that position has been eliminated, then the teacher's name will be placed on the displaced teacher's list.
- B. A teacher who takes a leave without pay as per the Enfield Teachers' Association Contract Article 10 Section B shall submit his/her notification for reinstatement to the Superintendent by the dates specified by contract. A teacher who takes a one-year leave of absence under Article 10 Section 13 shall be placed into the position formerly held. If a teacher takes a two-year leave of absence, that teacher must apply for open positions through the posting process.
- C. When open certified positions become available during the school year, the administration will determine whether to immediately fill the position with internal transfers or by hiring applicants from outside the school system. The amount of perceived disruption to the education process, system, programs and most importantly the students, will be of utmost importance in this determination. If an internal teacher is selected through the interview/selection process, the transfer will most likely not occur until the next school year.
- D. The administration reserves the right to fill any position made vacant for any reason on or after March 15<sup>th</sup> by a substitute teacher for the remainder of the school year. This position if not eliminated for the following school year will be open to the staff and filled by the interview/selection process.
- E. All postings will be for a length of five (5) school days only. Positions will be posted that become available during the school year up until the end of May, after which time the change of status report will be utilized. The change of status report will be used during June and July to determine teachers' interest in positions. The change of status report will not be used to fill open positions during the month of August.

All openings for positions paying a salary differential and/or special positions, and all openings for specialized and/or special project teachers, shall be publicized in every school as far in advance, and ordinarily at least fifteen (15) calendar days in advance, and a job description or statement of qualifications shall be posted in each school.

## **Personnel – Certified/Non-Certified**

### **Assignment and Transfer of Staff**

#### **I. Assignment and Transfer (continued)**

Tenured and displaced teachers (tenure and non-tenure) are eligible to apply for open positions. Interested applicants must submit a current resume and cover letter by the close of the posting to the Personnel Office. Non-tenured teachers are not eligible to apply for open positions without the Superintendent's approval. Approval must be granted prior to making application for the position.

- F. Teachers who have received a new position for the following school year, either as a displaced teacher or through the internal application process, will not be eligible to apply for additional positions. If the position of a teacher, who was displaced, becomes vacant prior to the end of the school year (last day of classes) but after that teacher has procured a new position, that teacher will be given the option of remaining in their current position or accepting the transfer.

#### **II. Displacement**

- A. Displacement occurs at the close of the school year. Teachers whose position will be eliminated at the end of the school year (last day of classes) will be notified by administration of his/her pending displacement and will be allowed to apply for positions through the posting process. If a teacher is not placed by the close of the posting process or if his/her position is eliminated following the close of the posting process, the teacher will be placed by administration in an open position that best matches his/her abilities. This will be determined through discussions with administration and the displaced teacher.

#### **III. Reduction in Force**

Reduction in force will be handled as detailed in the Enfield Teachers' Association contract and any applicable state and federal laws and regulations.

Regulation approved:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy.*

## **Personnel - Certified**

### **Evaluation and Support Program**

It is universally accepted that good teaching is the most important element in a sound educational program. Student learning is directly affected by teacher competence; therefore, teacher evaluation shall be accomplished using a teacher evaluation plan which demonstrates a clear link between teacher evaluation, professional development and improved student learning. (The educator evaluation and support plan or revisions must be approved annually by the State Department of Education prior to District implementation.)

The submission of the District's evaluation plans for SDE review and approval, including flexibility requests, shall take place no later than the annual deadline set by the State Department of Education.

*Note: "Teacher" or "Administrator" for purposes of evaluation shall include each professional employee of the Board, below the rank of Superintendent, who holds a certificate or permit issued by the State Board of Education.*

Appraisal of teaching performance should serve three purposes:

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

Evaluation of teacher performance must be a cooperative, continuing process designed to improve student learning and the quality of instruction. The Superintendent shall annually evaluate or cause to be evaluated all certified employees in accordance with the teacher evaluation and support program, developed through mutual agreement with the Professional Development and Evaluation Committee for the District. The required union representation on such committee shall include at least one representative from each of the teachers' and administrators' unions. The teacher shares with those who work with the teacher the responsibility for developing effective evaluation procedures and instruments and for the development and maintenance of professional standards and attitudes regarding the evaluation process.

The Board of Education shall adopt and implement a teacher evaluation and support program. Such teacher evaluation and support program shall be developed through mutual agreement with the District's Professional Development and Evaluation Committee. If unable to attain mutual agreement, the Board and the Professional Development and Evaluation Committee shall consider adopting by mutual agreement the State Board of Education (SBE) adopted model teacher evaluation and support program without any modification. Further, if the Board and the Professional Development and Evaluation Committee fail to agree on the SBE model, the Board, will use its statutory authority to adopt and implement a teacher evaluation program of its choice, provided such program is consistent with the SBE adopted guidelines.

## **Personnel - Certified**

### **Evaluation and Support Program (continued)**

The system-wide program for evaluating the instructional process and all certified personnel is viewed as one means to improve student learning and insure the quality of instruction. The evaluation plan shall include, but need not be limited to, strengths, areas needing improvement, strategies for improvement and multiple indicators of student academic growth. \*Further, claims of failure to follow the established procedures of such teacher evaluation and support program shall be subject to the grievance procedure in collective bargaining agreements negotiated subsequent to July 1, 2004.

The Superintendent and all employees whose administrative and supervisory duties equal at least 50% of their time shall include a minimum of fifteen hours of training in the evaluation of teachers pursuant to Section 10-151b, as part of the required professional development activity during each five year period for reissuance of their professional educator certificate.

The Superintendent shall annually evaluate or cause to be evaluated each teacher and administrator in accordance with the teacher evaluation and support program and may conduct additional formative evaluations toward producing an annual summative evaluation.

In the event that a teacher or an administrator does not receive a summative evaluation during the school year, such individual shall receive a rating of "not rated" for that year.

The Superintendent shall report to the Board by June 1<sup>st</sup> annually on the status of the evaluations. In addition, annually, by dates determined by the State Department of Education, the Superintendent shall report to the Commissioner of Education on the implementation of the teacher evaluation and support program, including the frequency of evaluations, aggregate evaluation ratings, the number of teachers and administrators not evaluated, and other requirements as determined by the State Department of Education.

### **Improvement and Remediation Plans**

Teachers rated "below standard" or "developing" shall have a well-articulated improvement and remediation plan that:

1. is developed in consultation with the teacher and his/her union representative and is differentiated by the level of identified need and/or stage of development;
2. identifies resources, support, and other strategies to be provided by the Board to address documented deficiencies;
3. contains a timeline for implementing such measures in the same school year as the plan is issued; and
4. provides success indicators that include a minimum overall rating of "proficient" at the end of the improvement and remediation plan.

## **Personnel - Certified**

### **Evaluation and Support Program (continued)**

#### **Evaluation Training**

The Board, prior to any evaluation conducted under the teacher evaluation and support program, shall conduct training programs for all evaluators and orientation for all District teachers regarding the District's teacher evaluation and support program. Such training shall provide instruction to evaluators regarding how to conduct proper performance evaluations prior to conducting an evaluation under the teacher evaluation and support program. The orientation for each teacher shall be completed before a teacher receives an evaluation under the teacher evaluation and support program.

**Note:** *"Teacher" includes all certified employees below the rank of Superintendent.*

#### **Implementation Plan**

The Board of Education recognizes that the State Board of Education (SBE) utilizes a flexible plan for the implementation of Connecticut's Educator Evaluation and Support System.

**Note:** *Districts intending to renew or request waivers shall do so in conformity with the process and timelines established by the State Department of Education.*

Beginning with the 2014-15 school year and all subsequent years, the submission of the District's evaluation plans for State Department of Education's review and approval, including flexibility requests, shall take place by annual deadlines set by the State Department of Education.

#### **Complementary Observers**

The primary evaluator for most teachers will be the school principal or assistant principal who will be responsible for the overall evaluation process, including assigning summative ratings. The District may also decide to use complementary observers to assist the primary evaluator. Complementary observers are certified educators, who may have specific content knowledge, such as department heads or curriculum coordinators. Complementary observers shall be fully trained as evaluators in order to be authorized to serve in this role.

Complementary observers may assist primary evaluators by conducting observations, including pre- and post-conferences, collecting additional evidence, reviewing student learning objectives (SLOs) and providing additional feedback. A complementary observer shall share his/her feedback with the primary evaluator as it is collected and shared with teachers.

Primary evaluators will have sole responsibility for assigning final summative ratings. Both primary evaluators and complementary observers must demonstrate proficiency in conducting standards-based observations.



## **Personnel - Certified**

### **Evaluation and Support Program (continued)**

#### **Dispute-Resolution Process**

In accordance with the requirement in the “Connecticut Guidelines for Teacher Evaluation and Professional Development,” in establishing or amending the local teacher evaluation plan, the Board of Education shall include a process for resolving disputes in cases where the evaluator and teacher cannot agree on goals/objectives, the evaluation period, feedback or the professional development plan.

When such agreement cannot be reached, the issue in dispute may be referred for resolution to a subcommittee of the Professional Development and Evaluation Committee (PDEC). The Superintendent and the collective bargaining unit for the District shall each select one representative from the PDEC to constitute this subcommittee, as well as a neutral party as mutually agreed upon between the Superintendent and the collective bargaining unit. In the event the designated committee does not reach a unanimous decision, the issue shall be considered by the Superintendent whose decision shall be binding. This provision is to be utilized in accordance with the specified processes and parameters regarding goals/objectives, evaluation period, feedback, and professional development contained in this document entitled “Connecticut Guidelines for Educator Evaluation.” Should the process not result in resolution of a given issue, the determination regarding that issue shall be made by the Superintendent. An example will be provided within the State model.

<p><b>Note:</b> <i>The above is an illustrative example of such a process provided by the State Board of Education.</i></p>
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#### **Audit**

The Board, if selected, will participate as required, in an audit of its evaluation program, conducted by the State Department of Education.

All teachers teaching in public schools at the elementary, middle and high school levels (including special education teachers) must be determined to be an “effective educator,” as defined in the Every Student Succeeds Act. To be determined an “effective educator,” a teacher must meet state certification and licensure criteria.

The reauthorized Individuals with Disabilities Act (IDEA) identifies special education teachers as teachers who must demonstrate competency in the core academic subjects that they teach.

The District evaluates a teacher’s subject-matter competency in the core academic content areas, based on the Common Core of Teaching (CCT), using both of the following:

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

## **Personnel - Certified**

### **Evaluation and Support Program**

(cf. 2400 - Evaluation of Administrators and Administration)

(cf. 4111/4211 - Recruitment and Selection)

(cf. 4131 - Staff Development)

Legal Reference:      Connecticut General Statutes  
                                 10-145b Teaching certificates.  
                                 10-151a Access of teacher to supervisory records and reports in personnel  
                                 file.  
                                 10-151b Evaluation by superintendent of certain educational personnel.  
                                 (amended by PA 04-137, P.A. 10-111, P.A. 12-116, PA 12-2 (June Special  
                                 Session), PA 13-245, PA 15-5 (June Special Session)  
                                 10-151c Records of teacher performance and evaluation not public  
                                 records.  
                                 10-220a(b) In-service training. Professional development. Institutes for  
                                 educators. Cooperative and beginning teacher programs, regulations.  
                                 PA 11-135 An Act Concerning Implementation Dates for Secondary  
                                 School Reform.  
                                 PA 12-116 An Act Concerning Education Reform (as amended by PA 13-  
                                 145 An Act Concerning Revisions to the Reform Act of 2012.)  
                                 Connecticut Guidelines for Educator Evaluation, adopted by the State  
                                 Board of Education, June 27, 2012.  
                                 Connecticut's System for Educator Evaluation and Development (SEED)  
                                 state model evaluation system.  
                                 "Flexibility to Guidelines for Educator Evaluation" adopted by  
                                 Connecticut State Board of Education, February 6, 2014  
                                 34 C.F.R. 200.55 Federal Regulations.  
                                 PL 114-95 – Every Student Succeeds Act §9213

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new regulation..*

## **Personnel - Certified**

### **Evaluation and Support Program**

#### **Statement of Purpose**

The basic purpose of the educator evaluation and support system is to strengthen individual and collective practices to increase student learning and development and by assisting the teacher and administrator with opportunities for continuous growth. This goal can best be achieved by the:

1. District's educator evaluation and support plan annually approved by the State Department of Education (SDE);
2. Teacher evaluations utilizing a four level matrix rating system;
3. District providing professional learning to address needs identified through the evaluation process;
4. Creation and adherence to individual teacher improvement and remediation plans for teachers rated "below standard;"
5. Providing of opportunities for career growth and professional development based upon performance ratings; and
6. Defining of "effectiveness" and "ineffectiveness" using a summative rating derived from the SDE approved evaluation system.

**Core Requirements for the Evaluation and Support Program for Evaluation of Teachers** (Use of State model-SEED, or a District proposed and SDE approved alternative)

#### **1. Component #1: Attainment of Goals and Objectives for Student Growth**

- a. 45% of the teacher evaluation to be based on the attainment of goals and objectives for student growth, using multiple indicators of academic growth and development to measure these goals and objectives.
  - i. 22.5% of the indicators of academic growth and development used as evidence of whether goals/objectives are met shall not be determined by a single, isolated standardized test score, but shall be determined through the comparison of data across assessments administered over time. The primary purpose of the statewide examination is to provide an efficient and reliable estimate of a student's overall performance in a subject area relative to grade level standards. Those teachers without an available standardized indicator will select, through mutual agreement, subject to the local dispute-resolution procedure an additional non-standardized indicator.

## Personnel - Certified

### Evaluation and Support Program

#### Core Requirements for the Evaluation and Support Program for Evaluation of Teachers (continued)

The state mastery test\* results can be used for educator goal setting, professional development, discussion at the summative (final) evaluation conference, informing collaborative goals, communication around planning, curriculum development, program evaluation, selecting or evaluating the effectiveness of materials and resources, and school and district improvement planning.

The state mastery\* test results are not to be used as a measure to calculate a final evaluation rating.

- ii. 22.5% of the indicators of academic growth and development there may be:
  - A maximum of one additional standardized indicator, if there is mutual agreement, subject to the local dispute resolution procedure.
  - A minimum of one non-standardized indicator.
  - **Non-standardized indicators include but are not limited to:**
    - Performance rated against a rubric (for subjects such as music or dance),
    - Performance assessments or tasks rated against a rubric (such as oral work, projects, etc.),
    - Portfolios of student work rated against a rubric,
    - Curriculum-based assessments,
    - Periodic assessments that document student growth over time, and
    - Other indicators such as teacher-developed tests, student written work, etc.
    - Teachers and evaluators must agree on a balance in the weight of standardized and non-standardized indicators when setting goals for measuring student growth.

## 2. Component #2: Observation of Teacher Practice and Performance

- a. 40% of the teacher evaluation will be based on multiple observations which are evaluated against a standards-based rubric, of teacher practice and performance. (CCT Rubric for Effective Teaching 2014)
- b. Constructive and written feedback in a timely and useful manner.

\*The state mastery tests include for students in grades three through eight inclusive the administration of the Smarter Balance Assessment (SBAC) in English, language arts, literacy and mathematics, the administration of the Science CMT for students in grades five and eight; the administration of the Science CAPT in grade ten and the administration in grade eleven of the SAT's to measure reading, writing and mathematics.

## **Personnel - Certified**

### **Evaluation and Support Program**

#### **Core Requirements for the Evaluation and Support Program for Evaluation of Teachers (continued)**

- c. A combination of formal, informal, announced and unannounced observations (a minimum of three for year 1 and 2 teachers formal in-class observations and no fewer than three formal in-class observations for teachers rated “below standard” or “developing”). (formal: at least 30 minutes; informal: at least ten minutes)
- d. Pre and post-conferences. (all observation must be followed by feedback; either verbal, written or both)
- e. Multiple in-class visits.
- f. Observations are standards-based and aligned with the CT Common Core of Teaching.
- g. Observations must be rated using a rubric with four (4) performance levels (Exemplary, Proficient, Developing, Below Standard).

### **3. Component #3: Whole School Student Learning Indicators or Student Feedback**

- a. 5% of the teacher evaluation will be based on whole-school student learning indicators or student feedback.
- b. Must be among four performance levels.
- c. Whole school student learning indicators:
  - i. Teacher indicator ratings must be represented by the aggregate rating for multiple student learning indicators established for the administrators evaluation component (graduation rates passing percentage in core subjects, school/classroom assessments, percent to student population, etc.)
- d. Student feedback
  - i. Responses must be anonymous,
  - ii. Surveys which must be fair, reliable, valid and useful,
  - iii. School governance councils can assist in survey development to encourage alignment with school improvement goals,
  - iv. Surveys must be age and grade level appropriate, and administered to each student,
  - v. Results from surveys applied to teacher evaluations should align with student learning goals,
  - vi. Whole student survey ratings must be based on evidence from teacher developed student indicators of improvement in areas of need by the survey results or evidence of teacher’s implementation of strategies to address areas of need as identified by the survey results, and
  - vii. Focus groups, interviews, or teacher surveys may be used to collect data from students.

## Personnel - Certified

### Evaluation and Support Program

#### Core Requirements for the Evaluation and Support Program for Evaluation of Teachers (continued)

#### 4. Component #4: Parent or Peer Feedback

- a. 10% of the teacher evaluation will be based on parent or peer feedback, including surveys. Such feedback must be among the four (4) performance levels.

**Note:** *The CSDE has adopted recommended survey instruments as part of the SEED state model for teacher evaluation and support.*

##### b. Parent Feedback

- i. Responses must be anonymous,
- ii. Surveys must be fair, reliable, valid and useful,
- iii. School governance councils can assist in survey development to encourage alignment with school improvement goals,
- iv. Surveys must be administered on paper or online to each parent,
- v. Results applied to teacher evaluation should align with student learning goals,
- vi. Whole parent survey ratings must be based on evidence from teacher developed student indicators of success in areas of need or evidence of teacher implementation of strategies to address areas of need as identified by the survey results,
- vii. Teacher ratings may be based on improvement in performance goals based on parent feedback or on criteria found in Domain 6 of the CT Common Core of Teaching, and
- viii. Focus groups, interviews, or teacher surveys may be used to collect data from parents.
- ix. Survey results shall be used to identify areas of need and to set general parent engagement goals for the entire school, after meetings between the principal and teacher.

##### c. Peer Feedback

- i. Observation or focus groups may be developed to gather peer feedback.

**Note:** *In fulfilling the required four components of teacher evaluation, the state model (SEED) or a district-proposed and SDE approved alternative model can be utilized for each of the components.*

## Personnel - Certified

### Evaluation and Support Program

#### Core Requirements for the Evaluation and Support Program for Evaluation of Teachers (continued)

##### Teacher Evaluation Process/Calendar

##### A. Goal setting and planning by mid-November yearly

1. Orientation of the process
2. Teacher reflection and goal setting
3. Goal setting conference

##### B. Mid-year check-in during January/February yearly

1. Review of goals and performance to date
2. Mid-year conferences

##### C. End-of year review by June 30<sup>th</sup> yearly\*

1. Teacher self-assessment
2. Scoring
3. End-of-year conference

**\*If state test data may have a significant impact on a final rating, a final rating may be revised by September 15<sup>th</sup> when state test data are available.**

##### Levels of Performance

A. Teachers shall be given a summative rating at the end of the school year.

B. The levels of performance are:

1. Level 1: **“Below Standard”** (not meeting indicators of performance)
2. Level 2: **“Developing”** (meeting some indicators of performance but not others)
3. Level 3: **“Proficient”** (meeting indicators of performance)
4. Level 4: **“Exemplary”** (substantially exceeding indicators of performance)

***Note: The term “performance” in the above shall mean “progress as defined by specified indicators. Such indicators shall be mutually agreed upon, as applicable. Such progress shall be demonstrated by evidence.***

C. The State model recommends the following patterns for defining effectiveness and ineffectiveness:

## Personnel - Certified

### Evaluation and Support Program

#### Core Requirements for the Evaluation and Support Program for Evaluation of Teachers (continued)

1. Novice teachers (non-tenured) shall generally be deemed effective if said educator receives at least two sequential "proficient" ratings, one of which must be earned in the fourth year of a novice teacher's career. A "below standard" rating shall only be permitted in the first year of a novice teacher's career, assuming a pattern of growth of "developing" in year two and two sequential "proficient" ratings in years three and four. Superintendents shall offer a contract to any educator he/she feels is deeming effective at the end of year four. This shall be accomplished through the specific issuance of that effect.
2. A tenured educator shall generally be deemed ineffective if said educator receives at least two sequential "developing" ratings or one "below standard" rating at any time.

### Flexibility Components

The State Board of Education on February 6, 2014 adopted flexibilities to the Guidelines for Educator Evaluations. Boards of education may choose to adopt one or more of the evaluation plan flexible components, in mutual agreement with the District's Professional Development and Evaluation Committee pursuant to 10-151b(b) and 10-220a(b), to enhance implementation.

If the District adopts flexibility components as described in the February 6, 2014 SBE document, such flexibility shall be approved by the Board of Education and the plan containing such revisions shall be submitted to the State Department of Education for its review and approval. The submission of District evaluation plans for SDE review and approval, including flexibility requests, shall take place no later than the annual deadline set by the SDE.

The flexibility components impact the following, if adopted by the Board of Education:

1. Number of Student Growth Goals
2. Number of observations

*Note: Each district shall define effectiveness and ineffectiveness utilizing a pattern of summative ratings derived from the new evaluation system. A pattern may consist of a pattern of one. It is recommended that districts adopt the standards listed above for defining effectiveness and ineffectiveness in their teacher evaluation plans.*



## **Personnel - Certified**

### **Evaluation and Support Program**

#### **Core Requirements for the Evaluation and Support Program for Evaluation of Teachers (continued)**

##### **“Effective Educator” Status (required by ESSA)**

All teachers hired must be an “effective educator” as defined by the Every Student Succeeds Act (ESSA) in the content area(s) they will teach prior to being hired. Therefore, they must (1) hold an undergraduate or graduate major in the core academic content area(s) they are being hired to teach; OR (2) have a master’s degree or an advanced certification (such as National Board Certification) in the core academic content area(s) they will teach; OR (3) have successfully passed a state standardized content-knowledge test in the core academic area(s); AND meet Connecticut certification and/or licensure criteria.

Records of teacher evaluation and performance shall not be deemed to be public records and shall not be subject to Connecticut General Statutes 1-19. Any teacher may consent in writing to the release of his/her records by the Board of Education. Such consent shall be required for each request for a release of a record.

Legal Reference:      Connecticut General Statutes  
                                 10-145b Teaching certificates  
                                 10-151 Employment of teachers. Definitions. Notice and hearing on failure  
                                 to renew or termination of contract. Appeal  
                                 10-151a Access of teacher to supervisory records and reports in personnel  
                                 file  
                                 10-151b Evaluation by superintendent of certain educational personnel (as  
                                 amended by P.A. 04-137, An Act Concerning Teachers’ Evaluations and  
                                 P.A. 12-116, An Act Concerning Education Reform)  
                                 10-151c Records of teacher performance and evaluation not public records  
                                 46a-60 Discriminatory employment practices prohibited.  
                                 34 C.F.R. 200.55 Federal Regulations  
                                 PA 12-116 An Act Concerning Education Reform  
                                 Connecticut Guidelines for Educator Evaluation, adopted by the State Board  
                                 of Education, June 27, 2012  
                                 Connecticut’s System for Educator Evaluation and Development (SEED)  
                                 State Model Evaluation System.  
                                 “Flexibility to Guidelines for Educator Evaluation” adopted by Connecticut  
                                 State Board of Education, February 6, 2014  
                                 PL 114-95 Every Student Succeeds Act, §9213

Regulation approved:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy.*

## **Personnel – Certified**

### **Evaluation, Termination and Non-Renewal of Athletic Coaches**

It is the policy of the Enfield Board of Education (the “Board”) that an athletic coach employed by the Board shall:

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

For purposes of this policy, the term “athletic coach” means any person holding and required to hold a coaching permit issued by the Connecticut State Department of Education who is hired by the Berlin Board of Education to act as a coach for a sport season. This term “coach” under this policy shall include only coaches who have direct responsibility for one or more teams (including assistant coaches if they serve as a coach to another team [e.g., JV]), and the term shall not include other assistant coaches and volunteer coaches.

The Superintendent may adopt administrative regulations in accordance with this policy.

#### **I. Evaluations**

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

#### **II. Employment of an Athletic Coach**

- A. Athletic coaches serve at the discretion of the Superintendent, and their employment in their specific coaching positions (e.g., basketball, golf) may be non-renewed or terminated at any time, subject to the provisions set forth below which apply to athletic coaches who have served in the same position for three or more consecutive years.
- B. If the Superintendent terminates or non-renews the coaching contract of an athletic coach who has served in the same coaching position for three or more consecutive school years, the Superintendent shall inform such coach of the decision within ninety (90) calendar days of the end of the athletic season covered by the contract. In such cases, the athletic coach will have an opportunity to appeal the decision of the Superintendent in accordance with the procedures set forth below in Section III.

## **Personnel – Certified**

### **Evaluation, Termination and Non-Renewal of Athletic Coaches**

#### **II. Employment of an Athletic Coach (continued)**

- C. Notwithstanding any rights an athletic coach may have to a hearing, nothing prohibits a Superintendent from terminating the employment contract of any athletic coach at any time, including an athletic coach who has served in the same coaching position for three or more consecutive school years:
  - 1. for reasons of moral misconduct, insubordination, failure to comply with the Board's policies, rules and regulations; or
  - 2. because the sport has been canceled.
- D. If a decision to terminate a coach's employment is made during the athletic season, the Superintendent shall remove the coach from duty during the pendency of any hearing conducted pursuant to this policy.

#### **III. Hearing Procedures**

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

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

## Personnel – Certified

### Evaluation, Termination and Non-Renewal of Athletic Coaches

#### III. Hearing Procedures (continued)

- D. The decision of non-renewal or termination shall be affirmed unless the Board determines that the decision is arbitrary and capricious. The coach shall bear the burden of proof on this point.
- E. Within a reasonable period of time following the hearing, the Board shall determine whether the Superintendent acted in an arbitrary and capricious manner in making his/her decision not to renew and/or to terminate, and shall provide a written decision to the coach. The decision of the Board shall be final.

Legal Reference: Connecticut General Statutes

10-151b Evaluation by superintendent of certain educational personnel

10-220a In-service training

10-222e Policy on evaluation and termination of athletic coaches (as amended by P.A. 13-41)

10-149 Qualifications for coaches of intramural and interscholastic athletics coaches (as amended by P.A. 13-41)

P.A. 13-41 An Act Concerning Hiring Standards for Athletic Directors

PA 04-243 An Act Concerning Notification in Cases of Termination of Coaches

Policy adopted:

ENFIELD PUBLIC SCHOOLS  
Enfield, Connecticut

(Reviewed and approved by Policy Review Committee)



We make a difference in Enfield - every child, every day.

## ENFIELD BOARD OF EDUCATION

1010 ENFIELD STREET • ENFIELD, CONNECTICUT 06082  
TEL: 860.253.6531 • FAX: 860.253.6515

October 9, 2018

Mrs. Suzanne Olechnicki, Town Clerk  
Enfield Town Hall  
820 Enfield Street  
Enfield, CT 06082

Re: Schedule of Regular Meetings for 2019 – Enfield Board of Education

Dear Mrs. Olechnicki:

The dates for regular scheduled meetings for the Enfield Board of Education for 2019 are herein submitted. The Board of Education plans to meet on the second and fourth Tuesday of each month on the presented schedule.

All meetings are planned to begin at 7:00 PM at the Town Hall in Council Chambers located at 820 Enfield Street, Enfield, Connecticut unless otherwise indicated.

January 8	April 23	September 10
January 22	May 14	September 24
February 12	May 28	October 8
February 26	June 11	October 22
March 12	June 25	November 26
March 26	July 9	December 10
April 9	August 27	

Sincerely,

Walter J. Kruzel  
Chairman

Ref: Board Policy #9321

DRAFT

**BOARD OF EDUCATION  
REGULAR MEETING MINUTES  
DECEMBER 11, 2018**

A regular meeting of the Enfield Board of Education was held at Town Hall in Council Chambers, located at 820 Enfield Street, Enfield, CT on December 11, 2018.

1. **CALL TO ORDER:** The meeting was called to order at 7:00 PM by Walter Kruzel.
2. **INVOCATION OR MOMENT OF SILENCE:** Ashley Depeau
3. **PLEDGE OF ALLEGIANCE:** Ashley Depeau
4. **FIRE EVACUATION ANNOUNCEMENT:** Walter Kruzel announced the fire evacuation announcement.
5. **ROLL CALL:**

**MEMBERS PRESENT:** Rich Regnier, Ashley Depeau, Chris Rutledge, Charlotte Riley, Tina LeBlanc, Tim Neville, Scott Ryder and Walter Kruzel

**MEMBERS ABSENT:** Sarah Hernandez

**ALSO PRESENT:** Mr. Christopher J. Drezek, Superintendent; Mr. Andrew B. Longey, Assistant Superintendent and Student Representative Jacquelyn Daigneau

6. **BOARD GUEST(S)**

a. **EHS Fall Athletic Recognition**

Mr. Drezek welcomed Mr. Cory O'Connell, our Athletic Director to tonight's meeting.

Mr. O'Connell thanked the Board for the invitation to recognize our Fall 2018 student-athletes. He added that 149 of Fall 2018 Student-Athletes achieved 1<sup>st</sup> Quarter Honors or High Honors. Each coach introduced the All State and All Conference student-athletes.

Cross Country – Rob Barnes

All Conference: Ethan O' Farrell, John Perry, and Dan White – All Conference

Field Hockey – Cookie Bromage & Amy Bartholomew

All State: Kaitlyn Bourque and Tori Geaglone

All Conference: Kaitlyn Bourque, Tori Geaglone, Anna Labak, Kelly Mazza, and Jayonna Montigny

Connecticut Field Hockey Coaches Association Assistant Coach of the Year  
Amy Bartholomew

Football – George Thomas

All Conference: Freddy Centrella, Brendan De Barber, Andrew Diaz, Cam LeBlanc, Wyatt Raymond, and Joel Stewart

Central Connecticut Football Officials Association - Team Sportsmanship 2018 Award

Soccer-Boys – Tony Allegro

All Conference: Keegan Reim and David Stefaniak

Soccer-Girls – Kate Battista

All Conference: Grace Bauman and Madison Daly

Swimming-Girls – Debbie Goodman

All Conference: Grace Farris and Jasmine Uricchio

Volleyball-Girls – Albina Belisle

All Conference: Haley Picard

All the Student-Athletes stood in front of the dais for a group photo holding the Route 5 Rivalry Football Trophy and Enfield Football Team Sportsmanship Award.

Mrs. Depeau congratulated the student-athletes for their hard work. She loves seeing and hearing about the improvements and student accomplishments. She also thanked the coaches and the parents for making this happen. Great job and keep achieving.

Mrs. Riley congratulated the students and the students that made the honor roll. This is no easy task while playing on a varsity team. She also thanked our students for being great role models.

Mr. Neville agreed with the comments made tonight and thanked the student-athletes. Watching you and hearing about your accomplishments is the gravy for us. Your dedication to sportsmanship and academics is appreciated.

Mrs. LeBlanc stated she has known quite a few of the student-athletes for many years. She also thanked the coaches for their dedication and for helping to improve the culture in our schools. Go Eagles and Eagle pride! She wished everyone a happy holiday.

Mr. Ryder also thanked the parents for their huge commitment getting the students to games and practices. This is a huge investment for families that are supporting their child's aspirations playing sports.

Chairman Kruzel also thanked the parents and the students for great grades. He is very proud of our student-athletes. He wished them all a Merry Christmas and Happy New Year. He also thanked Mr. O'Connell for his commitment and dedication to our student-athletes.

Mr. Drezek thanked the parents, coaches and students. He also thanked Mr. O'Connell and Mrs. LaFleur for coordinating all of this for our student-athletes. They are one of the reasons we are trending in this area.

**b. Wreaths Across America Program**

Mr. Drezek welcomed Lori Gates and Pam Townsend. Ms. Townsend is the Wreaths Across America Cemetery coordinator for laying the wreaths on Saturday, December 15<sup>th</sup> at St. Patrick's Cemetery at noon. This is a community event. The ceremony will take around 20 minutes. The names of the Enfield veteran's will be read by First Responders, Blue Star and Gold Star families. Enfield Teacher Erin Fitzgerald will also read names. The Boy and Girl Scouts of America will lay the wreaths as part of the wreath laying ceremony. Sponsored Wreaths will also be laid. This event will be held rain or shine.

Mrs. Gates stated the convoy will start from Harrington, Maine and will stop in Enfield on its way to Arlington. The convoy requested to come to Enfield. This would not happen without the community's support. The Wreaths Across America slogan is Remember, Honor and Teach. Teaching students and families about this is an educational process. We are opening-up the door by having a conversation with the students. They will then discuss this with their families. She thanked the Enfield Police Department for arranging for the convoy to go by all

the schools in Enfield. She thanked Mr. Drezek for his continued support. Enfield was picked because of our patriotism in Enfield. They ask to come to Enfield. This is a huge honor for our community. Last year, they showed a lot of pictures and videos from Enfield recognizing the Wreaths Across America program.

Mrs. Gates showed a video about the Wreaths Across America.

Mrs. Gates stated this is a huge opportunity for community members to witness. E-TV will film the presentation at Parkman Elementary school. If you can, please watch these trucks as they go by. Witness this. You will not be disappointed.

Mrs. Gates added that this year Nate Lewis, the coordinator from Walmart added a fourth truck to the convoy that will be carrying wreaths that will be laid at the crash site from 9/11 in Shanksville, Pennsylvania. They are coming here because they remembered that we have a steel beam and our community supports our first responders.

Mrs. Gates stated this does not just happen because of a phone call. It happens because of the community's support and the school system support – thank you. She would like to tell Mr. Lewis that he chose correctly by choosing Enfield and hopes everyone comes out again to support the convoy as it passes through our community.

Mr. Regnier thanked Mrs. Gates. Mrs. Gates stated this is an honor and privilege to do this for our veteran's.

Mrs. LeBlanc stated she will take the day off from work to be part of this. This year, she and her family went to Washington for their vacation and they visited the national cemetery in Arlington, Virginia. All of us want things that bind us together in our community. This is an emotional happy day being part of Wreaths Across America program. She thanked Mrs. Gates for spear-heading this for the Enfield community.

Mrs. Riley attended this event last year and will go again this year. It is very emotional. She also thanked Mrs. Gates for everything you do for the Enfield Community and our veteran's.

Mr. Neville thanked Mrs. Gates for all the work she is doing for our Veteran's and our community every year. We know how hard it is to organize this event - thank you. This event could not happen without you.

Mrs. Gates stated their site is Enfieldhooah.org and they can also be found on Facebook. Mrs. Gates asked Mr. Drezek, Mr. Longey and Mr. Bourassa to report to Walmart at 8:30 AM to be part of this year's convoy. We would like you to witness first-hand what we are seeing as we travel through Enfield.

Chairman Kruzel thanked Mrs. Gates for everything you are doing for the Wreaths Across America program and the Enfield community. Thank you.

Mrs. Gates stated thanked everyone for what this program stands for.

**7. SUPERINTENDENT'S REPORT**

- a. Student Representatives – as presented
- b. Christmas Break – as presented
- c. December Events – as presented

**8. AUDIENCES - None**

**9. BOARD MEMBER COMMENTS**



Mrs. Depeau congratulated our student-athletes for a job well done. She also thanked Lori Gates, Pam Townsend and the community for making the Wreaths Across America Saturday wreath laying ceremony a huge success.

Mrs. Depeau stated the Enfield Street PTO will hold holiday shopping for students on December 10-14<sup>th</sup>. The Enfield Street PTO meeting will be held on December 13<sup>th</sup> and the school will participate on the December 14<sup>th</sup> PJ day. The Little Caesar's Pizza fundraiser will start on December 17<sup>th</sup>. All of this can be found on the enfieldpto.com website.

Mr. Rutledge congratulated the JFK Debate Team. They performed very well at their first debate on December 1<sup>st</sup> in Seymour, CT. He also congratulated Mrs. Cerrato who has done great work with this team.

Mr. Rutledge wished everyone a Merry Christmas.

Mrs. Riley attended the Torchlight Parade and Carol Sing along with our Kid Mayor Olivia Nuccio, Mayor Mike, Councilman Cressotti and Board Chair Kruzel. This was an awesome event. She urged people to donate and volunteer at our warming center.

Mrs. Riley thanked Mr. Regnier for addressing her many questions regarding the policies.

Mrs. Riley attended the EHS NEAS&C on Sunday, December 2<sup>nd</sup>. The students were great. She would love to see these students attend a Board meeting. She also mentioned that items from the DECA school store can be purchased on-line at [squareup.com/store/ehsschoolstore](http://squareup.com/store/ehsschoolstore).

Mrs. Riley stated the Barnard PTO meeting was held earlier tonight. We will hold lunch for the teachers on December 13<sup>th</sup> and Barnard students will also participate in the PJ day. Next month we will hold a movie night and a game night.

Mrs. LeBlanc stated JFK will hold their Purses for Patriots Bingo next month on Friday, January 18<sup>th</sup>. Tickets can be bought on-line.

Mrs. LeBlanc wished everyone happy holidays and Merry Christmas. Christmas is a time to be thankful and reflect upon. This is this is the 4<sup>th</sup> Board that she has been on. This is the most profound Board she has been part of. There is such a level of respect between members and we are a united team. She looks forward to working together during the next year with her fellow Board members. Merry Christmas and Happy Healthy New Year.

Mr. Neville also attended the EHS NEAS&C accreditation on Sunday, December 2<sup>nd</sup>. He has been part of school accreditations for years and this was by far the best one. The students were phenomenal. Our students are so articulate. Our teachers were also great. He is so proud of them and congratulated them for a job well done.

Mr. Neville attended the EHS Safe Grad Auction. It was a great event and there was a good turnout. He left with quite a few items. Great job and congratulation to those that were involved with this.

Mr. Neville thanked Mrs. Gates. Our town is so patriotic. This does not happen without a lot of planning. Thank you, Lori, for your patriotism and for keeping this alive. This is a community event.

Mr. Neville wished everyone a happy holiday. We need to see peace on earth for our children and grandchildren. Celebrate the holiday but don't forget what our freedoms have cost us.

Mr. Ryder stated the Eli Whitney Five Below Fundraiser event will be held from December 16-22<sup>nd</sup>. Bring your flyer with you. Spirit week will be held on December 17-21<sup>st</sup>. The EPS district-wide PJ day will be held on December 14<sup>th</sup>. Enfield high will also participate on PJ day.

All donations will go to CCMC to help fight against cancer and blood disorders.

Mr. Ryder also wished everyone happy holiday.

Mr. Regnier stated Hazardville Memorial will hold their PTO meeting on December 12<sup>th</sup> at 6:00 PM in the Library. The holiday concert will be held on December 13<sup>th</sup> at the Enfield Annex at 6:00 PM. Memorial will also participate with the December 14<sup>th</sup> PJ day. The monthly assembly will be held on December 21<sup>st</sup> at 1:30 PM.

Mr. Regnier also attended the EHS NEAS&C event on Sunday, December 2<sup>nd</sup> at EHS. It was great to see the students showcase Enfield High. The atmosphere was awesome. The students took charge. The panel asked us questions about the school district. We were all so proud of everything we have accomplished as a district.

Mr. Regnier would like for the Chair to expand the data and use of data for future meeting discussions. We have many achievements as a school district. He is looking to see the numbers showing how the district is doing. The State EdSight website allows you to look up data from past years but is not current with current data. He is looking for real-time data. He would like to see what our graduation rates are and what our chronic absenteeism rates are.

Mr. Regnier stated at the last meeting, the Chairman appointed members to the JFK Building Committee. In the future, he would like all 9 Board members to have the opportunity to express their interest in serving on any future committee appointments.

Chairman Kruzel stated Crandall will hold their Snow So Much event on December 14<sup>th</sup> at 6:00 PM. They will hold a Pride Assembly on December 20<sup>th</sup> at 9:30 AM. They also found a new use for duct tape.

Chairman Kruzel stated an audience member at Town Council meeting discussed a concern about the Board. This person felt we illegally handled the JFK referendum. This is not true. We did everything legally.

Mr. Ryder explained how the JFK PAC was formed, how it was run and how he contacted the State Elections Commission and Attorney.

Chairman Kruzel added the JFK PAC did their own fundraising. No town monies were used for the JFK PAC. The Youth Vote staff were not responsible for placing a ballot on the wall. This was done by a private individual and not by a school member or Youth Vote Committee member.

Chairman Kruzel stated if you have any concerns, please come to the Board directly and not to the Town Council. Thank you.

Chairman Kruzel wished everyone a Merry Christmas and Happy New Year.

## **10. UNFINISHED BUSINESS**

### **a. BOE Policies – Approve 3000 Series – Second Reading**

Mr. Rutledge moved, seconded by Mr. Neville that the Enfield Board of Education approves the 3000 Series as a second and final reading.

#### **Discussion:**

Mr. Rutledge thanked the Mr. Regnier for the direction he has led the Policy Committee. You have made the process easier and have made sure our policies are up-to-date and posted on-line.

Mr. Regnier added that we have a great group on the Policy Committee. He thanked Mr. Rutledge, Mr. Ryder and Mr. Longey for their support.

A vote by **roll-call 8-0-0** passed unanimously.

**b. BOE New Policy – Approve 5144.1 Use of Physical Force – Physical Restraint/Seclusion – Second Reading**

Mrs. Depeau moved, seconded by Mrs. Riley that the Enfield Board of Education approves new BOE Policy #5144.1 Use of Physical Force – Physical Restraint/Seclusion as a second and final reading.

A vote by **roll-call 8-0-0** passed unanimously.

**11. NEW BUSINESS**

**a. BOE Policies – Approve 4000 Series (First Section) – First Reading**

Mr. Rutledge moved, seconded by Mrs. Riley that the Enfield Board of Education approves the 4000 Series (First Section) as presented.

**Discussion:**

Mr. Neville thanked the committee members and asked if these are basically routine changes.

Mr. Regnier stated there are no specific changes. As the committee reviews the recommended policies from CAGE, we are having the appropriate staff review the policy and give us feedback.

Mr. Neville added that we have had some of these policies for years and our curriculum has changed. He was wondering if the policies will change with the curriculum.

Mr. Regnier stated CAGE gave us bundles of policies. We review the policies to see if they are appropriate for our school district. Some of our policies were outdated or inappropriate as written. We are hoping these policies will be the final policies. He would also like to see us stay with CAGE, so they can update any of our policies with any necessary future changes regarding state statutes or laws.

Mr. Neville thanked them all for the hard work reviewing the policies.

Chairman Kruzel agreed that the Policy Committee members have done a great job – thank you.

A vote by **roll-call 8-0-0** passed unanimously.

**b. FY2018-19 School Calendar Revision**

Mrs. LeBlanc moved, seconded by Mr. Neville that the Enfield Board of Education approves the FY2018-19 School Calendar Revision as presented.

A vote by **roll-call 8-0-0** passed unanimously.

**c. Action if any, regarding Superintendent Evaluation & Contract**

This item will be addressed after Item #16.

**12. BOARD COMMITTEE REPORTS**

a. Curriculum Committee

Mr. Neville reported the Curriculum Committee will meet on December 13<sup>th</sup> at 6:00 PM in the Board Conference Room – room 217. We are inviting Board Leadership to attend this meeting.

b. Finance, Budget Committee

Mrs. Riley reported the Finance, Budget Committee met on December 10<sup>th</sup>. We will approve financial reports later tonight. We will meet next on January 14<sup>th</sup>.

c. Policy Committee

Mr. Regnier reported the Policy Committee cancelled their December meeting. We will start meeting again in January 2019.

d. Leadership Committee - None

e. Joint Facilities Committee

Chairman Kruzel reported the Joint Facilities Committee will meet on December 20<sup>th</sup>.

f. JFK Building Committee

Chairman Kruzel reported the Town Council will approve the committee membership at their upcoming Monday meeting. Committee members will be notified.

g. Any Other Committees

Mr. Regnier stated the Rachel's Challenge Pancake Breakfast will be held on Saturday, December 15<sup>th</sup> at 8:00 AM at St. Patrick's Church Hall.

Mrs. Riley asked if the JFK Building Committee members would receive a letter from the Town Hall appointing them to this committee. Chairman Kruzel stated that is correct. Appointed committee members will receive a letter from the Town Clerk regarding their appointment.

**13. APPROVAL OF MINUTES**

Mr. Neville moved, seconded by Mrs. Riley that the Regular Meeting Minutes of November 27, 2018 be approved. A vote by **show-of-hands 7-0-1** passed with Mrs. LeBlanc abstaining.

**14. APPROVAL OF ACCOUNTS PAYROLL**

Mrs. Riley moved seconded by Mrs. LeBlanc that the Enfield Board of Education accepts the superintendent's certification for:

- The month of October 2018, total expenditures amount to \$6,097,729.60, broken down between payroll totaling \$3,963,815.15 and other accounts totaling \$2,133,914.45. All payments have been made in accordance with the approved budget and are properly accounted for within the books of accounts. Copies of approval for check invoices are properly documented.

A vote by **show-of-hands 8-0-0** passed unanimously.

**Line Item Transfers** - None

Mrs. Riley moved seconded by Mrs. Depeau that the Enfield Board of Education accepts the

superintendent's certification for:

- The month of November 2018, total expenditures amount to \$5,973,751.87, broken down between payroll totaling \$4,036,033.73 and other accounts totaling \$2,133,914.45. All payments have been made in accordance with the approved budget and are properly accounted for within the books of accounts. Copies of approval for check invoices are properly documented.

A vote by **show-of-hands 8-0-0** passed unanimously.

**Line Item Transfers** - None

**15. CORRESPONDENCE AND COMMUNICATIONS**

Chairman Kruzel reported that the Board received a Christmas Card from our attorneys.

**16. EXECUTIVE SESSION**

Mr. Neville moved, seconded by Mrs. Riley that the Enfield Board of Education enter Executive Session for Matter(s) Related to Personnel.

A vote by **show-of-hands 8-0-0** passed unanimously.

The Board remained in Council Chambers for the Executive Session. Both Mr. Drezek and Mr. Longey joined the Board in Executive Session.

No Board action occurred while in Executive Session.

**11c. Action if any, regarding Superintendent Evaluation & Contract**

Mr. Neville moved, seconded by Mr. Rutledge that the Enfield Board of Education approves Mr. Drezek's evaluation and contract as presented.

A vote by **roll-call 8-0-0** passed unanimously.

**17. ADJOURNMENT**

Mr. Rutledge moved, seconded by Mr. Ryder to adjourn the Regular Meeting of December 11, 2018.

All ayes, motion passed unanimously.

Meeting stood adjourned at 9:45 PM.

Tina LeBlanc  
Secretary  
Board of Education

Respectfully Submitted,

Kathy Zalucki, Recording Secretary