

NEW MILFORD BOARD OF EDUCATION

**New Milford Public Schools
25 Sunny Valley Road, Suite A
New Milford, Connecticut 06776**

**POLICY SUB-COMMITTEE
MEETING NOTICE**

RECEIVED
TOWNSHIP CLERK
2023 SEP 29 P 4:07
NEW MILFORD, CT



**DATE: October 3, 2023
TIME: 6:45 P.M.
PLACE: Sarah Noble Intermediate School Library Media Center**

AGENDA

New Milford Public Schools Mission Statement

The mission of the New Milford Public Schools, a collaborative partnership of students, educators, family, and community, is to prepare each and every student to compete and excel in an ever-changing world, embrace challenges with vigor, respect and appreciate the worth of every human being, and contribute to society by providing effective instruction and dynamic curriculum, offering a wide range of valuable experiences, and inspiring students to pursue their dreams and aspirations.

- 1. Call to Order**
- 2. Public Comment**

An individual may address the Board concerning any item on the agenda for the meeting subject to the following provisions:

- A. A three-minute time limit may be allocated to each speaker with a maximum of twenty minutes being set aside per meeting. The Board may, by a majority vote, cancel or adjust these time limits.
- B. If a member of the public comments about the performance of an employee or a Board member, whether positive, negative, or neutral, and whether named or not, the Board shall not respond to such comments unless the topic is an explicit item on the agenda and the employee or the Board member has been provided with the requisite notice and due process required by law. Similarly, in accordance with federal law pertaining to student confidentiality, the Board shall not respond to or otherwise discuss any comments that might be made pertaining to students.

3. Discussion and Possible Action

A. Policies in Series 1000 Recommended for Deletion

- 1. 1000 Concepts and Roles in Community Relations
- 2. 1110 Administration and School Relation with Board
- 3. 1112 News Media Relationships
- 4. 1112.5 Media Access to Students
- 5. 1120 Public Participation at BOE Meetings
- 6. 1140 Distribution of Materials to and by Students
- 7. 1146 Recognition of Students, Citizens, Staff Members
- 8. 1150.116 Communications with the Public
- 9. 1251 Loitering or Causing a Disturbance
- 10. 1312 Public Complaints
- 11. 1321 Public Performances by Students
- 12. 1322 Contests for Students
- 13. 1323 Gifts to Students
- 14. 1326 Solicitations by Staff Members
- 15. 1331 Smoking
- 16. 1350 Senior Citizens' Benefits

- 17. 1411 Relations with Police Authorities
- 18. 1412 Fire Department
- 19. 1430 State and Federal Aid
- 20. 1620 Relations with Private Schools, Colleges, and Universities
- 21. 1800 Animals on School Property

B. Policies for Review and Recommendation

- 1. 1105 Non-Discrimination
- 2. 5163 Transportation
- 3. 4112.8 Nepotism (Certified)
- 4212.8 Nepotism (Non-Certified)

C. Status of Remaining Policies in Series 1000

- 1. 1110.1 Communications with the Public/Parent Involvement—Parent and Family Engagement Policy (Series 6000-Title I Policy) will be reviewed in November and this policy will be recommended for deletion upon approval of the Parent and Family Engagement Policy.
- 2. 1313 Gifts to School Personnel—This policy will be deleted when model policy Gifts, Grants and Bequests to the District is considered and approved in Series 3000, Business.
- 3. 1325 Advertising and Promotion—This policy is not mandated, but will be reviewed by Administration to determine its relevancy.
- 4. 1330 Use of School Facilities—Further review and comparison with the Board’s current policy is needed and will be brought back in November.

5. Public Comment

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6. Adjourn

**Sub-Committee Members: Olga I. Rella, Chairperson
 Tammy McInerney
 Leslie Sarich
 Sarah Herring**

**Alternates: Brian McCauley
 Eric Hansell**

Note from Shipman & Goodwin:

We have revised this policy to add definitions of discrimination and harassment and include examples of the types of conduct that may be considered Protective Class harassment prohibited by the policy. While not required by law, these revisions are designed to provide guidance to districts in determining whether conduct in question constitutes discrimination or harassment. Further, in 2022, Public Act 22-82 added domestic violence victims as a protected class under Connecticut's anti-discrimination laws. We have revised the policy to reflect this new protected class and to include the definition of "domestic violence victim." In addition, we have updated the regulations and the complaint procedures consistent with a recently issued resolution from the U.S. Department of Education Office of Civil regarding a school district's obligations to ensure that students are not subjected to a hostile environment on the basis of a protected class. Finally, we have made numerous technical revisions for clarity.

**Series 1000
Community/Board Operation**

New 1105

NON-DISCRIMINATION

It is the policy of the New Milford Board of Education (the "Board") that any form of discrimination or harassment on the basis of race, religion, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, or any other basis prohibited by state or federal law ("Protected Class") is prohibited in the New Milford Public Schools (the "District"), whether by students, Board employees, Board members or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics, school-sponsored activities, as well as the district website.

The Board further prohibits reprisal or retaliation against any individual who reports incidents in good faith that may be a violation of this policy, or who participates in the investigation of such reports.

Discrimination and/or harassment against any individual on the basis of that individual's association with someone in a Protected Class may also be considered a form of Protected Class discrimination and/or harassment, and is therefore prohibited by this policy.

I. Definitions:

The following definitions apply for purposes of this policy:

A. Discrimination: Discrimination in violation of this policy occurs when an individual is denied participation in, or the benefits of, a program or activity of the Board because of such individual's actual or perceived membership in a Protected Class.

B. Harassment: Harassment is a form of Protected Class discrimination that is prohibited by law and by this policy. Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit an individual's ability to participate in or benefit from the services, activities, or opportunities offered by the District.

Although not an exhaustive list, the following are examples of the types of conduct that may be considered Protected Class harassment and can lead to a hostile environment, and are therefore prohibited by this policy:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Sexual harassment is a form of harassment that is prohibited by law and Board policy. For more information regarding harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, contact the District's Title IX Coordinator at:

Teresa Kavanagh
Director of Human Resources
25 Sunny Valley Road, Suite A
New Milford, CT 06776
Telephone Number: 860-210-2200
kavanaght@newmilfordps.org

C. Gender identity or expression: Gender identity or expression refers to a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally

associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

D. Veteran: A veteran is any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. “Qualifying condition” means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (C) a determination that sexual orientation, gender identity or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

E. Race: The term “race is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. “Protective hairstyles” includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

F. Domestic violence: Domestic violence means (1) a continuous threat of present physical pain or physical injury against a family or household member, as defined in Conn. Gen. Stat. § 46b-38a; (2) stalking, including but not limited to, stalking as described in Conn. Gen. Stat. § 53a-181d, of such family or household member; (3) a pattern of threatening, including but not limited to, a pattern of threatening as described in Conn. Gen. Stat. § 53a-62, of such family or household member or a third party that intimidates such family or household member; or (4) coercive control of such family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty. “Coercive control” includes, but is not limited to, unreasonably engaging in any of the following: (a) isolating the family or household member from friends, relatives or other sources of support; (b) depriving the family or household member of basic necessities; (c) controlling, regulating or monitoring the family or household member's movements, communications, daily behavior, finances, economic resources or access to services; (d) compelling the family or household member by force, threat or intimidation, including, but not limited to, threats based on actual or suspected immigration status, to (i) engage in conduct from which such family or household member has a right to abstain, or (ii) abstain from conduct that such family or household member has a right to pursue; (e) committing or threatening to commit cruelty to animals that intimidates the family or household member; or (f) forced sex acts, or threats of a sexual nature, including, but not limited to, threatened acts of

sexual conduct, threats based on a person's sexuality or threats to release sexual images.

II. Reporting:

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment.

Any individual who believes an individual has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of this policy should report such concern in writing to the Director of Human Resources in accordance with the Board's complaint procedures included in the Board's Administrative Regulations Regarding Non-Discrimination/Community, which accompany this policy, and are available online at [New Milford Board of Education Policies](#) or upon request from the main office of any District school.

If a complaint involves allegations of discrimination or harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, such complaints will be handled in accordance with the procedures set forth in Board Policy 4118.113/4218.113, Policy Regarding Prohibition of Sex Discrimination and Sexual Harassment in the Workplace (Personnel), or Policy 5145.7, Policy Regarding Title IX of the Educational Amendments of 1972 – Prohibition of Sex Discrimination and Sexual Harassment (Students). Complaints involving allegations of discrimination or harassment based on disability will be addressed in accordance with the procedures set forth in Board Policy 4118.112/4218.112, Section 504/ADA (Personnel), or Board Policy 5145.45, Section 504/ADA (Students). In the event reported conduct allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

In addition to reporting to District officials in accordance with this policy, individuals also may file a complaint with the following agencies:

Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617-289-0111)
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835

(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Equal Employment Opportunity Commission (employees only):

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

Anyone who has questions or concerns about this policy, and/or who may wish to request or discuss accommodations based on religion, and/or who would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment, may contact:

Teresa Kavanagh
Director of Human Resources
25 Sunny Valley Road, Suite A
New Milford, CT 06776
Telephone Number: 860-210-2200
kavanaght@newmilfordps.org

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

Teresa Kavanagh
Director of Human Resources
25 Sunny Valley Road, Suite A
New Milford, CT 06776
Telephone Number: 860-210-2200
kavanaght@newmilfordps.org

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

Teresa Kavanagh
Director of Human Resources
25 Sunny Valley Road, Suite A
New Milford, CT 06776
Telephone Number: 860-210-2200
kavanaght@newmilfordps.org

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Connecticut General Statutes § 1-1n, “Gender Identity or Expression”
defined
Connecticut General Statutes § 27-103
Connecticut General Statutes § 46a-51, Definitions
Connecticut General Statutes § 46a-58, Deprivation of rights
Connecticut Fair Employment Practices Act, Connecticut General
Statutes § 46a-60
Connecticut General Statutes § 46a-81a, Sexual orientation
discrimination: Definitions
Connecticut General Statutes § 46a-81c, Sexual orientation
discrimination: Employment
Connecticut General Statutes § 46b-1, Family relations matters and
domestic violence defined

Public Act No. 22-82, “An Act Concerning Online Dating Operators,
the Creation of a Grant Program to Reduce Occurrences of
Online Abuse and the Provision of Domestic Violence Training
and Protections for Victims of Domestic Violence”

Approved:
SCHOOLS
Revised:
Connecticut

NEW MILFORD PUBLIC

New Milford,

**ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION
COMPLAINTS (COMMUNITY MEMBERS)**

It is the policy of the New Milford Board of Education (the “Board”) that any form of discrimination or harassment on the basis of race, religion, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, or any other basis prohibited by state or federal law (“Protected Class”) is prohibited in the New Milford Public Schools (the “District”), whether by students, Board employees, Board members or third parties subject to the control of the Board. Students, Board employees, Board members and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment.

Although not an exhaustive list, the following are examples of the types of conduct that may be considered Protected Class harassment and can lead to a hostile environment, and are therefore prohibited:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Any individual who believes an individual has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of Board policy should report such concern in writing to the Director of Human Resources in accordance with the Board’s complaint procedures included in these Administrative Regulations Regarding Non-Discrimination/Community.

If a complaint involves allegations of discrimination or harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, such complaints will be

handled in accordance with the procedures set forth in Board Policy 4118.113/4218.113, Policy Regarding Prohibition of Sex Discrimination and Sexual Harassment in the Workplace (Personnel), or Policy 4145,7, Policy Regarding Title IX of the Educational Amendments of 1972 – Prohibition of Sex Discrimination and Sexual Harassment (Students). Complaints involving allegations of discrimination or harassment based on disability will be addressed in accordance with the procedures set forth in Board Policy 4118.112/4218.112, Section 504/ADA (Personnel), or Board Policy 5145.45 Section 504/ADA (Students). In the event reported conducted allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

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

The District will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of Protected Class harassment or discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The District will periodically provide staff development for District administrators and periodically distribute this policy and the implementing administrative regulations to employees and students in an effort to maintain an environment free of discrimination and harassment.

Complaint Procedure

As soon as an individual feels that they, or another individual has been subjected to Protected Class discrimination or harassment, the individual should make a written complaint to the Superintendent, or designee.

Complaints pertaining to the Superintendent should be filed with the Board Chair. Complaints pertaining to any Board members other than the Board Chair should be filed with the Board Chair. Complaints pertaining to the Board Chair should be filed with the Board Vice Chair. In all cases, the individual receiving the complaint shall take appropriate steps to cause the matter to be investigated in a manner consistent with the Board's non-discrimination policy and regulation.

If any party to the complaint involving the Superintendent or a Board member is not satisfied with the findings and conclusions of an investigation, within (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board Chair (or, if presented by the Board Chair, the Board Vice Chair), who will take appropriate steps, such as retaining an independent investigator different from the investigator who investigated the complaint, to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation.

The individual who is alleged have experienced Protected Class discrimination/harassment (the “complainant”) and any individual accused of Protected Class discrimination/harassment (the “respondent”) (if applicable) will be provided a copy of the Board’s policy and regulation and made aware of the individual’s rights under this policy and regulation. In the event the Superintendent or designee receives a complaint alleging discrimination or harassment on the basis of sex, sexual orientation, pregnancy, or gender identity or expression, the Superintendent or designee shall follow the procedures identified in Board Policy 4118.113/4218.113, Policy Regarding Prohibition of Sex Discrimination and Sexual Harassment in the Workplace (Personnel), or Policy 5145.7, Policy Regarding Title IX of the Educational Amendments of 1972 – Prohibition of Sex Discrimination and Sexual Harassment (Students). In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on disability, the Superintendent or designee shall follow the procedures identified in Board Policy 4118.112/4218.112, Section 504/ADA (Personnel), or Board Policy 5145.45, Section 504/ADA (Students).

The complaint should state the:

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

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

All complaints received by employees are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging discrimination or harassment under this complaint procedure, the Superintendent or designee shall promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the reporter (if different from the complainant), the alleged discriminator/harasser (“respondent”) and any witnesses to

the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination or harassment, the investigator should:

1. Offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) to discuss the nature of the complaint, discuss the availability of interim measures, identify individuals the complainant or respondent believes has relevant information, and obtain any relevant documents the complainant or respondent may have;
2. Provide the complainant and respondent (if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with the parties to the complaint and any relevant witnesses or other individuals deemed relevant to the complaint;
4. Review any records, notes, statements, or other documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Complete a final investigation report that includes: (i) a findings of fact based on the evidence gathered; (ii) for each allegation, the conclusion(s) and reasoning(s) as to whether the discrimination or harassment occurred; and (iii) for any individual(s) found to have engaged in discrimination or harassment, a broad statement of consequences imposed (to the extent permitted by state and federal confidentiality requirements) (i.e. "Consequences were imposed.").
7. Communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated

and if so, shall identify, to the extent possible, how the District will remedy the discrimination or harassment, adhering to the requirements of state and federal law;

8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of employees and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
9. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps to avoid continuing discrimination or harassment;
10. If a complainant or respondent is not satisfied with the findings and conclusions of the investigation, such party may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the party requesting an appeal, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

If the District makes a finding of discrimination, harassment or retaliation, the District will take appropriate remedial action designed to eliminate the discriminatory/harassing conduct, prevent its recurrence, and address its effects on the complainant and any other affected individuals. Examples of appropriate action may include:

- (a) Interventions for the individual who engaged in the discrimination/harassment, such as parent/guardian or supervisor notification, discipline, counseling, or training.
- (b) Interventions for the complainant, such as counseling, academic support, and information on how to report further incidents of discrimination.
- (c) Separating the complainant and the individual who engaged in the discrimination/harassment, provided the separation does not penalize the complainant.
- (d) Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation.

- (e) Training or other interventions for the larger school community to ensure that students, staff, and parents understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

A complainant alleging discrimination or harassment may file a formal complaint with the Boston Office, Office for Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (TELEPHONE NUMBER: 617-289-0111).

A complainant may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Blvd., Hartford, CT 06103-1835 (TELEPHONE NUMBER: 860-541-3400).

An employee alleging discrimination or harassment related to their employment may also file a complaint with the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER: 800-669-4000).

Anyone who has questions or concerns about these regulations, and/or who may wish to request or discuss accommodations based on religion, may contact:

Teresa Kavanagh
Director of Human Resources
25 Sunny Valley Road, Suite A
New Milford, CT 06776
Telephone Number: 860-210-2200
kavanaght@newmilfordps.org

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

Teresa Kavanagh
Director of Human Resources
25 Sunny Valley Road, Suite A
New Milford, CT 06776
Telephone Number: 860-210-2200
kavanaght@newmilfordps.org

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

Teresa Kavanagh

**Director of Human Resources
25 Sunny Valley Road, Suite A
New Milford, CT 06776
Telephone Number: 860-210-2200
kavanaght@newmilfordps.org**

Regulation Approved:

DISCRIMINATION/HARASSMENT COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, or status as a victim of domestic violence)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

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

Location where such discrimination/harassment occurred _____

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

Detailed statement of the circumstances constituting the alleged discrimination or harassment _____

Proposed remedy: _____

TRANSPORTATION

I. Statement of Policy

The Board of Education will provide transportation for students under provisions of state law and regulations. In determining the provision of transportation, the superintendent of schools shall consider the guidelines contained in this policy and shall administer the operation so as to:

1. provide for the safety of students, including consideration of hazardous conditions whether or not described in this policy;
2. provide for appropriate supervision for students while on school transportation, consistent with the Board's student discipline policy; and
3. assist disabled students by providing appropriate specialized transportation when required by law.

II. Definitions

1. "School transportation" means the procedure, program, or implemented plan by which a pupil is transported to and/or from school from the pupil's residence or the assigned bus stop at public expense, whether by use of publicly owned equipment or by contract. Such transportation shall be over public roads approved and maintained by the municipality or the state of Connecticut, or private roads approved pursuant to C.G.S. Section 10-220c.
2. "Walking distance" means the linear measure of a prescribed or authorized pedestrian route between the pupil's residence and the pupil's school from a point at the curb or edge of a public or private road nearest the pupil's residence to a point at the entrance of the school, or a safe entrance to the school grounds located within one hundred feet of the school building entrance or the bus pick-up area, or the route from the point on the public thoroughfare nearest the residence to the school bus or vehicle embarkation point established by the New Milford Board of Education.
3. "One mile walking distance" means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet, but not more than 5,380 feet.
4. "Grade K" means kindergarten, or a school program appropriate to a beginning pupil.

5. "Hazard" means a thing or condition, as prescribed in this policy under "Hazardous Conditions" that affects the safety of pupils walking to or from school and/or to or from a designated bus pick-up area.
6. "Sidewalk" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any white line safety markings along the street pavement.
7. "Raised walk area" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any painted safety markings along the street pavement.
8. "Walking route" means the route that the student is expected to travel between his/her residence to and from school and/or an assigned bus stop.
9. "Bus stop" shall be defined as a geographical location designated by the Board of Education, school administration or their designee where students can safely wait for purposes of embarking or disembarking a school bus.
10. "Pupil" means any individual of school age enrolled in a public or nonprofit private school located within the school district or contiguous school district as the case may be.

III. Provision of Transportation

Transportation by private carrier may be provided whenever such practice is more economical than using school district-owned/leased facilities. If parents volunteer, and the administration permits, parents may be reimbursed for transportation of eligible students whenever such practice is more economical or convenient for the school district.

In determining the provision of transportation for resident public and eligible private school students, the following guidelines regarding walking distances will be considered. Distance measurements will be based on the most direct route from the student's home beginning at a point at the curb or edge of a public road or highway nearest the home to the edge of the school property or bus pickup areas.

<u>Grade</u>	<u>Limit</u>
K-2	0.5 mile
3-8	1 mile
9-12	1.5 miles

Students living within the stated distance limits will receive transportation when, in the opinion of the Superintendent of Schools, it is in the best interests of the district to provide transportation.

IV. Access to Bus Stops/Transportation and Behavior

Parents and/or guardians are responsible for ensuring the safety of their children up until the point when students board the school bus or other school provided transportation, and after students get off the bus after school. This responsibility includes the selection of walking routes to/from any bus stop and/or the school building, compliance with health and safety precautions at the bus stop and along walking routes, and the provision of supervision that is appropriate to the student's age, maturity and conditions along the walking route and/or at the bus stop at all times.

Given that bus pick up times may vary, the Board expects that parents and/or guardians will ensure that their children arrive at the bus stop in advance of any scheduled pick up time.

Students accessing school transportation are expected to behave in an appropriate manner, in accordance with all school rules and regulations. The Board's policies and procedures concerning student discipline shall apply to student behavior while accessing student transportation.

V. Hazardous Conditions

The administration shall consider the following guidelines for hazardous conditions when making decisions regarding the transportation of children:

1. Except as provided in Paragraph 7 of this Section, a street or road, along a designated walking route to or from school and/or to or from a designated bus pick-up area, having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when any one of the following conditions exist:
 - a) For pupils under age ten, or enrolled in grades K through 2:
 - (i) the absence of a pedestrian crossing light or crossing guard where three or more streets intersect, and a pupil is expected to cross the street; OR
 - (ii) street crossings where there are no stop signs or crossing guards and the traffic count during the time that pupils are walking to or from school exceeds sixty vehicles per hour at the intersection, and a pupil is expected to cross the street.
 - b) For pupils r enrolled in grades 3 through 12, the absence of a traffic light or stop signs or crossing guard at an intersection where three or more streets intersect which has a traffic count which exceeds ninety vehicles per hour during the time that pupils are walking to or from school, and such pupils are expected to cross the street;

- c) For all pupils:
 - (i) any street, road, or highway with speed limits in excess of forty miles per hour which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross when going to or from school or the bus stop; OR
 - (ii) the usual or frequent presence of any nuisance such as open man-holes, construction, snow plowed or piled on the walk area making walkways unusable, loading zones where delivery trucks are permitted to park on walkways, commercial entrances and exits where cars are crossing walking areas at speeds in excess of five miles per hour, and the like, including such nuisances which are hazardous or attractive to children.
- 2. Any street, road, or highway, along a designated walking route to or from school and/or to or from a designated bus pick-up area, that has no sidewalks or raised walk areas shall be deemed hazardous if any one of the following conditions exist:
 - a) For pupils enrolled in grade K through 2:
 - (i) any street, road, or highway possessing a traffic count of sixty or more vehicles per hour at the time that pupils are walking to or from school; OR
 - (ii) any street, road, or highway possessing a speed limit in excess of thirty miles per hour.
 - b) For all pupils:
 - (i) the presence of human-made hazards including attractive nuisances, as stated in 1(c)(ii) above; OR
 - (ii) any roadway available to vehicles that does not have a minimum width of approximately twenty-two feet; OR
 - (iii) any roadway available to vehicles that, when plowed free of snow accumulations, does not have a minimum width of approximately twenty feet; OR
 - (iv) any street, road, or highway where the line-of-sight visibility together with posted speed limits do not permit vehicular braking/stopping in accordance with the Connecticut Drivers Manual or Department of Transportation, Division of Design Standard, or other reasonable standard.
- 3. Any walkway, path, or bridge, along a designated walking route to or from school and/or to or from a designated bus pick-up area, in an area adjacent or parallel to railroad tracks shall be considered hazardous unless a suitable physical barrier along the entire pedestrian route is present and fixed between pupils and the track; and any crossing of railroad tracks

carrying moving trains during hours that pupils are walking to or from school or to and from a designated bus pick-up area shall be deemed hazardous unless:

- a) a crossing guard is present; OR
 - b) for pupils enrolled in K-2, an automatic control bar is present at crossings; OR
 - c) for pupils enrolled 3-12, a bar or red flashing signal light is operational.
4. For pupils in grades K through 5, the following conditions shall be deemed hazardous:
 - a) a lake, pond, stream, culvert, water-way, or bridge shall be deemed a hazard in the absence of a fence or other suitable barrier fixed between the pupil and the water; OR
 - b) any area adjacent to a roadway, sidewalk, or bridge, along a designated walking route to or from school and/or to or from a designated bus pick-up area, having a drop of three or more feet per four feet of travel length on either side of the established lanes, in the absence of a fence or other suitable barrier.
 5. For pupils in grades K through 5 walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous.
 6. For all students, walking along any street, road, walkway, sidewalk, or path designated as a walking route which passes through an area which has a history of aggressive acts of molestation resulting in actual or threatened physical harm or moral degradation during the hours when pupils ordinarily walk to or from school shall be deemed hazardous.
 7. It shall not be a “hazard” or “hazardous condition” for a pupil whose residence abuts a public street, road or highway to (1) wait for the bus on the private property where the pupil resides for the school bus, until the school bus’s flashing red lights are activated to stop traffic so that the student can enter onto or cross the public street, road or highway to get on a school bus; or (2) exit a school bus that is stopped on the public street, road or highway, when the bus’s flashing red lights are activated to stop traffic so that the pupil can enter onto or cross such street, road or highway to access the private property where the pupil resides.

VI. Applicability and Exceptions

1. This policy is applicable to public road approved and maintained by the municipality or state of Connecticut, or private roads approved for passage

of school transportation vehicles in accordance with C.G.S. Section 10-220c.

2. Special Education pupils and pupils eligible for accommodations under Section 504 of the Rehabilitation Act shall be judged on an individual basis, and appropriate transportation provided.
3. The Superintendent of Schools may grant an exception to any guideline set forth in this policy where a peculiar condition or combination of conditions renders such condition(s) a hazard based upon reasonable judgment; or where under the circumstances, other conditions exist under which the safety of students necessitates a variance with the guidelines within this policy.

VII. Complaint Procedure

1. All complaints concerning school transportation safety shall be made in writing to the Superintendent of Schools or designee. The Superintendent or designee shall maintain a written record of all such complaints, and shall conduct appropriate investigations of the allegations in a timely manner. The investigation shall include 1) the review of the complaint raised with appropriate personnel responsible for transportation of students and 2) the opportunity for the parent or other person making the complaint to meet with the Superintendent to discuss the complaint and any possible resolution thereof.
2. Annually, within thirty (30) business days of the end of the school year, the Superintendent of Schools or designee shall provide the Commissioner of Motor Vehicles (“Commissioner”) with a copy of the written record of complaints received during the previous twelve (12) month period.
3. The Superintendent of Schools or designee shall make a written report of the circumstances of any accident within the Board’s jurisdiction and knowledge, involving a motor vehicle and any pedestrian who is a student, which occurs at a designated school bus stop or in the immediate vicinity thereof, to the Commissioner within ten (10) business days thereafter on a form prescribed by the Commissioner.
4. If a complaint covered by Section 10-186 of the Connecticut General Statutes, and is not resolved by the Superintendent, the Superintendent shall inform parent or guardian, or an emancipated minor or a pupil eighteen years of age or older, of the right to request a hearing regarding the complaint. Such hearing, if requested, shall be held in accordance with Section 10-186 of the Connecticut General Statutes, as it may be amended from time to time.

Legal Reference: Connecticut General Statutes

- 10-186 Duties of local and regional boards of education re: school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfers.
- 10-187 Appeal from finding of hearing board.
- 10-220 Duties of boards of education.
- 10-220c Transportation of children over private roads. Immunity from Liability.
- 10-221c Development of policy for reporting complaints regarding school transportation safety.
- 10-273a Reimbursement for transportation to and from elementary and secondary schools.
- 10-280a Transportation for students in non-profit private schools outside school district.
- 10-281 Transportation for pupils in nonprofit private schools within school district.
- 14-275 Equipment and color of school buses.
- 14-275b Transportation of mobility impaired students.
- 14-275c Regulations re: school buses and motor vehicles used to transport special education students.

Policy approved: June 20, 2023

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

Note from Shipman & Goodwin:

A Board of Education Policy on nepotism is not required by law and is, therefore, a discretionary decision for the Board of Education. This model policy is provided for the Board’s consideration. Pursuant to Conn. Gen Stat. §§ 7-148(c)(10)(B) and 7-148h, a municipality can adopt its own ethics code and establish a board or agency to investigate allegations of unethical conduct. If the Board wishes to adopt a nepotism policy, it should determine whether the town or municipality has adopted an ethics code and, if so, whether it contains any relevant provisions, such as an explicit ban on nepotism or a prohibition against municipal employees from using their positions to financially benefit relatives or immediate family members.

Additional Note: The Board has a policy on Nepotism. The Town Code of Ethics has been reviewed and this proposed policy supports the intent of the Town’s Code of Ethics.

Series 4000	4112.8
Personnel	4212.8

NEPOTISM

Purpose

It is the policy of the New Milford Board of Education (the “Board”) to recruit and hire qualified applicants for employment within the New Milford Public Schools (the “District”), while avoiding both nepotism and the appearance of nepotism.

Definitions

“Immediate family” means a spouse, child, parent, sister, brother, half-sister or half-brother.

“Relative” means a sister-in-law, brother-in-law, mother-in-law, father-in-law, daughter-in-law, son-in-law, step parent, aunt, uncle, niece, nephew, first cousin, grandparent, step child, foster child, grandchild or individual living in the same household.

“Familial relationship” means a relationship between a member of one’s immediate family or a relative, as defined within this policy.

Prohibitions on Hiring

No relative or immediate family member of the Superintendent of Schools (“Superintendent”)

shall be hired to any position of employment.

No immediate family member of a Board member or any other district-level administrator shall be hired to any position of employment.

Restrictions on Employment of Relatives

No individuals shall be hired in a position of employment that would result in a supervisory or evaluative relationship between a current employee and a relative.

No employee may be involved in the process of screening for advancement in the application process, interviewing or hiring of his or her relatives.

Employees will not be hired, promoted, transferred or assigned to work in positions in the same school or work unit or department in which a relative is already employed, unless the Superintendent approves such an assignment in writing.

No administrator or supervisor shall supervise any of his or her relatives.

Employees will not be hired, promoted, transferred or assigned to work in positions in which they will have access to confidential information regarding a relative, such as, but not limited to, information regarding benefits selections, confidential medical information or personnel records that are not subject to public disclosure.

No individuals shall be hired in a position of employment that would result in a supervisory or evaluative relationship between a current employee and a relative.

Restrictions on Employment of Immediate Family Members

No employee may be involved in the process of screening for advancement in the application process, interviewing or hiring of an immediate family member.

Employees will not be hired, promoted, transferred or assigned to work in positions in the same school or work unit or department in which an immediate family member is already employed, unless the Superintendent approves such an assignment in writing.

No person who is a member of the immediate family of a building administrator or department supervisor may be nominated for or transferred or otherwise assigned to any position within that administrator's building or supervisor's department. No administrator or supervisor shall supervise any member of his or her immediate family.

Employees will not be hired, promoted, transferred or assigned to work in positions in which they will have access to confidential information regarding an immediate family member, such as, but not limited to, information regarding benefits selections, confidential medical information or personnel records that are not subject to public disclosure.

Disclosure Requirements

A Board member or administrator who has an existing familial relationship with an employee, as defined above, or who has had a change in circumstances which creates a familial relationship with any employee of the District, shall declare such relationship to the Superintendent or Chair of the Board immediately.

If a change in circumstances creates a familial relationship between an employee and his or her supervisor, the Board, through its Superintendent, reserves the right to seek a transfer of any employee in order to resolve any concerns about the operations of the district with respect to nepotism or the appearance of nepotism. The Superintendent may also provide for the evaluation and/or supervision of the employee outside of the typical chain of command in order to resolve any concerns about nepotism or the appearance of nepotism.

A Board member or administrator who knows that his or her relative or immediate family member has applied for a position with the District shall declare such relationship to the Superintendent or the Chair of the Board as soon practicable.

In addition to the requirements set forth above regarding familial relationships, if a romantic relationship develops between an employee and (1) an administrator who has a supervisory or evaluative relationship with the employee, or (2) a member of the Board, the affected administrator or member of the Board shall declare such relationship to the Superintendent.

Recusal

A member of the Board should not vote on any action of the Board that will directly affect a relative or member of his or her immediate family.

Discharge and Denial of Re-Employment

No current employee will be discharged or denied re-employment pursuant to an applicable recall provision based on this policy.

Approved:
Revised:

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut