

HAMPTON BOARD OF EDUCATION  
 PERSONNEL  
 CERTIFIED 4100/NONCERTIFIED 4200

4000 SERIES

POLICY APPROVED/REVIEWED/REAPPROVED

4111	<a href="#"><u>RECRUITMENT AND SELECTION</u></a>	01/25/2017
4111.1	<a href="#"><u>EQUAL OPPORTUNITY EMPLOYMENT</u></a>	03/04/2009
4111.3	<a href="#"><u>MINORITY RECRUITMENT PLAN</u></a>	08/26/2015
4112.1/4212.2	<a href="#"><u>PROVISIONS OF NEGOTIATED AGREEMENTS/CONTRACTS</u></a>	08/28/2013
4112.5/4212.5	<a href="#"><u>SECURITY CHECK/FINGERPRINTING</u></a>	08/23/2017
4112.51/4212.51	<a href="#"><u>REFERENCE CHECKS</u></a>	08/28/2013
4112.6	<a href="#"><u>PERSONNEL RECORDS</u></a>	11/02/2005
4112.61/4212.61	<a href="#"><u>USE AND DISCLOSURE OF EMPLOYEE MEDICAL INFO (HIPAA)</u></a>	01/22/2014
4112.8/4212.8	<a href="#"><u>NEPOTISM; EMPLOYMENT OF RELATIVES</u></a>	10/28/2011
4114	<a href="#"><u>ASSIGNMENT &amp; TRANSFER</u></a>	08/26/2015
4115	<a href="#"><u>EVALUATION</u></a>	11/05/2005
4117.3	<a href="#"><u>PERSONNEL REDUCTION IN FORCE (RIF)</u></a>	08/26/2015
4117.4	<a href="#"><u>NON-RENEWAL/SUSPENSION</u></a>	08/28/2013
4117.5	<a href="#"><u>TERMINATION OF EMPLOYMENT</u></a>	08/26/2015
4118.11/4218.11	<a href="#"><u>NONDISCRIMINATION</u></a>	01/24/2018
4118.112	<a href="#"><u>SEXUAL HARASSMENT</u></a>	08/28/2013
4118.13	<a href="#"><u>CONFLICT OF INTEREST</u></a>	08/28/2013
4118.21	<a href="#"><u>ACADEMIC FREEDOM</u></a>	11/20/2013
4118.23	<a href="#"><u>CONDUCT</u></a>	02/26/2014
4118.231/4213.231	<a href="#"><u>SMOKING, DRINKING, AND USE OF DRUGS ON SCHOOL PREMISES</u></a>	09/26/2012
4118.232	<a href="#"><u>DRUG &amp; ALCOHOL-FREE WORKPLACE</u></a>	03/30/2011
4118.233	<a href="#"><u>WEAPONS AND DANGEROUS INSTRUMENTS</u></a>	11/20/2013
4118.234	<a href="#"><u>PSYCHOTROPIC DRUG USE</u></a>	06/22/2016
4118.24	<a href="#"><u>STAFF/STUDENT NON-FRATERNIZATION</u></a>	08/26/2015
4118.3/4218.3	<a href="#"><u>DUTIES OF PERSONNEL</u></a>	11/20/2013
4118.4/4218.4	<a href="#"><u>ELECTRONIC MAIL</u></a>	08/26/2015
4119/4219	<a href="#"><u>STAFF CONDUCT</u></a>	09/28/2016
4120	<a href="#"><u>TEMPORARY/PART TIME PERSONNEL</u></a>	05/18/1999
4121	<a href="#"><u>SUBSTITUTE TEACHERS</u></a>	11/02/2005
4122	<a href="#"><u>STUDENT TEACHERS</u></a>	11/02/2005
4126	<a href="#"><u>CONSULTANTS</u></a>	02/26/2014
4127	<a href="#"><u>TEACHER IN CHARGE</u></a>	06/17/2010
4131	<a href="#"><u>STAFF DEVELOPMENT</u></a>	10/28/2011
4131.5	<a href="#"><u>CONTINUING EDUCATION UNITS</u></a>	11/02/2005
4132	<a href="#"><u>PUBLICATION OR CREATION OF MATERIAL</u></a>	11/02/2005
4132.1	<a href="#"><u>COPYRIGHTS &amp; PATENTS</u></a>	11/02/2005
4133	<a href="#"><u>TRAVEL REIMBURSEMENTS</u></a>	11/02/2005
4134	<a href="#"><u>TUTORING</u></a>	11/02/2005
4135	<a href="#"><u>ORGANIZATIONS &amp; UNITS</u></a>	01/02/2005
4135.2	<a href="#"><u>COMMUNICATION WITH BOARD OF EDUCATION</u></a>	11/02/2005
4135.4	<a href="#"><u>STAFF COMPLAINTS AND CONCERNS</u></a>	11/02/2005

HAMPTON BOARD OF EDUCATION

4138/4237      [NON-SCHOOL EMPLOYMENT](#)..... 08/20/2009

PERSONNEL

CERTIFIED 4100/NONCERTIFIED 4200

4000 SERIES

POLICYAPPROVED/REVIEWED/REAPPROVED

4147	<a href="#"><u>EMPLOYEE SAFETY</u></a> .....	11/02/2005
4147.1/4247.1	<a href="#"><u>OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS</u></a> .....	08/20/2009
4148/4248	<a href="#"><u>EMPLOYEE PROTECTION</u></a> .....	08/20/2009
4150	<a href="#"><u>LEAVES</u></a> .....	05/23/2013
4152.6/4252.6	<a href="#"><u>FAMILY, MEDICAL AND PREGNANCY RELATED LEAVES</u></a> .....	09/17/2009
4212.42	<a href="#"><u>DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS</u></a> .....	03/04/2009
4214	<a href="#"><u>ASSIGNMENT AND TRANSFER</u></a> .....	11/02/2005
4215	<a href="#"><u>SUPERVISION AND EVALUATION</u></a> .....	11/02/2005
4217.4	<a href="#"><u>DISMISSAL/SUSPENSION</u></a> .....	11/02/2005

HAMPTON BOARD OF EDUCATION  
4111/4211

**PERSONNEL — CERTIFIED/NON-CERTIFIED**

**RECRUITMENT AND SELECTION**

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

The Hampton 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 all applicable federal and state laws. Manuals and handbooks shall comply with federal law as to the qualifications for instructional personnel. Staffing pattern reviews as required by law shall be conducted annually.

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. Upon Board approval of such employment, the retired teacher shall be eligible for the same health insurance benefits provided to active teachers employed by the District. No retirement benefits shall be paid during this period of reemployment.

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.

## HAMPTON BOARD OF EDUCATION

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.

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.

Legal Reference: Connecticut General Statutes

[10-151](#) Employment of teachers. Notice and hearing on termination of contract. (as amended by P.A. 12-16 An Act Concerning Educational Reform)

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

[10-183v](#) Reemployment of teachers, as amended by PA 10-111, An Act Concerning Education Reform in Connecticut and P.A. 16-91, An Act Making Changes to the Teacher's Retirement System

[10-220](#) Duties of Boards of Education. (as amended by PA 98-252) 46a-60  
Discriminatory employment practices prohibited.

[20](#)U.S.C. Section 1119 N Child Left Behind Act 34 C.F.R. 200.55 Federal Regulations

P.L. 114-95 Every Student Succeeds Act, S.1177-55, 56

**Presented: 12/21/2016**

**Final Approval: 1/25/17**

**HAMPTON BOARD OF EDUCATION  
4111.1/4211.1**

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education will provide equal employment opportunities for all persons without regard to race, color, religious creed, age, marital status, national origin, sex, sexual orientation, or physical disability. The Board directs the administration to set as a goal the recruitment, selection and employment of qualified people among racial and ethnic minority groups to the end that the school district's employees will proportionately mirror the racial and ethnic composition of this community.

No advertisement of employment opportunities may by intent or design restrict employment based upon discrimination as defined by law.

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 42 U.S.C. 2000e, et seq.

**Tentative Approval: 01/22/2009**

**Final Approval: 03/04/2009**

HAMPTON BOARD OF EDUCATION  
4111.3

**PERSONNEL - CERTIFIED**

**MINORITY RECRUITMENT PLAN**

The Board of Education recognizes that the increasing diversity of individuals and cultures is a growing characteristic of our state and the nation which should have significant bearing on the activities of the school district. Further the State of Connecticut has determined that the educational interests of the state require efforts by each school district to provide educational opportunities for its students to interact with teachers from other racial, ethnic and economic backgrounds in order to reduce racial, ethnic and economic isolation.

To this end, the Board of Education believes that the importance of diversity of individuals and cultures should be recognized in the recruitment and assignment of personnel in order to help promote an intellectually and culturally dynamic environment that enables all students to gain an increased awareness and appreciation of the diverse world in which all are connected.

Accordingly, the Superintendent of Schools shall develop and maintain a written plan for minority staff recruitment as approved by the Board and shall report to the Board annually on implementation of the plan. Consistent with the Board's policies on Affirmative Action (4111.1) and Nondiscrimination (4118.11), said plan for minority staff recruitment shall provide for an energetic effort to attract talented minority educators and other minority personnel to serve in available positions within the district, with the long range goal of achieving staffing of the school district which is broadly representative of the populations of the regional and state communities of which the district is a part.

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)

46-60a Discriminatory employment practices  
prohibited.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

**Reapproved: 08/26/2015**

HAMPTON BOARD OF EDUCATION  
4112.1/4212.1

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**PROVISIONS OF NEGOTIATED AGREEMENTS/CONTRACTS**

All articles in negotiated agreements/contracts with teachers' and administrators' bargaining representatives shall have the effect of Board of Education policy. In cases of conflict between negotiated agreements/contracts and Board of Education policies or administrative regulations, agreements/contracts take precedence.

Legal Reference: Connecticut General Statutes

10-153a through 10-153j

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/05**

**Presented: 07/24/2013**

**Reapproved: 08/23/2013**

# HAMPTON BOARD OF EDUCATION

4112.5 / 4212.5

## 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.

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.

(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.



## HAMPTON BOARD OF EDUCATION

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.

**Presented: 07/26/17**

**Approved: 08/23/17**

HAMPTON BOARD OF EDUCATION  
4112.51/4212.51

**PERSONNEL -- CERTIFIED/NON-CERTIFIED**

**REFERENCE CHECKS**

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

The Superintendent of Schools or his/her designee is directed to develop guidelines pertaining to the checking of applicant references.  
(cf 5125 - Student Records)

Legal References: Connecticut General Statutes

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

1-193 through 5-269 -State Personnel Act

1Q-1 51c Records of teacher performance and evaluation not public records. 1Q-22 1d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissal.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L.

93 568, codified at 20 U.S.C. 1232g.).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing 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.

**Tentative Approval: 07/24/2013**

**Final Approval: 08/28/2013**

# HAMPTON BOARD OF EDUCATION

4112.6/4212 .6

## **PERSONNEL - CERTIFIED AND 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 maintained for past employees, including years of employment, salaries, and other such basic and essential information as the Superintendent of Schools shall require.

There shall be only one personnel file for each employee, and principals shall not maintain employee files separate from the official employee file in the central office. Files containing medical information regarding an employee will be kept separate from other personnel files.

Requests for access to personnel files, except from an employee to see his or her own, shall be referred to the Superintendent who shall determine whether disclosure of such records would legally constitute an invasion of employee privacy. If the Superintendent believes disclosure is not an invasion of privacy, requested information shall be disclosed, but professional courtesy suggests the employee should be notified of such disclosure.

If the Superintendent determines that disclosure would invade employee privacy, the employee/s and collective bargaining representatives, if any, shall be notified in writing of the request. If the Superintendent does not receive a written objection, from the employee or bargaining representative, within seven business days from receipt of their notification, or if there is no evidence of receipt not later than nine business days from the date the notice was mailed, sent, posted, or otherwise given, requested records shall be disclosed.

However, if an objection is received in a timely manner on the form prescribed, the Superintendent shall not disclose requested information unless directed to do so by the Freedom of Information Commission. Notwithstanding an objection filed by an employer's bargaining representative, the employee may subsequently approve disclosure of records by filing a written notice with the Superintendent.

Employee or bargaining representative objections to disclosure of records shall be made in writing on a form developed by the Superintendent including a signed statement by the employee or bargaining representative, under penalties of false statement, that to the best of respondent's knowledge, information, and belief, there are good grounds to support the objection and the objection is not interposed for delay.

Records maintained or kept on file by the Board which are records of a teacher's personal misconduct shall be deemed to be public records, and subject to disclosure under the Freedom of Information Act. Disclosure of such records of a teacher's personal misconduct shall require consent of the teacher.

Notwithstanding earlier provisions of this policy, personnel evaluations of certified employees, except the Superintendent, are not public records subject to disclosure - unless the employee consents in writing to the release of such records.

In accordance with federal law, the District shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians upon request for any

## HAMPTON BOARD OF EDUCATION

teacher or paraprofessional who is employed at a school receiving Title I funds and who provides instruction to their child at that school.

Each employee 's own file shall be available for his/her inspection at reasonable times, and, upon request, employees will be provided a copy of the information contained in his/her file.

### Legal Reference: Connecticut General Statutes

1-210(a) Access to public records. Exempt records.

Agency administration. Disclosure of personnel, birth and tax records.

Objection to disclosure of personnel or medical files.

Record of arrest a public record.

1-206 Denial of access to public records or meetings.

10-151a Access of teacher to supervisory records and reports in personnel file. (as amended by PA 02-138)

10-151c Records of teacher performance and evaluation not public records. (as amended by PA 02-138).

PL 107-110, No Child Left Behind Act, Sec. 1119.

The Americans with Disabilities Act.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

HAMPTON BOARD OF EDUCATION  
4112.61/4212.61

**PERSONNEL — CERTIFIED/NON-CERTIFIED**

**USE AND DISCLOSURE OF EMPLOYEE MEDICAL HEALTH INFORMATION (HIPAA)**

Other than health information contained in employment records held by the District in its role as employer, all information in the District's possession which is related to employee past, present and future health conditions and that identifies the individual employee or could reasonably be utilized to identify the employee, will be protected under the terms of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

To the extent the District possesses personally identifiable health information regarding employees, aside from health information contained in employment records held by the District in its role as employer, the Superintendent or his/her designee shall act as the Privacy Officer to oversee the administration of privacy of such records. The Superintendent or his/her designee shall provide all employees with the following information regarding such records:

1. The use and disclosure of personally identifiable health information;
2. Each employee's rights to privacy with respect to his/her personally identifiable health information;
3. Duties under HIPAA with respect to employee's personally identifiable health information;
4. Each employee's rights to file a complaint with the District, Health Benefit Plan, and/or the Secretary of the United States Department of Health and Human Services; and
5. The person or office that an employee can contact for further information about privacy practices.

In addition, the District shall notify the administrator of each of the District's health benefit plans of the requirement under HIPAA that it take reasonable steps to maintain the privacy of each employee's personally identifiable health information and to inform each employee about the information set forth above in items 1 through 5. Further, the District shall notify the administrator of the health benefit plan of the requirement under HIPAA that it provide reasonable notice to all employees of whom the benefit plan designates as the Privacy Officer to oversee the administration of privacy of the benefit plan and to receive complaints.

(cf. 4112.6/4212.6 - Personnel Records)

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

**Tentative Approval: 01/22/2014**

**Final Approval: 02/26/2014**

HAMPTON BOARD OF EDUCATION  
4114

**PERSONNEL — CERTIFIED**

**ASSIGNMENT AND TRANSFER**

The assignment and transfer of all certified staff personnel shall be the responsibility of the Superintendent of Schools or designee consistent with any existing provisions in negotiated agreements.

Requests for transfer within the school system may be made at any time and must be in writing. Transfers are subject to availability of position, vacancies, and qualifications of employee.

Transfers will be made in the best interests of the school system, subject to provisions of applicable employee organization agreements and Hampton Board of Education policies.

Not later than the regular October meeting of the Board of Education the Superintendent shall provide Board members a staff listing of regular assignments and/or changes in staff assignment.  
(cf. [4112.1/4212.1](#) Provisions of Negotiated Agreement)

**Tentative Approval: 07/22/2015**

**Final Approved: 08/26/2015**

# HAMPTON BOARD OF EDUCATION

4112.8 / 4212.8

## PERSONNEL -CERTIFIED AND 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.

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.

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)

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.

**Tentative Approval: 09/28/2011**

**Final Approval: 10/26/2011**

HAMPTON BOARD OF EDUCATION  
4115

**PERSONNEL - CERTIFIED**

**SUPERVISION AND EVALUATION**

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

Appraisal of teaching performance should serve three purposes:

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

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

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

(cf. 2400 – Evaluation of Administrators and Administration)

(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, An Act Concerning Teachers' Evaluations)

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



HAMPTON BOARD OF EDUCATION

10-220a(b) In-service training. Professional development. Institutes for educators. Cooperative and beginning teacher programs, regulations.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/05/2005**

# HAMPTON BOARD OF EDUCATION

## 4117.3

### PERSONNEL — CERTIFIED

#### PERSONNEL REDUCTION IN FORCE (RIF)

##### **Introduction**

The Board of Education may reduce the number of certified personnel employed, because of reduced enrollment within the district, lack of funds, elimination or reduction of a special program, or for other reasons.

When a reduction in force (RIF) plan is not included in negotiated agreements with certified personnel, this policy for selecting staff members to be released, with consideration of seniority, needs of the schools and quality and effectiveness of the individuals, will govern reductions in force.

Prior to commencing action to terminate teacher contracts upon the need to reduce staff, the Board of Education will abide by procedures currently existing in employee organization agreements, or otherwise will give due consideration to its ability to reduce staff by:

1. Voluntary retirements.
2. Voluntary resignation.
3. Transfer of existing staff members.
4. Voluntary leaves of absence.

If a teacher has attained tenure status, the contract of employment may be terminated if the position is eliminated, but only if there is no other position for which that teacher is certified and qualified available in the school system. "Position available" shall include any position for which said teacher is qualified and currently held by a teacher who has not completed thirty (30) months of continuous employment in the school district. This shall include first preference for positions which are held by non-tenured teachers in addition to positions that are open and available. Determination of those to be released shall be in the following order:

1. Teachers holding temporary emergency permits.
2. Non-tenured teachers holding initial certification.
3. Non-tenured teachers holding provisional certification.
4. Non-tenured teachers holding professional certification.
5. Tenured teachers holding provisional certification.
6. Tenured teachers holding professional certification.

The following criteria will be used to select those employees who are to be considered for termination within the broad tenure and certification categories established above:

1. Areas of certification.
2. Teaching experience in other positions which may be available.
3. Degree status.
4. Total years of teaching experience.
5. Total years of teaching experience in the school system.

## HAMPTON BOARD OF EDUCATION

6. Qualifications and ability as determined by an objective evaluation of the teacher's performance.

When the Board of Education considers termination of the contract of a teacher it shall authorize the Superintendent to notify the teacher in writing that termination of his/her contract is under consideration. The notification and any subsequent proceedings related to termination will be in accordance with the provisions of C.G.S. 10-151.

Nothing herein shall compel the promotion of a teacher to a higher rank even though the teacher is qualified for such promotion and the position is open, and the teacher is being considered for termination under Board policy and this regulation.

### **Recall Procedure/Reemployment**

If the contract of employment of a teacher is terminated without prejudice because of elimination of a position, the name of that teacher shall be placed on a reappointment list and remain on such list for a period of two years. If a position becomes open during such period and the teacher has been selected by the Board of Education as the person who is certified and qualified for that position, then the teacher will be notified by certified mail sent to the last known address at least thirty days prior to the anticipated date of reemployment whenever possible. The teacher must accept or reject the appointment in writing within seven days after receipt of such notification. If the appointment is accepted the teacher shall receive a written contract within twenty days of receipt of the teacher's reply to the Board of Education. If the teacher rejects the appointment offer or does not respond according to this procedure within seven days after receipt of the notification the name of the teacher will be removed from the recall list.

Legal Reference: Connecticut General Statutes

[10-151](#) Employment of teachers. Notice and hearing on termination of contract.

**Tentative Approval: 07/25/2015**

**Final Approval: 08/26/2015**

HAMPTON BOARD OF EDUCATION  
4117.4

**PERSONNEL — CERTIFIED**

**NON-RENEWAL/SUSPENSION**

**Non-Renewal**

Prior to obtaining tenure, a certified employee's contract may be non-renewed provided that the employee is notified in writing prior to May 1st by the Superintendent. A teacher so notified may request not later than three calendar days after such teacher receives such notice of non-renewal, a written statement of the reasons for non-renewal of the contract, and the district will furnish such a statement not later than four (4) calendar days of the receipt of the request. The teacher may also file with the Board of Education not later than (10) calendar days of receipt of the notice of non-renewal for a hearing before the Board or, if indicated in such request designated by the Board, before a single impartial hearing officer chosen by the teacher and the Superintendent. The hearing shall commence not later than fifteen calendar days after receipt of such request unless an extension, not to exceed fifteen calendar days, is mutually agreed upon.

A teacher who has not attained tenure shall not be entitled to a hearing concerning non-renewal if the reason for such non-renewal is either elimination of position or loss of position to another teacher. The Board shall rescind a non-renewal decision only if the Board finds such decision to be arbitrary and capricious.

**Suspension**

A certified employee may be suspended by the Board of Education for an alleged or actual violation of any of the reasons for termination in C.G.S. 10-151(c) or 10-151(d) when insufficient cause for dismissal is considered to exist, or may be suspended pending Board or legal action for dismissal of the employee on charges of violation of one or more of said causes for termination. The Superintendent may suspend an employee pending Board action when, in the opinion of the Superintendent, continuation of the employee in the position presents a clear danger to the students, staff, property or reputation of the district, or to the employee.

Legal Reference: Connecticut General Statutes

10-151(b) Employment of teachers. Definitions. Tenure, etc. (as amended by P.A. 12-116, An Act Concerning Educational Reform)

10-151(c) Employment of teachers. (as amended by P.A. 11-136, An Act Concerning Minor Revisions to the Education Statutes.)

PA 95-58 An Act Concerning Teacher Evaluations, Tenure and Dismissal.

PA 97-247 An Act Concerning Revisions to the Education Statutes.

Shanbrom v. Orange Board of Education, 2 Conn. L. Rpts. 396, 398 (1990)

**Tentative Approval: 07/24/2013**

**Final Approval: 08/28/2013**

**HAMPTON BOARD OF EDUCATION  
4117.5**

**PERSONNEL — CERTIFIED**

**TERMINATION OF EMPLOYMENT**

The Board of Education is greatly concerned about former employees of school districts who have resigned their positions pursuant to settlement agreements after having been served with disciplinary charges or told they would be subjected to disciplinary action. Such termination or settlement agreements often prohibit the disclosure of their terms to prospective employers, thus preventing prospective employers from becoming fully apprised of the reason(s) the individuals left their former positions and taking appropriate action.

No school personnel or Board member, with the exception of the Superintendent of Schools and/or his or her designee, will make any statement concerning the reason(s) that an individual has left employment with the district. The Superintendent and his or her designee will seek legal counsel concerning the nature of statements which are permissible in the particular case.

The district will also report any serious misconduct to the appropriate authorities, including, but not limited to, the State Department of Education and local authorities.

**Tentative Approval: 09/28/2011  
Final Approval: 10/26/2011  
Reapproved: 08/26/2015**

HAMPTON BOARD OF EDUCATION  
4118.11/4218.11

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**NONDISCRIMINATION**

It is the intent of the Board of Education to provide a fair employment setting for all persons and to comply with state and federal law. The conditions or privileges of employment in the school district, including the wages, hours, terms and benefits, shall be applied without regard to race, color, religion, age, veteran status, genetic information, marital status, national origin, sex, sexual orientation, gender identity or expression, ancestry, present or past history of mental disorder, or disability (including pregnancy), except in the case of a bonafide occupational qualification.

The District shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training and other terms, conditions and privileges of employment.

The District shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The District shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.

Further, the District shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operation of the business of the District.

Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact the District's ADA/Section 504 Coordinator.

(cf. 4111 Recruitment and Selection)

(cf. 4118.14/4218.14 – Disabilities)

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

Connecticut Fair Employment Practices Act, C.G.S. §469-60

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

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

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127)

46a-81a Discrimination on the basis of sexual orientation; Definitions

## HAMPTON BOARD OF EDUCATION

P.A. 11-55 An Act Concerning Discrimination

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

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

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

42 U.S.C. §2000ff; 29CFR1635.1 et. seq.

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

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

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

**Presented: 12/20/17**

**Approved: 01/24/18**

HAMPTON BOARD OF EDUCATION  
4118.112/4218.112

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**SEXUAL HARASSMENT**

The Board of Education is committed to safeguarding the right of all employees within the school district to a work environment that is free from all forms of sexual harassment. Therefore, the Board condemns all unwelcome behavior of a sexual nature which is either designed to extort sexual favors from an employee as a term or condition of employment, or which has the purpose or effect of creating an intimidating, hostile, or offensive working environment. The Board also strongly opposes any retaliatory behavior against complainants or any witnesses.

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

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of sexual harassment.

A copy of this policy and its accompanying regulation are to be distributed to all supervisory and non-supervisory personnel and posted in appropriate places.

Legal References: Civil Rights Act of 1964, Title VII, 42 U.S.C. S2000-e2(a)

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

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

29 CFR Para. 1604.11 (EEOC)

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

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

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

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

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**Tentative Approval: 10/05/2005**  
**Final Approval: 11/02/2005**  
**Reapproved 08/28//2013**



HAMPTON BOARD OF EDUCATION  
4118.13/4218.13

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**CONFLICT OF INTEREST**

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

Legal Reference: Connecticut General Statutes  
7-479 Conflicts of interest.

**Tentative Approval: 10/05/2005**  
**Final Approval: 11/02/2005**  
**Presented: 07/24/2013**  
**Reapproved: 08/28/2013**

## HAMPTON BOARD OF EDUCATION

**4118.21**

### **PERSONNEL — CERTIFIED**

#### **ACADEMIC FREEDOM**

Teachers shall be free to discuss controversial ideas and to select and employ materials and methods of instruction. Such freedoms should be used judiciously and prudently to promote the free exercise of intelligence and learning.

However, academic freedom is not an absolute; it must be exercised within the law and the basic ethical responsibilities of the teaching profession. Those responsibilities include:

1. Understanding of our democratic tradition and its methods;
2. Concern for the welfare, growth, maturity, and development of children;
3. Appropriate presentation of appropriate material for children's intellectual and emotional development;
4. Good taste and judgment in selecting and employing materials and methods of instruction.

(cf. 4112.1/4212.1 Provisions of Negotiated Agreements)

(cf. 1220 Citizens' Advisory Committees)

(cf. 1312 Public Complaints)

(cf. 5145.2 Freedom of Speech/Expression)

(cf. 6144 Controversial Issues)

(cf. 6161 Equipment/Books/Materials: Provision/Selection)

Legal Reference: Amendment to U.S. Constitution Article I

Connecticut Constitution, ARTICLE FIRST

Academic Freedom Policy (adopted by Connecticut State Board of Education, 9/9/81)

**Tentative Approval: 10/23/2013**

**Final Approval: 11/20/2013**

HAMPTON BOARD OF EDUCATION  
4118.23/4218.23

**PERSONNEL -- CERTIFIED/NON-CERTIFIED**

**CONDUCT**

The Board of Education recognizes that school children are often influenced by the conduct displayed by teachers and other members of a school's staff. The Board expects that staff will strive to set the kind of example for students that will serve them well in their own conduct and behavior and contribute toward an appropriate school atmosphere.

Employees are expected to report for work appropriately dressed, on time and fully prepared to perform their duties. They are expected to perform their duties in a timely and efficient manner, and to refrain from inappropriate conduct. Every employee is expected to deal effectively with students, parents and other staff members, both superior and subordinate.

The personal life of an employee will be the concern and warrant the attention of the Board only as it may directly affect the employee's fitness to perform the job, his/her fitness to be placed in a position of trust with children, the property of the district, or constitute a conflict of interest.

Disciplinary action, when necessary, will be applied in accord with laws, policies, and collective bargaining agreements.

**Tentative Approval: 01/22/2014**

**Final Approval: 02/26/2014**

HAMPTON BOARD OF EDUCATION  
4118.231/4218.231

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**SMOKING, DRINKING, AND USE OF DRUGS ON SCHOOL PREMISE**

**Introduction**

The Hampton Board of Education is concerned with maintaining a safe and healthy working and learning environment for all staff and students. Medical research indicates that the use of alcohol, drugs and tobacco are hazardous to one's health. In addition to the health hazard to the individual, certified employees are entrusted with the responsibility of imparting knowledge and serving as role models to students.

**Alcohol and Drugs**

The Hampton Board of Education recognizes the importance of maintaining a drug-free environment for its staff and students. In compliance with federal and state requirements, employees are prohibited from the unlawful manufacture, distribution, dispensing, possession or use on or in the workplace any alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance. Controlled drugs are further defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15.

The "workplace" is defined to mean the site for the performance of work done. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

Each employee shall notify his or her supervisor of his or her conviction for any criminal drug statute violation occurring in the workplace as defined above, no later than 5 days after such conviction.

Each employee shall abide by the terms of the school district policy respecting a drug-free and alcohol-free workplace.

An employee who violates the terms of this policy may be required to complete successfully an appropriate rehabilitation program, or may not be renewed, or his/her employment may be suspended or terminated, at the discretion of the Board.

**Tobacco**

There shall be no smoking or other use of tobacco products on school property during regular school hours, on transportation provided by the Board of Education, or during the course of any trip sponsored by the Board or under the supervision of the Board or its authorized agents.

**Promulgation of Rules**

A copy of this policy, and the consequences of violating the policy, shall be distributed to all employees of the Board of Education. Failure to comply with the policy may result in disciplinary action as detailed by the administration.

## HAMPTON BOARD OF EDUCATION

Legal Reference: Drug-Free Workplace Act. 102 Stat. 4305-4308.

Drug-Free Schools and Community Act, P.L. 99-570, as amended by P.L. 101-226 (1991)

21 U.S.C. 812, Controlled Substances Act, I through V, 202.

21 C.F.R. 1300.11 through 1300.15 regulation.

54 Fed. Reg. 4946 (1989)

Connecticut General Statutes

19a-342 Smoking prohibited in certain places

**Tentative Approval: 08/22/2012**

**Final Approval: 09/26/2012**

HAMPTON BOARD OF EDUCATION  
4118.232/4218.232

**PERSONNEL – CERTIFIED/NON-CERTIFIED**

**ALCOHOL, DRUGS AND TOBACCO**

**DRUG AND ALCOHOL-FREE WORKPLACE**

All District workplaces are drug- and alcohol-free workplaces. All employees shall be prohibited from:

1. unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance while on District premises or while performing work for the District.
2. distribution, consumption, use, possession, or being under the influence of alcohol while on District premises or while performing work for the District.

For purposes of this policy a controlled substance is one that is:

1. not legally obtainable;
2. being used in a manner different than prescribed;
3. legally obtainable, but has not been legally obtained; or
4. referenced in Federal or State controlled substance acts.

As a condition of employment, each employee shall:

1. abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
2. notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than 5 calendar days after such a conviction.

In order to make employees aware of dangers of drug and alcohol abuse, the District will:

1. provide each employee with a copy of the District Drug- and Alcohol-Free Workplace policy;
2. post notice of the District Drug- and Alcohol-Free Workplace policy in a place where other information for employees is posted;
3. make available materials from local, state, and national anti-drug and alcohol-abuse organizations;
4. enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees;
5. establish a drug-free awareness program to inform employees about:
  - a. the dangers of drug abuse in the workplace,
  - b. available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
  - c. the penalties that the District may impose upon employees for violations of this policy.

**District Action Upon Violation of Policy**

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.

## HAMPTON BOARD OF EDUCATION

The Board of Education shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within 30 days after receiving notice of the conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a State contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate State or Federal agency from which the District receives contract or grant monies of the employee's conviction within 10 days after receiving notice of the conviction.

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

**Tentative Approval: 02/23/2011**

**Final Approval: 03/31/2011**

HAMPTON BOARD OF EDUCATION  
4118.233/4218.233

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**WEAPONS AND DANGEROUS INSTRUMENTS**

All dangerous instruments and illegal weapons (guns, knives, etc.) are prohibited on school property, student transportation and at school-sponsored activities. Such instruments and weapons shall be confiscated. Any violation will be reported to the police. Appropriate disciplinary or legal action shall be pursued by school officials.

(cf. 5114 Suspension/Expulsion/Exclusion/Removal)  
(cf. 5131.7 Weapons and Dangerous Instruments)

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

**Tentative Approval: 10/23/2013**

**Final Approval: 11/20/2013**



HAMPTON BOARD OF EDUCATION  
4118.234/5141.231

**PERSONNEL — CERTIFIED/STUDENTS**

**PSYCHOTROPIC DRUG USE**

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

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

Communications between and among school health, mental health personnel and other school personnel pertaining to a child in possible need of a recommendation for a medical evaluation shall be accomplished through the District's established child study teams and/or the planning and placement team and its procedures, in conformity with state and federal special education statutes.

The District shall follow procedures for identification, evaluation, placement and delivery of services to children with disabilities or suspected disabilities provided in state and federal statutes that govern special education.

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

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

Legal Reference: Connecticut General Statutes

10-212b Policies prohibiting the recommendation of psychotropic drugs by school personnel. (as amended by PA 03-211)

46b-120. Definitions

10-76a Definitions. (as amended by PA 00-48)

10-76b State supervision of special education programs and services.

10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114 and PA 00-48)

10-76h Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)

State Board of Education Regulations.

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Act, 42 U.S.C. §12101 et seq.

Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.

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

**Policy Presented: 04/27/16**

**Policy Approved: 06/22/16**

HAMPTON BOARD OF EDUCATION  
4118.24/4218.24

**PERSONNEL – CERTIFIED AND NON-CERTIFIED**

**STAFF/STUDENT NON-FRATERNIZATION**

The relationship between the teacher and the student should be one of cooperation, understanding and mutual respect. The teacher has the responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his/her capacity.

Staff members are expected to regard each student as an individual and to accord each the rights and respect due to any individual. Neither insults, disparaging names, nor sarcasm shall be used as a way of forcing compliance with a staff member's requirements of expectations.

The Board believes that students and staff members should interact with each other in a warm, open, and positive fashion. However, there must be maintained a certain distance in order to preserve the businesslike atmosphere that is necessary to achieve the educational mission of the school. In recognition of the fact that sexual harassment, whether verbal or physical, may create a psychological harmful atmosphere, inhibit performance, undermine the integrity of the staff-student relationship and constitute a form of illegal sex discrimination, the Board prohibits all forms of sexual remarks or conduct between staff and students of the District.

(cf. 4118.112/4218.112 – Sexual Harassment)

(cf. 4118.23/4218.23 – Conduct)

(cf. 5141.4 – Child Abuse/Neglect)

Legal Reference: Connecticut General Statutes

10-53a-71 Sexual assault in the second degree: Class C or B felony.

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

**Tentative Approval: 11/02/2005**

**Final Approval: 12/07/2005**

**Reapproved: 08/26/2015**

HAMPTON BOARD OF EDUCATION  
4118.3/4218.3

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**DUTIES OF PERSONNEL**

All employees of the school district are subject to policies of the Board of Education, applicable laws, and current employee agreements.

Job descriptions setting forth personnel duties and responsibilities shall include at least the following:

1. Job title.
2. Duties to be performed.
3. Type and extent of training required.
4. Degree of responsibility assumed.
5. Other related factors.

Job descriptions shall determine the job classification of employees on salary schedules. In each instance employees shall meet the requirements set forth in the job description. Job descriptions for all employees shall be provided by the Superintendent and maintained in a separate manual.

**Tentative Approval: 10/23/2013**

**Final Approval: 11/20/2013**

**HAMPTON BOARD OF EDUCATION  
4118.4/4218.4**

**PERSONNEL — CERTIFIED AND NON-CERTIFIED**

**RIGHTS, RESPONSIBILITIES AND DUTIES**

**ELECTRONIC MAIL**

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

All district electronic mail systems are owned by the district and are intended for the purpose of conducting official district business only. District electronic mail systems are not intended for personal use by employees of the district and employees should have no expectation of privacy when using the electronic mail systems.

Users of district E-mail systems are responsible for their appropriate use. All illegal and improper uses of the electronic mail system, including but not limited to pornography, obscenity, harassment, solicitation, gambling and violating copyright or intellectual property rights are prohibited. Use of the electronic mail system for which the district will incur an expense without expressed permission of an administrator is prohibited.

Electronic messages are not for private or confidential matters. Because there is no guarantee of privacy or confidentiality, other avenues of communication should be used for such matters. Except for directory information, student records will not be transmitted by electronic mail. Care should be taken when forwarding an electronic mail message. If the sender of an electronic mail message does not intend for the mail to be forwarded, the sender should clearly mark the message "Do Not Forward".

In order to keep district electronic mail systems secure, users may not leave the terminal "signed on" when unattended and may not leave their password available in an obvious place near the terminal or share their password with anyone except the electronic mail system administrator. The district reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

The district retains the right to review, store and disclose all information sent over the district electronic mail systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation and to access district information in the employee's absence.

Except as provided herein, district employees are prohibited from accessing another employee's electronic mail without the expressed consent of the employee. All district employees should be aware that electronic mail messages can be retrieved even if they have been deleted and that statements made in electronic mail communications can form the basis of various legal claims against the individual author or the district.

Electronic mail sent or received by the Board, the district or the district's employees may be considered a public record subject to public disclosure or inspection. All Board and district electronic mail communications may be monitored.

## HAMPTON BOARD OF EDUCATION

District employees will be subject to disciplinary action for violation of this policy.

The Superintendent will ensure that all district employees have notice of this policy and that each district employee is given an acknowledge form to sign stating they have received and read the policy. The form will be maintained in the employee's personnel file.

*Note: It is recommended that each employee acknowledge in writing, receiving and reading the policy. Notice is essential to defending a claim of invasion of privacy. The notice should be documented in the employee's personnel file.*

(cf. 5125 - Student Records)

Legal Reference: Connecticut General Statute

The Freedom of Information Act.

31-48d - Employers engaged in electronic monitoring required to give prior notice to employees

**Tentative Approval: 07/22/2015**

**Final Approval: 08/26/2015**

HAMPTON BOARD OF EDUCATION  
4119

**PERSONNEL – CERTIFIED AND NON-CERTIFIED**

**STAFF CONDUCT**

The Board reaffirms one of the oldest beliefs in education: One of the best methods of instruction is that of setting a good example.

The Board expects that the staff of the district will strive to set the kind of example for students that will serve them well in their own conduct and behavior which will contribute toward an appropriate school atmosphere.

To that end, in dress, conduct, language and interpersonal relationships all staff should recognize that they are being continuously observed by students while on duty or attending school functions and that their actions and demeanor will be reflected in the conduct of the students.

The personal life of an employee will not be the concern nor warrant the attention of the Board unless it directly prevents the employee from effectively performing assigned functions during duty hours, or as it violates local, state, or national law or contractual agreements.

All staff members have the responsibility to become familiar with, and abide by, the laws of the State of Connecticut as they may affect their work, the policies of the Board, and the administrative regulations designed to implement them. All staff members shall be expected to carry out their assigned duties, support and enforce Board policies and administrative regulations, submit required reports, protect District property, oversee students and contribute to the education and development of the District's students.

The Superintendent and building Principals shall assume the major responsibility for interpreting this policy.

Federal Compliance

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

Legal Reference: 20 USCA - No Child Left Behind

**Presented: 07/27/16**

**Approved: 09/28/16**

**HAMPTON BOARD OF EDUCATION  
4120**

**PERSONNEL - CERTIFIED**

**TEMPORARY AND PART-TIME PERSONNEL**

The Board of Education has the responsibility to employ such persons as may be needed to conduct the business of the school district. Such employment requires the official action of the Board of Education.

The Board of Education recognizes that there are times when extraordinary conditions warrant that the superintendent of schools hire temporary personnel in advance of official action by the Board in order to insure the continuity of the district's functions and program.

**Tentative Approval: 04/29/99**

**Final Approval: 05/18/99**

HAMPTON BOARD OF EDUCATION  
4121

**PERSONNEL - CERTIFIED**

**SUBSTITUTE TEACHERS**

A substitute teacher shall be a person fully qualified to instruct in our schools and who is employed for short periods of time in the absence of the regular teacher.

Suitable programs for training, assigning, orienting and evaluating the work of substitute teachers shall be provided by the certified staff under the direction of the Superintendent.

Rates of compensation for substitute teachers will be set by the Board of Education.

Substitute teachers will not participate in the health and welfare plans or other fringe benefits of the school system.

Retired teachers may be employed as substitute teachers without jeopardizing their retirement salary within the limits as prescribed by law.

Legal Reference: Connecticut General Statutes

10-183v Reemployment of teachers.

10-145a Certificate of qualification for teachers.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**



HAMPTON BOARD OF EDUCATION  
4122

**PERSONNEL - CERTIFIED**

**STUDENT TEACHERS**

The Superintendent of Schools shall cooperate with teacher preparatory institutions in placement of student teachers within the school system. In accepting and placing student teachers, the Superintendent shall consider local school needs including the best interests of students and the qualifications of available cooperating teachers.

The Superintendent shall report assignment of student teachers to the Board of Education in the fall and the spring of each school year.

Legal Reference: Connecticut General Statutes

10-220a In-service training. Professional development. Institutes for educators.

Cooperating and beginning teacher programs, regulations.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

HAMPTON BOARD OF EDUCATION  
4126

**PERSONNEL — CERTIFIED**

**CONSULTANTS**

The Board of Education encourages the use of consultants when it is clear they can provide valuable and necessary specialized services not required on a continuing basis and which cannot be provided by district personnel because of limitations of time, experience, or knowledge.

Funds for consultant help should be budgeted in planning specific projects or programs and will be charged to appropriate budget categories.

**Tentative Approval: 01/22/2014**

**Final Approval: 02/26/2014**

HAMPTON BOARD OF EDUCATION  
4127

**PERSONNEL - CERTIFIED**

**TEACHER IN CHARGE/ASSISTANT TEACHER IN CHARGE**

The purpose of appointing a Teacher in Charge and an Assistant Teacher in Charge is to provide a designated staff member to be responsible for safety and management in the absence of the Principal. The responsibilities of the Teacher in Charge/Assistant Teacher in Charge include but are not limited to:

1. Becoming active in special disciplinary problems that may occur.
2. Being responsible for the following of proper procedures in the event of an accident.
3. Ensuring that all daily routine school operations are maintained.

The Teacher in Charge will contact the Principal whenever possible in the event of an emergency or special disciplinary situation.

It is the responsibility of the Principal to appoint the Teacher in Charge/Assistant Teacher in Charge.

**Tentative Approval: 05/20/2010**

**Final Approval: 06/17/2010**

HAMPTON BOARD OF EDUCATION  
4131

**PERSONNEL — CERTIFIED**

**STAFF DEVELOPMENT**

“Staff development” is viewed by the Board of Education as a continuous systematic effort to improve educational programs in this school district through (1) staff involvement in organized program planning, implementation and evaluation efforts, and (2) activities to upgrade the skills, knowledge and ability of educators to improve student learning.

Staff development experiences, for which CEUs are awarded, should be guided by:

- expectations for student performance as reflected in *Connecticut’s Common Core of Learning* and the *Connecticut Framework: Curriculum Goals and Standards*;
- school or district goals;
- actual student performance, as evidenced by the Connecticut Mastery Test (CMT) and the Connecticut Academic Performance Test (CAPT) in addition to other indices; and
- what teachers need to know and be able to do to improve instruction that advances student learning.

Teachers must constantly review curricular content, teaching methods and materials, educational philosophy and goals, social change and other topics related to education to enhance the capabilities of educators to improve student learning. Significant opportunities should also be offered annually to enhance the abilities of staff to promote student mastery in literacy and numeracy. The Board of Education recognizes that it shares with its certified staff responsibility for the upgrading and updating of teacher performance and attitudes. The Board of Education and teachers' organizations support the principle of continuing training of teachers and the improvement of instruction.

All employees shall be provided opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties.

The Board shall establish a professional development committee, consisting of certified employees, including their union representatives, and other school personnel the Board deems appropriate. The duties of the committee shall include, but not be limited to, the development, evaluation and annual updating of a comprehensive local professional development plan for certified employees of the District. Such plan shall (1) be directly related to the educational goals proposed by the Board pursuant to C.G.S. 10-220(b), and (2) on or after July 1, 2011, be developed with full consideration of the priorities and needs related to student outcomes as determined by the State Board of Education, and (3) provide for the ongoing and systematic assessment and improvement of both teacher evaluation and professional development of the professional staff members of the Board, including personnel management and evaluation training or experience for administrators.

The members chosen by the Board to be on the Professional Development Committee shall serve at the pleasure of the Board.

Staff development activities should respond directly to the educational needs of the student body, including, (a) content areas such as language arts, including reading, writing, speaking, listening, viewing and enacting; math, social studies and science; (b) methodological areas such as motivation, teaching techniques, including the use of computers in the classroom, classroom management, and second language acquisition and (c) affective areas of interpersonal relations of students and faculty, student growth and development and staff communication, problem solving, and decision making. The in-service program shall fulfill all applicable statutory requirements, especially those delineated in CGS 10-220a.

## HAMPTON BOARD OF EDUCATION

The Superintendent shall provide the staff with opportunities in areas such as the following:

1. Released time and leaves of absence for travel and study.
2. Visits to other classrooms and other schools for purposes of problem solving, experimenting and interacting professionally with colleagues.
3. Conferences involving other personnel from the district, county, state, region and nation for purposes of problem solving, experimenting and interacting professionally with colleagues.
4. Writing of professional journal articles.
5. Opportunities for curriculum development.
6. Training classes and workshops offered within the district which fulfill "*Connecticut's Guidelines for the Issuance of Continuing Education Units Required for Certification.*"
7. Further training at, or in cooperation with, institutions of higher learning, as provided by law.
8. A full and up-to-date professional library for the certified staff made available for optimum reference use.
9. Professional educational conferences.

The Board will allow any paraprofessional or noncertified employee of the District to participate on a voluntary basis, in any in-service training program provided to certified staff on those topics mandated per C.G.S. 10-220a, subsection (a).

The Superintendent is to report annually to the Board of Education on the professional development program and its effect with recommendations for changes as needed.

(cf. 4115 - Evaluation)

(cf. 4131.5 - Continuing Education Units)

Legal Reference: Connecticut General Statutes  
10-27 Exchange of professional personnel and students.  
10-220a In-Service training. (as amended by PA 04-227, PA 08-160, June 19 Special Session, Public Act No. 09-1 and PA 10-91)  
10-226f Coordinator of intergroup relations.  
10-226g Intergroup relations training for teachers.  
10-145b Teaching certificates  
10-153b Selection of teachers' representatives

**Tentative Approval: 09/28/2011**

**Final Approval: 10/26/2011**

**Connecticut General Statutes 10-220a - In-service Training****A. Required In-service Topics for Certified Personnel**

1. Nature and the relationships of drugs and alcohol to health and personality development and procedures for discouraging their abuse.
2. Health and mental health risk reduction education including, but not limited to the prevention of risk-taking behavior by children and the relationship of such behavior to substance abuse, pregnancy, sexually transmitted diseases, including HIV-infection and AIDS, violence, teen dating, domestic violence, child abuse and youth suicide.
3. Growth and development of exceptional children, including handicapped and gifted and talented children including, but not limited to, children with attention deficit hyperactivity disorder or learning disabilities who may require special education, and methods for identifying, planning and working effectively with special needs children in a regular classroom
4. School violence prevention and conflict resolution and the prevention of and response to youth suicide.
5. Identification and prevention of bullying and response to bullying, as defined in 10-222d, subsection (a) as amended
6. Cardiopulmonary resuscitation and other emergency life saving procedures.
7. Computer and other information technology as applied to student learning and classroom instruction, communications and data management.
8. Teaching of the language arts, reading and reading readiness and assessment of reading performance including methods of teaching language skills necessary for reading, comprehension skills, phonics and the structure of the English language for teachers in grades kindergarten to three, inclusive. (15 hours every 5 years)
9. Second language acquisition in districts required to provide a program of bilingual education pursuant to C.G.S. 10-17f.
10. Requirements and obligations of a mandated reporter regarding reporting of child abuse and neglect.
11. Elementary, middle, and high school teachers must include 15 hours of training in the use of computers in the classroom every five years. Teachers, regardless of grade level, who can demonstrate technology competency, in a manner determined by the Board of Education, based on statewide standards for teacher competency in the use of instructional technology, shall be exempted from this requirement.
12. Training in the evaluation of teachers for superintendents and those employees employed in positions requiring an intermediate administrator or supervisory certificate whose duties equal at least 50% of the assigned time. (15 hours every 5 years)

**B. Optional In-Service Topics for Certified Personnel**

- Holocaust and genocide education and awareness.
- African-American history.
- Puerto-Rican history.
- Native American history.
- Personal Financial Management.
- The historical events surrounding the Great Famine in Ireland.
- Domestic Violence and Teen Dating Violence

HAMPTON BOARD OF EDUCATION  
4131.5

**PERSONNEL - CERTIFIED**

**CONTINUING EDUCATION UNITS (CEU)**

The Board of Education believes in the importance of teachers holding and professional certificate participating in continuing educational units (CEUs) as part of their professional and educational development on a regular basis. This belief is based upon the knowledge that student learning is directly affected by teacher competence and that competence is enhanced by ongoing professional development and continuous learning. Teachers, like students, must be continual learners.

State law requires the successful completion of 9 CEUs every five years in order for a holder to maintain a professional educator certificate. A certified staff member providing documented completion of a national board certification assessment in the appropriate endorsement area during each 5 year period shall be exempt from this requirement. In order to achieve this goal, the Board will make available annually at no cost to its certified employees, not fewer than eighteen, 60 - minute instructional contact hours of professional development activities for CEUs. Only CEUs awarded by providers approved by the State Department of Education may be used to fulfill the CEU requirements.

The specific professional development activities to be made available determined with advice and assistance of the professional development council which will include a representative of the teachers' union. The time, location and substance of these professional development activities shall be approved by the Board.

All professional development for which CEUs are issued must focus on improved student learning. All learning experiences for which CEUs are awarded should enrich or improve the skills, knowledge and abilities of educators to improve student learning. Professional development, for which CEUs can be offered include workshop presentations, time spent in learning, problem solving, experimenting, interacting with colleagues, developing curriculum and writing professional journal articles. The focus for professional development activities shall establish a link between effective teaching and increased learning shall be *Connecticut's Common Core of Learning, Connecticut Framework: K-12 Curriculum Goals and Standards, Connecticut's Common Core of Teaching* and *Connecticut Guidelines for Teacher Evaluation and Professional Development*.

The Board of Education may award CEU equivalent to any of its employees for the successful completion of professional development activities which are not necessarily offered by an approved by CEU provider. Any combination of CEUs and CEU equivalents can be used toward the 18 CEU requirement. All 18 CEUs may be earned as CEU equivalents.

Legal Reference: Connecticut General Statutes

10-145b Teaching certificates (as amended by PA 01-173)

10-220a In-service training

PA 95-58 An Act Concerning Teacher Evaluations, Tenure and Dismissals

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

HAMPTON BOARD OF EDUCATION  
4132

**PERSONNEL - CERTIFIED**

**PUBLICATION OR CREATION OF MATERIALS**

Staff members are encouraged to contribute professional articles and news items to local, State and national agencies. As a matter of professional ethics, all professional articles should be cleared through the Office of the Superintendent of Schools in the event that the school system or any of its separate departments is mentioned.

The school system retains the right to legal claim on all products created by its employees on the job with the assistance of the school system funds.

(cf. 4132.1 – Copyrights and Patents)

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**



## HAMPTON BOARD OF EDUCATION

**4132.1**

### **PERSONNEL - CERTIFIED**

#### **COPYRIGHTS AND PATENTS**

The Board of Education recognizes that staff members under contract to the school system may, in carrying out their professional responsibilities, develop patentable or copyrightable educational materials for use in the school program. It is understood by the Board of Education and the staff members that such materials developed as part of regular employment are equally the properties of the school system and the employees.

The school system retains the right to legal claim on all products created by its employees on the job with the assistance of the school system funds.

(cf. 4132 – Publication or Creation of Materials)

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

HAMPTON BOARD OF EDUCATION  
4133 / 4233

**PERSONNEL – CERTIFIED AND NON-CERTIFIED**

**TRAVEL REIMBURSEMENT**

At a mileage rate established annually as part of budget development, the Board of Education shall reimburse employees and officials of the district for approved use of private vehicles in the course of performing job related responsibilities.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

HAMPTON BOARD OF EDUCATION  
4134

**PERSONNEL – CERTIFIED**

**TUTORING**

Principals and teachers shall try to resolve student learning problems within the school setting before recommending a tutor or other outside professional help. Through maintaining a high quality instructional staff and providing a rich and varied curriculum, the need for individual tutoring will be minimized.

Should, however, tutoring be recommended in exceptional cases, the superintendent shall establish rules to prevent conflicts of interest.

Legal Reference: Connecticut General Statutes

53-392a – 53-392e All related to academic crimes.

53-392b Preparation of assignments for students attending educational institutions prohibited.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

HAMPTON BOARD OF EDUCATION  
4135 / 4235

**PERSONNEL – CERTIFIED AND NON-CERTIFIED**

**ORGANIZATIONS AND UNITS**

**Teacher-Administrator-Board of Education Relationships**

Providing a high quality education for children is the paramount aim of this school system, and good morale in the teaching staff is necessary for the best education of the children. Therefore, the Board of Education encourages participation of staff members in activities of their professional organizations and encourages organization to exercise their rights and responsibilities clearly established by law:

1. The Board of Education, under law, has the final responsibility of establishing policies for the school system.
2. The Superintendent and staff have the responsibility of carrying out the policies established.
3. The certified teaching personnel have the ultimate responsibility for providing excellent education in the classroom.

**Attainment of Goals**

Attainment of goals of the educational program conducted in the district requires mutual understanding and cooperation among the Board of Education, the Superintendent and administrative staff, the certified personnel, the non-certified personnel and other citizens of the community. Free and open exchange of views is desirable, proper and necessary.

**Teachers and Teachers' Organizations**

Teachers shall have the right to join, or to refrain from joining, any organization for their professional economic improvement and for the advancement of public education, but membership in any organization shall not be required as a condition of employment of a teacher in the schools of the district.

**Employee Organizations**

All employees are free to join, or not to join employee organizations. Decisions affecting the individual employee are made without regard to membership or non membership in such organizations. Each employee is entitled to his/her individual legal or ethical rights and privileges.

Employees shall not be interfered with, intimidated, restrained, coerced or discriminated against, either by the school district or by employee organizations. They shall have the right to

participate through representatives of their own choosing in the presentation of their views to the Board of Education.

**Policy Development and Review**

The Superintendent shall consult with appropriate personnel and employee organizations in suggesting and establishing desire policies and regulations relating to Board of Education teacher-administrator relationships and in other matters as provided by law.

## HAMPTON BOARD OF EDUCATION

The Board of Education will annually review policies and will consider suggested revisions or additions which will improve these relationships and promote the educational welfare of the children attending school in the district.

### **Bargaining Units**

Unit clarification petitions concerning the appropriate composition of an existing bargaining unit shall be filed with the Commissioner of Education.

Legal Reference: Connecticut General Statutes

10-153a Rights concerning professional organizations and negotiations.

10-153b Selection of teachers' representatives

0-153c Disputes as to elections

10-153e Strikes prohibited. Interference with the exercise of employees' rights prohibited.

46a-60 Discriminatory employment practices prohibited.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

## HAMPTON BOARD OF EDUCATION

4135.2

### PERSONNEL - CERTIFIED

#### COMMUNICATION WITH BOARD OF EDUCATION

Communications between the Board of Education and the staff shall be carried out through the Superintendent of Schools. At times it may be beneficial and necessary for a direct conference to be arranged between these two groups amid areas of mutual concern. In such cases the following guidelines shall be followed:

1. Meetings between the Board of Committees of the Board and a staff committee will be arranged by the Superintendent.
2. Requests for meetings with the Board shall be made in writing to the Superintendent and should include agenda items. These requests shall be brought to the attention of the Board by the Superintendent.
3. Issuance of publicity releases and the substance of such releases resulting from such meetings shall be approved by both groups.
4. If it is deemed desirable to invite representatives from outside either group as observers or consultants, such invitations shall be issued with the advance knowledge of the group concerned and approval of the Board.

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

**HAMPTON BOARD OF EDUCATION**

**4135.4 / 4235.4**

**PERSONNEL – CERTIFIED AND NON-CERTIFIED**

**STAFF COMPLAINTS AND CONCERNS**

Procedures to settle personal differences shall provide for prompt and equitable resolution of disagreements at the lowest possible administrative levels and each employee shall be assured opportunity for an orderly presentation and review of complaints and concerns without fear of reprisal.

(cf. 4112.1/4212.1 Provisions of Negotiated Agreements)

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

**HAMPTON BOARD OF EDUCATION  
4138/4237**

**PERSONNEL – CERTIFIED/PERSONNEL – NON CERTIFIED**

**NON-SCHOOL EMPLOYMENT**

Personnel of the school may receive compensation for outside activities as long as these activities do not interfere with the proper discharge of their assigned duties or do not cause poor public relations within the community. It is expected that any outside activity should be carried on in a businesslike and ethical manner.

**Tentative Approval: 04/29/99  
Final Approval: 05/18/99**



HAMPTON BOARD OF EDUCATION  
4147 / 4247

**PERSONNEL – CERTIFIED AND NON-CERTIFIED**

**EMPLOYEE SAFETY**

**General**

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

**Use of Physical Force**

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

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

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

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

The Superintendent shall maintain records of any assaults for required reports to the Commissioner of Education.

**Legal Protection of Employer**

As required by the general statutes, the Board of Education shall indemnify Board members and employees.

(cf. 4112.1/4212.1 Provisions of Negotiated Agreements)

Legal Reference: Connecticut General Statutes

10-233g Boards to report school violence. Reports of principals to police authority.

10-235 Indemnification of teaches, board members and employees in damage suits; expenses of litigation.

10-236a Indemnification of educational personnel assaulted in the line of duty.

53a-18 Use of reasonable physical force...

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

# HAMPTON BOARD OF EDUCATION

4147.1 / 4247.1

## PERSONNEL - CERTIFIED/NON-CERTIFIED

### OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS

In accordance with the United States Department of Labor Occupational Safety and Health Administration regulations in dealing with "Safe Workplace" standards related to exposure to Bloodborne Pathogens, the Board has developed and will implement procedures to protect at risk employees. These procedures, contained in the Board of Education Exposure Control Plan (the "procedures") are designed to comply in full with applicable federal and state law regulations. The procedures will be overseen by the Superintendent or his/her designee, who shall also be responsible for periodically reviewing and updating them. Copies of the procedures shall also be kept in the nurse's office in the school and in the Central Office. The procedures will be monitored by the Connecticut Department of Labor.

It is the policy of the Board of Education, through these procedures, to take all necessary actions to protect its employees from infectious disease, and in particular, HIV and Hepatitis B Virus, a life threatening bloodborne pathogen.

The Board will further provide training and protective equipment to those persons who, by virtue of the performance of job duties, are at risk to come in contact with infectious disease. Finally, all at risk employees of the Board, as defined in the procedures, will be offered the vaccine for Hepatitis B Virus, a life threatening bloodborne pathogen.

Training, needed protective equipment and vaccination, as provided in these procedures, will be at no cost to the personnel and are provided as a precaution for personnel safety.

Legal Reference: 29 CFR Part 1910.1030 *Occupational Exposure to Bloodborne Pathogens*; Final Rule.

Connecticut State Agencies Regulations, Section 31-372-101-1910.1030.

Connecticut General Statutes, 31-372 Adoption of federal and state standards. Variance.

**Tentative Approval: 04/29/99**

**Final Approval: 05/18/99**

**Reviewed: 08/20/09**

4148 / 4248

**PERSONNEL – CERTIFIED - NON-CERTIFIED**

**EMPLOYEE PROTECTION**

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

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

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

As required by law, the Board of Education will file a report annually with the State Board of Education indicating the number of threats and physical assaults made by students upon other students.

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

Section 52-557b of the General Statutes grants immunity from liability for emergency medical assistance to a person in need of it when the assistance is given by a teacher or other school personnel on the school grounds, in a school building, or at a school function, provided that the teacher or other staff member has completed a course in first aid offered by the American Red Cross, the American Heart Association, the State Department of

Health Services, or any municipal health department, as certified by that agency. Such immunity extends to civil damages for any personal injuries which result from acts or omissions by the person giving the emergency care or first aid, which might constitute ordinary negligence. Such immunity does not apply to acts or omissions constituting gross, willful or wanton negligence.

Legal Reference: Connecticut General Statutes

10-233g Boards to report school violence. Reports of principals to police authority.

10-235 Indemnification of teachers, board and commission members and employees in damage suits; expenses of litigation.

10-236a Indemnification of education personnel assaulted in the line of duty.

52-557b Immunity from liability for emergency medical assistance, first aid or medication by injection.

53a-18 Use of reasonable physical force or deadly physical force or deadly physical force generally.

**Tentative Approval: 04/29/99**

**Final Approval: 05/18/99**

**Reviewed: 08/20/09**

**4150**

**PERSONNEL - CERTIFIED**

**LEAVES**

The Board of Education will provide for employee absences as authorized by law and contract.

Legal Reference: Connecticut General Statutes

10-156 Sick Leave

10-156b Tenure and sick leave rights of teacher on regionalization and dissolution of regional school district.

10-156c Military leave.

10-156d Reemployment after military leave.

1 - 4 days designated as legal holidays.

**Tentative Approval: 04/29/99**

**Final Approval: 05/18/99**

**Re-Approval: 05/22/2013**

4152.6 / 4252.6

**PERSONNEL: CERTIFIED/NON-CERTIFIED**

**FAMILY, MEDICAL, AND PREGNANCY-RELATED LEAVES**

Family and Medical leaves are provided by the Board of Education as required by the Federal Leave Act of 1993, as amended(FMLA). This policy and the corresponding regulations will be interpreted to comply with that law, as well as the Connecticut Fair Employment Practices Act (CFEPA) with respect to pregnancy-related disability leave and transfer.

Employees should contact the Superintendent of Schools Office if they have any questions regarding how the Board of Education's FMLA policy and regulations apply to their situation, when and how they may take leave, or any other question regarding family, medical and pregnancy-related disability.

Legal Reference: 29 U.S.C. § 2601 et seq. Family and Medical Leave Act of 1993  
29 C.F.R. § 825 et seq., Family and Medical Leave Act Regulations  
Connecticut General Statutes  
46a-51 et seq. Connecticut Fair Employment Practices Act  
46a-51 (17) and 46a-60(a)(7) Pregnancy Discrimination

**Tentative Approval: 02/01/2006**

**Final Approval: 09/17/2009**

4212.42

**PERSONNEL — CERTIFIED**

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS**

The Hampton Public School district is dedicated to the establishment of a drug use and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (OTETA) and applicable state statutes pertaining to pre-employment and random drug testing of school bus drivers. The District shall adhere to federal and state law and regulations requiring a school bus driver's drug and alcohol testing program.

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

This policy applies to all drivers and applicants for driver positions for the District who must have a Commercial Drivers License (CDL) to operate school vehicles.

In a continuing effort to prevent accidents and injuries resulting from the use of drugs and misuse of alcohol by drivers of commercial motor vehicles, the District shall establish a drug and alcohol misuse prevention program.

The District's program shall meet the requirements of the Omnibus Transportation Employee Testing Act of 1991 and C.G.S. 14-276a.

The Superintendent will develop administrative regulations as needed to implement the District's program including provisions for pre-employment, reasonable suspicion, random, post-accident, return-to-duty and follow-up testing as may be necessary. The regulations will also include training, education and other assistance to employees to promote a drug and alcohol-free environment.

Legal Reference: United States Code, Title 49 2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)

Code of Federal Regulations, Title 49

40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs

382 Controlled Substance and Alcohol Use and Testing

395 Hours of Service Drivers

Holiday v. City of Modesto (1991) 229 Cal. App. 3d. 528, 540.

International Brotherhood of Teamsters V. Department of Transportation 932 F. 2d 1292 (1991)

American Trucking Association, Inc. v. Federal Highway Administration, (1995) WL 136022 (4th circuit)

Connecticut General Statutes

14-261b Drug and alcohol testing of drivers of certain vehicles, mechanics and forklift operators

14-276a Regulations re school bus operators and operators of student transportation vehicles; qualifications; training. Pre-employment drug test required for operators

**TENTATIVE APPROVAL: 01/22/2009**

**FINAL APPROVAL: 03/04/2009**

**4217.4**

**PERSONNEL - NON-CERTIFIED**

**DISMISSAL/SUSPENSION**

Support staff dismissal procedures and employee terminations or suspensions are the responsibility of the Superintendent of Schools, or designee, and shall be in accordance with current state statutes and negotiated employee contracts and with appropriate consideration of an affected employee's constitutional and due process rights and protections.

(cf. 4212.1 Provisions of Negotiated Agreements)

(cf. 4212.6 Personnel Records)

(cf. 4214 Assignment/Transfer/Reassignment)

(cf. 4218.11 Nondiscrimination)

(cf. 4218.112 Sexual Harassment)

(cf. 4218.14 Disabilities)

(cf. 4218.231 Smoking, Drinking, and Use of Drugs on School Premises)

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**

4215

**PERSONNEL - NON-CERTIFIED**

**SUPERVISION AND EVALUATION**

Employee performance is key to the success of an organization; therefore, effective employee supervision is a primary leadership responsibility for all administrators. A component of supervision is cooperative, continuing, employee evaluation which serves to:

1. improve the quality of employee work;
2. elevate the standards of employees' field of work;
3. help each employee grow personally and in job skills;
4. assist with administrative decisions on employee retention/dismissal.

The Superintendent shall evaluate or cause to be evaluated all support staff employees. Teachers and administrators share responsibility for developing effective evaluation procedures and instruments and for establishing and maintaining professional standards and constructive attitudes toward staff evaluation.

(cf. 4112.1/4212.1 Provisions of Negotiated Agreements)

(cf. 4112.6/4212.6 Personnel Records)

**Tentative Approval: 10/05/2005**

**Final Approval: 11/02/2005**



**4214**

**PERSONNEL - NON-CERTIFIED**

**ASSIGNMENT AND TRANSFER**

The assignment and transfer of all non-certified staff personnel shall be the responsibility of the Superintendent of Schools. Transfers will be made in the best interests of the school system, subject to provisions of applicable employee organization agreements and Board of Education policies.

Not later than the regular October meeting of the Board of Education the Superintendent shall provide Board members a staff listing of regular assignments.

**Tentative Approval: 10/05/2005**

**Final Approval: 10/02/2005**