

Policy Committee Meeting
Tuesday, September 28, 2021 6:30 PM

Polson Middle School Library Media Center
302 Green Hill Road
Madison, CT 06443

Agenda

- I. Policy Proposed for Revision
 - A. #3240 Non-Resident Admission and Tuition Fees
- II. Discussion of Policies proposed for Technical Revision
 - A. #1330 Use of School Facilities
 - B. #1360 School Volunteers, Student Interns and Other Non-Employees
 - C. #1160 Possession of Deadly Weapons and Firearms
 - D. #1370, #4118.1, #5020.1 Non-Discrimination Policies
 - E. #2240 Retention of Electronic Records and Information
 - F. #4116.1, #5120.4.2.4 Sex Discrimination and Sexual Harassment Policies
 - G. #3541.5 Transportation
- III. Public Comment
- IV. The Town of Madison does not discriminate on the basis of disability, and the meeting facilities are ADA accessible. Individuals who need assistance are invited to make their needs known by contacting the Town's ADA/Human Resources Director Debra Milardo at 203-245-5603 or by email at milardod@madisonct.org at least five (5) business days prior to the meeting.

Non-Resident Admission and Tuition Fees

General Provisions

The following terms and conditions are to be used as guidelines when determining eligibility of a non-resident student to enroll or continue enrollment in the Madison Public Schools. This policy shall not be applied to decisions about enrollment of students who reside in a town that has a designated high school agreement with the Madison Public Schools or to non-resident students who are otherwise entitled to attend Madison Public Schools in accordance with law.

- A. The Superintendent or his/her designee may approve the enrollment or continuation of enrollment of a non-resident student if class size and other considerations such as the availability of resources permit. The Superintendent shall make decisions regarding class size and/or the availability of resources.
- B. The Superintendent or his/her designee shall not hire additional staff to permit enrollment or continuation of enrollment for a non-resident student under this policy.
- C. The Superintendent or his/her designee shall make the decision about class assignment.
- D. The decision to permit non-resident enrollment shall be for one school year or less but may be extended from year to year at the discretion of the Superintendent or his/her designee. Such extension decisions shall be made on an annual basis.
- E. This policy does not obligate the Madison Board of Education to provide special education programs or services or create unique programs for students. If a non-resident student is enrolled or continued in enrollment in the Madison Public Schools and such student is eligible for services under the Individuals with Disabilities Education Act (“IDEA”), the Madison Board of Education shall not act as the local education agency for such child. In instances where special or

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additional services are provided for a non-resident student, a supplemental tuition or fee may be charged based upon the actual costs associated with providing the special or additional services.

- F. Application for initial enrollment shall be made in writing on a form supplied by the Superintendent or his/her designee.
- G. Application for continued enrollment shall be made on an annual basis, in writing on a form supplied by the Superintendent or his/her designee.
- H. No student applying for enrollment pursuant to subsections G or H, above, shall be enrolled in the Madison Public Schools until the Board has received tuition payment on behalf of such student in accordance with Section II, below.
- I. At the discretion of the Superintendent or his/her designee, the candidate for initial or continued enrollment shall be interviewed by the principal or assistant principal of the school at which enrollment or continued enrollment is sought.
- J. The non-resident student’s immediate past principal or responsible administrator must make a recommendation on behalf of the child, attesting to his/her good citizenship, in order for the Student to be eligible for initial or continued enrollment.
- K. All non-resident students or their parents or guardians, or the school district of residence, shall provide necessary transportation to and from school.
- L. A non-resident student’s continuation in the Madison Public Schools will be contingent upon the student’s compliance with all applicable rules and regulations of the Madison Board of Education and the individual school, satisfactory attendance and academic progress, and the availability of staff and school resources. The Superintendent or his/her designee may terminate the non-resident

#3240 (continued)

70 student's enrollment at any time if, in his or her opinion, continuation is not in the
71 best interest of the school system or the student.

72
73 Only non-resident students who meet the criteria set forth in this policy may enroll or
74 continue in enrollment in the Madison Public Schools.

75
76 **Tuition and Fees**

77 1. The annual tuition fee for grade K-12 regular program students will be calculated
78 as follows:

79
80 a. The base rate will be ~~100% of the most current actual the average~~ per-pupil
81 cost as reported by the CPSE (Connecticut Public School Expenditures) data
82 on net current expenditure per pupil.

83
84 2. ~~Tuition may be paid in full prior to the first day of school or per the following~~
85 ~~schedule: September 1, or the first day of school, whichever comes first,~~
86 ~~December 1 and March 1. Tuition payments will be made in four installments on~~
87 ~~the following schedule: September 1, or the first day of school, whichever comes~~
88 ~~first; November 1; February 1; April 1.~~

89
90 3. If a non-resident special education student's IEP/504 Accommodation Plan
91 includes provisions requiring additional expenditures, those costs will be added to
92 the student's yearly tuition fee.

93
94 4. A tuition charge for students enrolled or withdrawn at times other than the
95 beginning and end of the school year will be determined on a pro rata basis.

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97 **Waiver of Tuition and Fees for Certain Students**

98 Non-resident students may be allowed to attend a local school without tuition upon the
99 approval of the Superintendent of Schools following written parental request when:

#3240 (continued)

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102 A. A family moves from the district after the beginning of the fourth quarter of the
103 current school year; or

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105 B. A family residing outside the district demonstrates firm plans to move into the district
106 within the current school year. The parent or legal guardian must sign an agreement
107 to ~~make payments on September 1, December 1 and March 1.~~ ~~pay quarterly payments~~
108 ~~on November 1, February 1, April 1 and June 1,~~ if residency is not achieved by the
109 stated date, in order for the child or children to continue attending the Madison
110 schools. If a non-resident special education student's IEP/504 Accommodation Plan
111 includes provisions requiring additional expenditures, those costs will be added to the
112 student's quarterly tuition fee.

113

114 C. Non-resident students may be allowed to attend a local school with a tuition
115 adjustment upon the recommendation of the Superintendent and approval of the
116 Board of Education following written parental request if the Superintendent of his/her
117 designee makes a finding that when extraordinary circumstance(s) regarding the child
118 and/or their parent(s) supports a tuition adjustment.

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120 **Tuition and Fees for Children of Non-resident Staff**

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122 Children of non-resident staff may be allowed to attend the Madison Public Schools with
123 the written approval of the Superintendent of Schools following a written request. The
124 guidelines in Section I, General Provisions and Section II, Tuition & Fees above shall
125 apply to such requests except for the payment terms and schedule described below.

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127 1. The annual tuition for these students will be based on the staff member's length of
128 continuous service in the Madison School System.

129

130 a. Total of 0-5 years of completed service – the staff member will be charged
131 ~~7550~~ percent of the tuition rate established under Section II.

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#3240 (continued)

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134 b. Total of 5-10 years of completed service – the staff member will be charged
135 ~~5025~~ percent of the tuition rate established tuition rate established under
136 Section II.

137

138 ~~b. e.~~ Total of 10 or more years of completed service – the staff member will be
139 charged ~~3040~~ percent of the tuition rate established under Section II.

140

141 For staff members accepted in the program on or before September 1, 2021, the
142 district will honor the tuition rates established in the original policy adopted
143 September 10, 2019, as follows:

144

145 a. Total of 0-5 years of completed service – the staff member will be charged
146 50 percent of the tuition rate established under Section II.

147

148 b. Total of 5-10 years of completed service – the staff member will be
149 charged 25 percent of the tuition rate established tuition rate established under
150 Section II.

151

152 c. Total of 10 or more years of completed service – the staff member will be
153 charged 10 percent of the tuition rate established under Section II.

154

155 2. Tuition payment will be made on a payroll deduction basis.

156

157 3. If special education services are required, and the student’s IEP/504 Accommodation
158 Plan includes provisions requiring additional expenditures, the staff member shall be
159 charged those additional costs as fees in addition to the tuition charge without any
160 proration or reduction for years of service.

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163 Legal Reference: Connecticut General Statutes

164 10-35 Notice of discontinuance of high school service to nonresidents.

165 10-220(a) Duties of boards of education.

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176 Policy Adopted: September 10, 2019

177 First Reading:

Application Procedures

In accordance with Conn. Gen. Stat. § 10-239, the Board of Education may permit the use of any school facility for nonprofit educational or community purposes whether or not school is in session. The Board of Education may also grant the temporary use of any school facility for public, educational or other purposes, including the holding of political discussion, at such time the facility is not in use for school purposes. In addition, the Board shall grant such use for any purpose of voting under the provisions of Title 9 of the Connecticut General Statutes whether or not school is in session. In accordance with 20 U.S.C. § 7905, the Board of Education shall not deny equal access to or a fair opportunity to meet, or otherwise discriminate, against any group officially affiliated with the Boy Scouts of America (or any other youth group listed as a patriotic society in Title 36 of the United States Code) that wishes to conduct a meeting using school facilities pursuant to this policy. Such uses shall be governed by the following rules and procedures, and shall be subject to such restrictions as the Superintendent or his/her designee considers expedient.

Consistent with this policy, the Superintendent shall develop and promulgate Administrative Regulations and associated forms governing use of school buildings and facilities by community and other groups. Since the primary purpose of school facilities is for educational activities, such activities will have priority over all other requested uses.

Applications for use of facilities shall be submitted to the following individuals, in accordance with the Administrative Regulations:

<u>Facility</u>	<u>Application Submitted To</u>
For use of school buildings	Building Principal
For use of athletic fields and facilities	Athletic Director
For use of other school facilities	Superintendent of Schools

Community/School Relations

30 Groups requesting use of school buildings and facilities must identify the specific
31 facilities desired, and approval will be for those specific facilities only. All school
32 equipment on the premises shall remain in the charge and control of the building
33 principal or responsible administrator, and shall not be used without the express written
34 permission of the administrator.

35

36 Principals and other responsible administrators shall submit copies of each building use
37 form with a notation of whether such uses have been approved. Approval of school
38 facilities by the principal or other responsible party may be revoked at any time by the
39 Superintendent or his/her designee.

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41 **Eligible Organizations and Priority of Use**

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43 Administrators responsible for approving/disapproving requests for use of school district
44 facilities will use the following guidelines regarding priority of usage of such facilities:

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46 Order of priority:

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- 48 1. School-sponsored programs and activities.
- 49
- 50 2. Activities of school-related organizations (*e.g.* PTO, Booster Clubs, After
51 Graduation Committees and similar organizations).
- 52
- 53 3. Town department or agency activities.
- 54
- 55 4. Activities of non-profit organizations operating within the Town, other
56 than school-related organizations covered by category #2 above.
- 57
- 58 5. Activities of for-profit organizations operating within the Town.
- 59
- 60 6. Out-of-town organizations.
- 61

62 **Restrictions on Use of School Facilities**

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64 The following restrictions shall apply to the use of school facilities:

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66 1. Illegal activities will not be tolerated.

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68 2. Use or possession of tobacco, alcoholic beverages or unauthorized
69 controlled substances shall not be permitted on school property.

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71 3. Refreshments may not be prepared, served or consumed without the prior
72 approval of the responsible administrator. Notwithstanding, only those
73 beverages permitted by state law may be sold during the school day. The
74 responsible administrator may permit other beverages to be sold at the
75 location of events occurring after the end of the regular school day or on
76 the weekend as long as they are not sold from a vending machine or at a
77 school store. Upon approval by the administrator, refreshments may be
78 prepared, served and consumed only in areas designated by the
79 responsible administrator.

80

81 4. Obscene advertising, decorations or materials shall not be permitted on
82 school property.

83

84 5. Advertising, decorations or other materials that promote the use of illegal
85 drugs, tobacco products, or alcoholic beverages shall not be permitted.

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87 6. Activities that are disruptive of the school environment are not permitted.

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89 Any violation of this Policy or any applicable Administrative Regulations may result in
90 permanent revocation of the privilege to use school facilities against the organization
91 and/or individuals involved.

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93 **Fees and Other Costs**

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Users of school facilities shall be responsible for the fees and costs set out in a fee schedule established by the Superintendent with the approval of the Board of Education. The following guidelines shall be incorporated into such fee schedule:

<u>Category</u>	<u>Fee</u>
1. School-sponsored programs and activities.	No rental fee or associated costs.
2. Activities of school-related organizations (e.g. PTO, Booster Clubs, After Graduation Committees and similar organizations).	No rental fee or associated costs.
3. Town department or agency activities.	Associated costs.
4. Activities of non-profit organizations operating within the Town, other than school-related organizations covered by category #2 above.	Associated costs.
5. Activities of for-profit organizations operating within the Town.	Rental fee and associated costs.
6. Out-of-town organizations.	Rental fee and associated costs.

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“Associated costs” shall include, but shall not be limited to, fees for the services of any custodial personnel, food service personnel, security personnel or other personnel deemed by the responsible administrator to be necessary in connection with the use of a school district facility. Such costs shall be at the rates set forth in the fee schedule. Rental fees and/or associated costs otherwise applicable may be waived by the Superintendent or his/her designee if such waiver is deemed by the Superintendent or his/her designee to be in the best interest of the school system and/or the Town.

108 **Responsibility for Damage to Property or Loss of Property**

109

110 In order to use school district facilities, any organization or individual requesting such
111 use must agree to assume responsibility for any damage to and/or theft or loss of any
112 school district property arising out of the use of the facilities.

113

114 Health and Safety Protocols

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116 In order to use school district facilities, any organization or individual requesting such
117 use must agree to abide by all health and safety protocols in place by the school district at
118 the time of use, including but not limited to protocols relating to cleaning of the facilities,
119 signage, and health screenings of individuals requesting access to the facilities.

120

121 **Legal References:**

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123 Conn. Gen. Stat. § 10-239

124 Conn. Gen. Stat. § 10-215f

125 Conn. Gen. Stat. § 10-221q

126 Conn. Gen. Stat. Title 9

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128 Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905

129 Patriotic and National Organizations, 36 U.S.C § 10101 et seq.

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132 Date of Adoption: April 14, 2020

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#1360

**School Volunteers, Student Interns and
Other Non-Employees**

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5 The Board of Education recognizes the importance of school volunteers at all levels of
6 schooling. Volunteers can enhance collaboration between the school and community,
7 broaden the school’s educational environment and ultimately enrich students’ school
8 experience. The Board further acknowledges that it may, from time to time, be asked to
9 provide learning experiences for student interns within the school environments, which
10 experiences are not part of the teacher preparation program, as defined in section 10-10a
11 of the Connecticut General Statutes. In recognition of the benefit of having volunteers,
12 interns and other such non-employees providing services within the schools, the Board
13 supports the involvement of these individuals in accordance with suitable regulations and
14 safeguards to be developed by the Administration.

15
16 Volunteers, interns and other such non-employees working within the schools
17 (“volunteers”) must work under the supervision of Madison Public Schools staff.
18 Volunteers are held to the same standards of conduct as school staff and must observe all
19 Board of Education policies, including applicable policies on the confidentiality of
20 student information.

21
22 Volunteers may be required to submit to state and federal criminal record checks and a
23 record check of the Department of Children and Families (“DCF”) Child Abuse and
24 Neglect Registry. No person who is required to register as a sex offender under state or
25 federal law, or whose name is currently listed on the DCF registry, may volunteer in the
26 Madison Public Schools.

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28 No employee of the Madison Public Schools shall serve as a volunteer in any capacity,
29 except as may be approved by the Superintendent or his/her designee based on the
30 specific situation.

31
32 All volunteers must comply with all school health and safety protocols in place at the
33 time, including but not limited to any health screening protocols.

34

35 Persons interested in volunteering their services should contact the school principal.

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38 Legal References:

39 Connecticut General Statutes § 10-4g

40 Connecticut General Statutes § 10-220

41 Connecticut General Statutes § 10-235

42 Connecticut General Statutes § 54-250 et seq.

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49 Date of Adoption: April 14, 2020

50 First Reading:

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Possession of Deadly Weapons or Firearms

I. Definitions:

A. **Deadly Weapon** means "any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles." Conn. Gen. Stat. § 53a-3 (6).

B. **Firearm** means "any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded, from which a shot may be discharged." Conn. Gen. Stat. § 53a-3 (19).

C. **Peace Officer** means "a member of the Division of State Police within the Department of Emergency Services and Public Protection or an organized local police department, a chief inspector or inspector in the Division of Criminal Justice, a state marshal while exercising authority granted under any provision of the general statutes, a judicial marshal in the performance of the duties of a judicial marshal, a conservation officer or special conservation officer, as defined in section 26-5, a constable who performs criminal law enforcement duties, a special policeman appointed under section 29-18, 29-18a or 29-19, an adult probation officer, an official of the Department of Correction authorized by the Commissioner of Correction to make arrests in a correctional institution or facility, any investigator in the investigations unit of the office of the State Treasurer, an inspector of motor vehicles in the Department of Motor Vehicles, who is certified under the provisions of sections 7-294a to 7-294e, inclusive, a United States marshal or deputy marshal, any special agent of the federal government authorized to enforce the provisions of Title 21 of the United States Code, or a member of a law enforcement unit of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of Connecticut created and governed by a memorandum of agreement under section 47-65c who is certified as a police officer by the Police Officer Standards and Training Council pursuant to sections 7-294a to 7-294e, inclusive." Conn. Gen. Stat. § 53a-3 (9).

34 D. **Real Property** means the land and all temporary and permanent structures
35 comprising the district's elementary and secondary schools, and administrative
36 office buildings. Real property includes, but is not limited to, the following:
37 classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking
38 lots.

39
40 E. **School-Sponsored Activity** "means any activity sponsored, recognized or
41 authorized by a board of education and includes activities conducted on or off
42 school property." Conn. Gen. Stat. § 10-233a(h).

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44 **II. Prohibition of Deadly Weapons and Firearms**

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46 In accordance with Conn. Gen. Stat. § 29-28(e) and § 53a-217b, the possession and/or
47 use of a deadly weapon or firearm on the real property of any school or administrative
48 office building in this district, on school transportation, or at a school-sponsored activity,
49 is prohibited, even if the person possessing the deadly weapon or firearm has a permit for
50 such item.

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52 **III. Peace Officer Exception**

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54 A peace officer engaged in the performance of his or her official duties who is in lawful
55 possession of a deadly weapon or firearm may bring such item on the real property of any
56 school or administrative office building in this district, on school transportation, or to a
57 school-sponsored activity.

58

59 **IV. Other Exceptions**

60
61 Persons in lawful possession of a deadly weapon or firearm may possess such item on the
62 real property of any school or administrative office building in this district, on school
63 transportation, or to a school-sponsored activity, if:

64

65 A. The person brings the deadly weapon or firearm on the real property of any school
66 or administrative office building, on school transportation, or to a school-
67 sponsored activity for use in a program approved by school officials. In such

68 case, the person must give school officials notice of his/her intention to bring such
69 item, and the person must receive prior written permission from school officials.

70
71 B. The person possesses the deadly weapon or firearm on the real property of any
72 school or administrative office building, on school transportation, or at a school-
73 sponsored activity pursuant to a written agreement with school officials or a
74 written agreement between such person's employer and school officials.

75
76 C. The person possesses the deadly weapon or firearm while crossing school
77 property in order to gain access to public or private lands open to hunting or for
78 other lawful purposes and entry on such school property is permitted by the Board
79 of Education. (In the case of a firearm, the person's firearm shall not be loaded.)

80
81 D. An armed security officer employed by the Board of Education to provide
82 security services pursuant to Conn. Gen. Stat. § 10-244a engaged in the
83 performance of his or her official duties who is in lawful possession of a deadly
84 weapon or firearm may bring such item on the real property of any school or
85 administrative office building in this district, or to a school-sponsored activity.

86
87 **V. Consequences**

88
89 A. Unless subject to one of the exceptions listed above, any person who possesses a
90 deadly weapon or firearm on the real property of an elementary or secondary
91 school in this district, or administrative office building, on school transportation,
92 or at a school-sponsored activity, whether or not the person is lawfully permitted
93 to carry such deadly weapon or firearm, will be reported to the local police
94 authorities once school officials become aware of its possession.

95
96 B. A student who possesses and/or uses any deadly weapon or firearm on ~~school~~
97 property—the real property of an elementary or secondary school in this district, or
98 administrative office building, on school transportation, or at a school sponsored
99 activity in violation of this policy shall be disciplined in accordance with Board of
100 Education Student Discipline Policy.

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C. The Board of Education reserves the right to forbid anyone caught possessing a deadly weapon or firearm on the real property of its school buildings or administrative office buildings, on school transportation, or at a school-sponsored activity, from using any and all school facilities.

Legal References:

- Connecticut General Statutes § 10-233a
- § 10-244a
- § 29-28(e)
- § 53a-3
- § 53a-217b

Date of Adoption: December 15, 2020

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

For the purposes of this policy, “gender identity or expression” means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

For the purposes of this policy, “veteran” means any person honorably discharged from, ~~or~~ released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. “Qualifying condition” means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of

Community/School Relations

34 Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an
35 individual licensed to provide health care services at a United States Department of
36 Veterans Affairs facility, or (C) a determination that sexual orientation, gender identity or
37 gender expression was more likely than not the primary reason for an other than
38 honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c),
39 (d).

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41 For the purposes of this policy, “race” is inclusive of ethnic traits historically associated
42 with race, including but not limited to, hair texture and protective hairstyles. “Protective
43 hairstyles” includes, but is not limited to, wigs, headwraps and hairstyles such as
44 individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

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46 Any individual wishing to file a complaint regarding discrimination or harassment may
47 obtain a copy of the Board’s complaint procedures and complaint form that are included
48 in the Board’s Administrative Regulations Regarding Non-Discrimination. These
49 regulations accompany Board Policy #1370 Community/Non-Discrimination and are
50 available online at <https://www.madison.k12.ct.us/board-of-education/policies> or upon
51 request from the main office of any district school.

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53 If a complaint involves allegations of discrimination or harassment based on reasons such
54 as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such
55 complaints will be handled in accordance with other appropriate policies (e.g., Policy
56 #4116.1, Sex Discrimination/Harassment in the Workplace; Policy #5120.4.2.4, Sex
57 Discrimination and Sexual Harassment; Policy #4118.14, Section 504/ADA, and Policy
58 #5200, Section 504/ADA).

59
60 Individuals also may file a complaint with the Office for Civil Rights, U.S. Department
61 of Education (“OCR”):

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63 Office for Civil Rights, Boston Office
64 U.S. Department of Education
65 8th Floor
66 5 Post Office Square
67 Boston, MA 02109- 3921
68 (617-289-0111)
69 <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Community/School Relations

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

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74 Equal Employment Opportunity Commission, Boston Area Office
75 John F. Kennedy Federal Building
76 475 Government Center
77 Boston, MA 02203
78 (800-669-4000)

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81 Individuals may also file a complaint with the Connecticut Commission on Human
82 Rights and Opportunities:

83
84 Connecticut Commission on Human Rights and Opportunities
85 450 Columbus Blvd.
86 Hartford, CT 06103-1835
87 (860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

88
89 Anyone who has questions or concerns about this policy, and/or who may wish to request
90 or discuss accommodations based on religion, and/or would like a copy of the Board's
91 complaint procedures or complaint forms related to claims of discrimination or
92 harassment, may contact:

93
94 **Office of the Superintendent**
95 **10 Campus Drive**
96 **Madison, CT 06443**
97 **(203) 245-6322**

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

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102 **Director of Special Education**
103 **10 Campus Drive**
104 **Madison, CT 06443**
105 **(203) 245-6341**

106
107 Anyone who has questions or concerns about the Board's policies regarding
108 discrimination or harassment on the basis of disability, and/or who may wish to request
109 or discuss accommodations for a disability, may contact the Board's Section 504/ADA
110 Coordinator:

111
112 **Director of Special Education**

113 **10 Campus Drive**
114 **Madison, CT 06443**
115 **(203) 245-6341**
116

117 **Legal References:**

- 118 Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
119 Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
120 Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
121 Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
122 Americans with Disabilities Act, 42 U.S.C. § 12101
123 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
124 Connecticut General Statutes § 1-1n, “Gender Identity or Expression” defined
125 Connecticut General Statutes § 46a-58, Deprivation of rights
126 [Connecticut General Statutes § 27-103](#)
127 Connecticut General Statutes § 46a-51, Definitions
128 Connecticut Fair Employment Practices Act, Connecticut General Statutes
129 § 46a-60
130 Connecticut General Statutes § 46a-81a, Sexual orientation discrimination:
131 Definitions
132 Connecticut General Statutes § 46a-81c, Sexual orientation discrimination:
133 Employment
134 [Public Act No. 21-79, “An Act Redefining ‘Veteran’ and Establishing a](#)
135 [Qualifying Review Board”](#)
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142 Date Adopted: March 16, 2021
143 First Reading:

**#4118.1
Non-Discrimination**

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

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

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

#4118.1(b)

32
33 For the purposes of this policy, “veteran” means any person honorably discharged from, or
34 released with an other than under honorable discharge based on a qualifying conditions from
35 active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and
36 any reserve component thereof, including the Connecticut National Guard. “Qualifying
37 condition” means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made
38 by an individual licensed to provide health care services at a United States Department of
39 Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an individual
40 licensed to provide health care services at a United States Department of Veterans Affairs
41 facility, or (C) a determination that sexual orientation, gender identity, or gender expression was
42 more likely than not the primary reason for an other than honorable discharge, as determined in
43 accordance with Conn. Gen. Stat. §§ 27-103(c), (d).
44

45 For the purposes of this policy, “gender identity or expression” means a person's gender-related
46 identity, appearance or behavior, whether or not that gender-related identity, appearance or
47 behavior is different from that traditionally associated with the person's physiology or assigned
48 sex at birth, which gender-related identity can be shown by providing evidence including, but not
49 limited to, medical history, care or treatment of the gender-related identity, consistent and
50 uniform assertion of the gender-related identity or any other evidence that the gender-related
51 identity is sincerely held, part of a person's core identity or not being asserted for an improper
52 purpose.

53
54 For the purposes of this policy, “race” is inclusive of ethnic traits historically associated with
55 race, including but not limited to, hair texture and protective hairstyles. “Protective hairstyles”
56 includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids,
57 cornrows, locs, twists, Bantu knots, afros and afro puffs.

58
59 Any employee wishing to file a complaint regarding discrimination or harassment may obtain a
60 copy of the Board’s complaint procedures and complaint form, which are included in the Board’s
61 Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations
62 accompany Board Policy #4118.1 and are available online at
63

#4118.1 (c)

65 <https://www.madison.k12.ct.us/board-of-education/policies> or upon request from the main office
66 of any district school.

67
68 If a complaint involves allegations of discrimination or harassment based on reasons such as
69 gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be
70 handled under other appropriate policies (e.g., Policy #4116.1, Sex Discrimination and Sexual
71 Harassment and Policy #4118.14, Americans with Disabilities Act/Section 504).

72
73 Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of
74 Education (“OCR”):

75
76 Office for Civil Rights, Boston Office
77 U.S. Department of Education
78 8th Floor
79 5 Post Office Square
80 Boston, MA 02109- 3921
81 (617) 289-0111
82 <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

83
84 Employees may also file a complaint regarding employment discrimination or harassment with
85 the Equal Employment Opportunity Commission:

86
87 Equal Employment Opportunity Commission, Boston Area Office
88 John F. Kennedy Federal Building
89 475 Government Center
90 Boston, MA 02203
91 (800-669-4000)

92
93 Employees may also file a complaint with the Connecticut Commission on Human Rights and
94 Opportunities:

95
96 Connecticut Commission on Human Rights and Opportunities
97 450 Columbus Blvd.
98 Hartford, CT 06103-1835
99 (860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

100
101 Anyone who has questions or concerns about this policy, ~~or~~ and/or who may wish to request
102 or discuss accommodations based on religion, and/or who would like a copy of the Board’s

103 **#4118.1(d)**

104 complaint procedures or complaint forms related to claims of discrimination or harassment, may
105 contact:

106
107 **Office of the Superintendent**
108 **10 Campus Drive**
109 **Madison, CT 06443**
110 **(203) 245-6322**

111
112 Anyone who has questions or concerns about the Board’s policies regarding discrimination or
113 harassment on the basis of gender/sex, gender identify or sexual orientation -may contact the
114 Board’s Title IX Coordinator:

115
116 **Director of Special Education**
117 **10 Campus Drive**
118 **Madison, CT 06443**
119 **(203) 245-6341**

120
121 Anyone who has questions or concerns about the Board’s policies regarding discrimination or
122 harassment on the basis of disability, and/or who may wish to request or discuss
123 accommodations for a disability, may contact the Board’s Section 504/ADA Coordinator:

124
125 **Director of Special Education**
126 **10 Campus Drive**
127 **Madison, CT 06443**
128 **(203) 245-6341**

129
130 **Legal References:**

- 131
132 Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
133 Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
134 Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
135 Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
136 Americans with Disabilities Act, 42 U.S.C. § 12101
137 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
138 Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110-
139 233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.
140 Connecticut General Statutes § 1-1n, “Gender Identity or Expression” defined
141 Connecticut General Statutes § 46a-51, Definitions
142 Connecticut General Statutes § 10 153, Discrimination on the basis of sex, gender
143 indemnity or expression or marital status prohibited

144 [Connecticut General Statutes § 27-103](#)

#4118.1(e)

146
147 Connecticut General Statutes § 46a 58, Deprivation of rights

148 Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-
149 60

150 Connecticut General Statutes § 46a-81a Sexual orientation discrimination:
151 Definitions

152 Connecticut General Statutes § 46a-81c, Sexual orientation discrimination:
153 Employment:

154 Public Act No. 21-79, “An Act Redefining ‘Veteran’ and Establishing a
155 Qualifying Review Board”

156

157

158 Date Adopted: March 16, 2021

159 First Reading:

160

#5020.1
Non-Discrimination

The Board of Education (the “Board”) complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of national origin, ancestry, alienage, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, veteran status, subject to the conditions and limitations established by law.

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

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

37 For the purposes of this policy, “gender identity or expression” means a person’s gender-related
38 identity, appearance or behavior, whether or not that gender-related identity, appearance or
39 behavior is different from that traditionally associated with the person’s physiology or assigned
40 sex at birth, which gender-related identity can be shown by

41 **#5020.1(b)**
42 providing evidence including, but not limited to, medical history, care or treatment of the gender-
43 related identity, consistent and uniform assertion of the gender-related identity or any other
44 evidence that the gender-related identity is sincerely held, part of a person's core identity or not
45 being asserted for an improper purpose.

46
47 For the purposes of this policy, “race” is inclusive of ethnic traits historically associated with
48 race, including but not limited to, hair texture and protective hairstyles. “Protective hairstyles”
49 includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids,
50 cornrows, locs, twists, Bantu knots, afros and afro puffs.

51
52 Any student and/or parent/guardian wishing to file a complaint regarding discrimination or
53 harassment may obtain a copy of the Board’s complaint procedures and complaint form, which
54 are included in the Board’s Administrative Regulations Regarding Non-Discrimination/Students.
55 These regulations accompany Board Policy #5020.1 and are available online at
56 <https://www.madison.k12.ct.us/board-of-education/policies> or upon request from the main office
57 of any district school.

58
59 If a complaint involves allegations of discrimination or harassment based on reasons such as
60 gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be
61 handled under other appropriate policies (e.g., Policy #5120.4.2.4, Sex Discrimination and
62 Sexual Harassment and Policy #5200, Section 504/ADA).

63
64 Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights,
65 U.S. Department of Education (“OCR”):

66
67 Office for Civil Rights, Boston Office
68 U.S. Department of Education
69 8th Floor

70 5 Post Office Square
71 Boston, MA 02109- 3921
72 (617-289-0111)
73 <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>
74

75 #5020.1(c)

76
77 Any student and/or parent/guardian may also file a complaint with the Connecticut Commission
78 on Human Rights and Opportunities:

79 Connecticut Commission on Human Rights and Opportunities
80 450 Columbus Blvd.
81 Hartford, CT 06103-1835
82
83 (860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)
84

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

88
89 **Office of the Superintendent**
90 **10 Campus Drive**
91 **Madison, CT 06443**
92 **(203) 245-6322**
93

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

97
98 **Director of Special Education**
99 **10 Campus Drive**
100 **Madison, CT 06443**
101 **(203) 245-6341**
102

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

106
107 **Director of Special Education**
108 **10 Campus Drive**
109 **Madison, CT 06443**
110 **(203) 245-6341**

111

112 **Legal References:**

113

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

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

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

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

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Connecticut General Statutes § 1-1n, “Gender Identity or Expression” defined
Connecticut General Statutes § 46a-51, Definitions
Connecticut General Statutes § 10-15c
Connecticut General Statutes § 27-103
Connecticut General Statutes § 46a-58, Deprivation of rights
Connecticut General Statutes § 46a-81a, et seq.
Public Act No. 21-79, “An Act Redefining ‘Veteran’ and Establishing a Qualifying
Review Board”

Date Adopted: March 16, 2021

**Retention of Electronic Records and Information
(formerly Education Data / Records Retention)**

The Madison Board of Education (the “Board”) complies with all state and federal laws and regulations regarding the retention, storage and destruction of electronic information and records. The Superintendent or ~~his/her~~ designee shall be responsible for developing and implementing administrative regulations concerning the retention, storage, and destruction of electronic information and the dissemination of such administrative regulations to all ~~employees~~ school officials, employees, and individuals granted access to the computer systems and/or networks of the Madison Public Schools (the “District”) and/or who send electronic messages as part of their work for the District. Collectively, all individuals granted access to the District’s computer systems are referred to as the “Users”.

Use of E-Mail and Electronic Communications

The Board ~~of Education~~ provides computers, ~~a~~ computer networks, including Internet access and an e-mail system, as well as any electronic devices that access the networks such as wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. (including but not limited to personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones, radios, Walkman, CD players, I-Pads or other tablet computers, walkie-talkies, Blackberries, personal data assistants, I-Phones, Androids and other electronic signaling devices), (referred to collectively as "the computer systems"), in order to enhance both the educational opportunities for our students and the business operations of the district.

Electronic messages sent by ~~school officials and employees~~ users as part of their work and/or by using the district’s computer systems and/or network(s) are not private communications and are potentially subject to disclosure. ~~Employees~~ Users must understand that the Board has reserved the right to conduct monitoring of these computer systems and may do so *despite* the assignment to individual ~~employees~~ users of passwords for system security. Any password systems

34 implemented by the District are designed solely to provide system security from unauthorized
35 users, not to provide privacy to the individual system user.

36
37 *The system's security aspects, message delete function and personal passwords may be bypassed*
38 *for monitoring purposes. Therefore, employees- users must be aware that they should not have*
39 *any expectation of personal privacy in the use of these computer systems.* This provision applies
40 to any and all uses of the District's computer systems, including any incidental personal use
41 permitted in accordance with the Board's policy and regulations regarding computer use by
42 employees users.

43
44 Any retained messages may be retrieved as part of routine monitoring by the Board, an employee
45 investigation or a formal discovery process as part of litigation. Employees-Users should bear in
46 mind that e-mail messages may be retained at different locations within the computer network
47 and that these messages are subject to retrieval. Consequently, employees- users should use
48 discretion when using computers or other electronic technology to send, record or retain
49 electronic communications and information.

50
51 **Retention of Electronically Stored Information**

52
53 Electronic communications on District computers or electronic communication systems shall be
54 retained only as long as necessary. The same record retention policy that applies to paper
55 records applies to electronically stored information, including e-mail communications.
56 Therefore, like paper records, the content and function of an electronic record, including e-mail
57 communications, determines the retention period for that document. The District will comply
58 with all of the minimum standards set forth in the Municipal Records Retention Schedules, as
59 issued by the Office of the Public Records Administrator for the State of Connecticut.

60
61 In addition to the retention guidelines established by the Board and used by school district
62 officials and employees, all school officials and employees have a duty to preserve all records
63 and electronic information, including records and electronic information that

64 #2240(c)

65 might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or
66 may be anticipated to involve future litigation.

67

68 Legal References:

69

70 Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)

71 Conn. Gen. Stat. § 7-109

72 Conn. Gen. Stat. § 11-8 et seq.

73 General Letters 96-2 and 2009-2 of the Public Records Administrator

74 Public Records Policy 01, *Digital Imaging*, of the Public Records Administrator

75 (Aug. 2014)

76 Record Retention Schedules Towns, Municipalities and Boards of Education

77

78 Frequently Asked Questions about E-mail, CT Public Records Administrator, *available*

79 at <https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf>.

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91 Date of Adoption: April 6, 2021

92 First Reading:

#4116.1

Sex Discrimination and Sexual Harassment

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4 It is the policy of the Madison Board of Education (the “Board”) for the Madison Public Schools
5 (the “District”) that any form of sex discrimination or sexual harassment is prohibited in the
6 Board’s education programs and activities, whether by students, Board employees or third parties
7 subject to substantial control by the Board. It is the policy of the Board to maintain a working
8 environment free from harassment, insults or intimidation on the basis of an employee's sex and
9 free from discrimination based on sex.

10
11 The Board does not discriminate on the basis of sex in the education programs or activities that it
12 operates and the Board is required by Title IX of the Education Amendments of 1972 and its
13 implementing regulations (“Title IX”), Title VII of the Civil Rights Act of 1964 (“Title VII”),
14 and Connecticut law not to discriminate in such a manner. Discrimination or harassment on the
15 basis of sex includes discrimination or harassment on the basis of gender identity or sexual
16 orientation Students, Board employees and third parties are required to adhere to a standard of
17 conduct that is respectful of the rights of all parties. Any employee or student who engages in
18 conduct prohibited by this Policy shall be subject to disciplinary action, up to and including
19 termination or expulsion, respectively. Third parties who engage in conduct prohibited by this
20 Policy shall be subject to other sanctions, which may include exclusion from Board property
21 and/or activities. Individuals who engage in acts of sex discrimination or sexual harassment may
22 also be subject to civil and criminal penalties.

23
24 For conduct to violate (Title IX), the conduct must have occurred in an education program or
25 activity of the Board; the conduct must have occurred within the United States of America; and
26 the complainant must be participating in or attempting to participate in the education program or
27 activity of the Board. Conduct that does not meet these requirements still may constitute a
28 violation of Title VII, Connecticut law, and/or another Board policy.

29
30 The Superintendent of Schools shall develop Administrative Regulations implementing this
31 Policy and in accordance with Title IX, Title VII, and Connecticut law (the “Administrative
32 Regulations”).

#4116.1(b)

34
35 **Sex discrimination** occurs when an employer refuses to hire, disciplines or discharges any
36 individual, or otherwise discriminates against an individual with respect to his or her
37 compensation, terms, conditions, or privileges of employment on the basis of the individual's
38 sex. Sex discrimination also occurs when a person, because of the person's sex, is denied
39 participation in or the benefits of any education program or activity receiving federal financial
40 assistance.

41
42 **Sexual harassment** under Title IX means conduct on the basis of sex that satisfies one or more
43 of the following:

44
45 (1) An employee of the Board conditioning the provision of an aid, benefit, or service of
46 the Board on an individual's participation in unwelcome sexual conduct (*i.e., quid pro*
47 *quo*);

48
49 (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive,
50 and objectively offensive that it effectively denies a person equal access to the Board's
51 education programs or activities; or

52
53 (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as
54 defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C.
55 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

56
57 **Sexual harassment under Title VII and Connecticut law** means unwelcome sexual advances,
58 requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

59
60 (1) Submission to such conduct is made either explicitly or implicitly a term or condition
61 of an individual's employment;

62
63 (2) Submission to or rejection of such conduct by an individual is used as the basis for
64 employment decisions affecting such individual; or

65 **#4116.1(c)**

66 (3) Such conduct has the purpose or effect of unreasonably interfering with an
67 individual's work performance or creating an intimidating, hostile, or offensive working
68 environment.

69

70 Reporting Sex Discrimination or Sexual Harassment

71

72 It is the express policy of the Board to encourage victims of sex discrimination and/or sexual
73 harassment to report such claims. Employees are encouraged to report complaints of sex
74 discrimination and/or sexual harassment promptly in accordance with the appropriate process set
75 forth in the Administrative Regulations. The Board directs its employees to respond to such
76 complaints in a prompt and equitable manner.

77

78 Violations of this Policy by employees will not be permitted and may result in discipline up to
79 and including discharge from employment. Individuals who engage in acts of sex discrimination
80 or sexual harassment may also be subject to civil and criminal penalties. Retaliation against any
81 employee for complaining about sex discrimination or sexual harassment is prohibited under this
82 Policy and illegal under state and federal law.

83

84 Any Board employee with notice of sex discrimination and/or sexual harassment allegations
85 shall immediately report such information to the building principal and/or the Title IX
86 Coordinator, or if the employee does not work in a school building, to the Title IX Coordinator.

87

88 The Madison Public Schools administration (the "Administration") shall provide training to Title
89 IX Coordinator(s), investigators, decision-makers, and any person who facilitates an informal
90 resolution process (as set forth in the Administrative Regulations), which training shall include,
91 but not be limited to the definition of sex discrimination and sexual harassment, the scope of the
92 Board's education program and activity, how to conduct an investigation and implement the
93 grievance process, and how to serve impartially, including by avoiding prejudgment of the facts
94 at issue, conflicts of interest, and bias. The Administration shall make the training materials used
95 to provide these trainings publicly available on the Board's website. The Administration shall

96

#4116.1(d)

97

98 also periodically provide training to all Board employees on the topic of sex discrimination and
99 sexual harassment under Title IX, Title VII, and Connecticut Law, which shall include but not be
100 limited to when reports of sex discrimination and/or sexual harassment must be made. The
101 Administration shall distribute this Policy and the Administrative Regulations to employees,
102 union representatives, students, parents and legal guardians and make the Policy and the
103 Administrative Regulations available on the Board's website to promote an environment free of
104 sex discrimination and sexual harassment.

105
106 The Board's Title IX Coordinator is the Director of Special Education. Any individual may
107 make a report of sex discrimination and/or sexual harassment to any Board employee or directly
108 to the Title IX Coordinator as follows:

109
110 ***Director of Special Education***
111 ***10 Campus Drive***
112 ***Madison, CT 06443***
113 ***203-245-6341***

114
115 Any ~~individual individual~~Board employee in receipt of allegations of sex discrimination or
116 sexual harassment, or in receipt of a formal complaint, shall immediately forward such
117 information to the Title IX Coordinator. Board employees may also make a report of sexual
118 harassment and/or sex discrimination to the U.S. Department of Education:

119
120 Office for Civil Rights, Boston Office,
121 U.S. Department of Education, 8th Floor,
122 5 Post Office Square
123 Boston, MA 02109-3921
124 Telephone: 617-289-0111

125
126 Employees may also make a report of sexual harassment and/or sex discrimination to:

127
128 Connecticut Commission on Human Rights and Opportunities
129 450 Columbus Boulevard
130 Hartford, CT 06103-1835
131 Telephone: 860-541-3400 or Connecticut Toll Free Number: 1-800-477-5737).

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Legal References:

- Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a).
- Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990.
- Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.
- Title IX of the Education Amendments of 1972, 34 CFR § 106, et seq.
- Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
- Conn. Gen. Stat. § 46a-54 - Commission powers Connecticut
- General Statutes § 46a-60 - Discriminatory employment practices prohibited.
- Conn. Gen. Stat. § 46a-81c - Sexual orientation discrimination: Employment
- Conn. Gen. Stat. § 10-153 - Discrimination on the basis of sex, gender identity or expression or marital status prohibited
- Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207

Date of Adoption: August 25, 2020
Date of Revision: March 16, 2021
First Reading:

#5120.4.2.4

Title IX of the Education Amendments of 1972 – Prohibition of Sex Discrimination and Sexual Harassment

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It is the policy of the Madison Board of Education (the “Board”) for the Madison Public Schools (the “District”) that any form of sex discrimination or sexual harassment is prohibited in the Board’s education programs and activities, whether by students, Board employees or third parties subject to substantial control by the Board. The Board does not discriminate on the basis of sex in the education programs or activities that it operates and the Board is required by Title IX of the Education Amendments of 1972 and its implementing regulations (“Title IX”) and Connecticut Law not to discriminate in such a manner. Discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of gender identity or sexual orientation. Students, Board employees and third parties are required to adhere to a standard of conduct that is respectful of the rights of students, employees and third parties. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action, up to and including expulsion or termination, respectively.

For conduct to violate this Title IX, the conduct must have occurred in an education program or activity of the Board; the conduct must have occurred within the United States of America; and the complainant must be participating in or attempting to participate in the education program or activity of the Board. Conduct that does not meet these requirements still may constitute a violation of another Board policy.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy and in accordance with Title IX and Connecticut Law (the “Administrative Regulations”).

Sex discrimination occurs when a person, because of the person’s sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

Sexual harassment under Title IX means conduct on the basis of sex that satisfies one or more of the following:

30 #5120.4.2.4(b)

31 (1) An employee of the Board conditioning the provision of an aid, benefit, or service of
32 the Board on an individual’s participation in unwelcome sexual conduct (*i.e., quid pro*
33 *quo*);

34 (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive,
35 and objectively offensive that it effectively denies a person equal access to the Board’s
36 education programs or activities; or

37 (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as
38 defined in 34 U.S.C. 12291(a) (10), “domestic violence” as defined in 34 U.S.C.
39 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

40
41 Sexual harassment under Connecticut law means conduct in a school setting that 1) is sexual in
42 nature; 2) is unwelcome; and 3) denies or limits a student’s ability to participate in or benefit
43 from a school’s educational program. Sexual harassment can be verbal, nonverbal or physical.
44 Sexual violence is a form of sexual harassment.

45
46 Reporting Sex Discrimination or Sexual Harassment

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48 It is the express policy of the Board to encourage victims of sex discrimination and/or sexual
49 harassment to report such claims. Students are encouraged to report complaints of sex
50 discrimination and/or sexual harassment promptly in accordance with the appropriate process set
51 forth in the Administrative Regulations. The Board directs its employees to respond to such
52 complaints in a prompt and equitable manner. The Board further directs its employees to
53 maintain confidentiality to the extent appropriate and not tolerate any reprisals or retaliation that
54 occur as a result of the good faith reporting of charges of sex discrimination and/or sexual
55 harassment. Any such reprisals or retaliation will result in disciplinary action against the
56 retaliator, up to and including expulsion or termination as appropriate.

#5120.4.2.4(c)

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Any Board employee with notice of sex discrimination and/or sexual harassment allegations shall immediately report such information to the building principal and/or the Title IX Coordinator, or if the employee does not work in a school building, to the Title IX Coordinator.

The Madison Public Schools administration (the “Administration”) shall provide training to Title IX Coordinator(s), investigators, decision-makers, and any person who facilitates an informal resolution process (as set forth in the Administrative Regulations) on the definitions of sex discrimination and sexual harassment, the scope of the Board’s education program and activity, how to conduct an investigation and grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Administration shall make the training materials used to provide these trainings publicly available on the Board’s website. The Administration shall also periodically provide training to all Board employees on the topic of sex discrimination and sexual harassment under Title IX and Connecticut Law, which shall include but not be limited to when reports of sex discrimination and/or sexual harassment must be made. The Administration shall distribute this Policy and the Administrative Regulations to staff, students and parents and legal guardians and make the Policy and the Administrative Regulations available on the Board’s website to promote an environment free of sex discrimination and sexual harassment.

The Board’s Title IX Coordinator is the Director of Special Education. Any individual may make a report of sex discrimination and/or sexual harassment to any Board employee or directly to the Title IX Coordinator as follows:

***Director of Special Education
10 Campus Drive
Madison, CT 06443
203-245-6341***

Any ~~individual~~ Board employee in receipt of allegations of sex discrimination or sexual harassment, or in receipt of a formal complaint, shall immediately forward such information to

#5120.4.2.4(d)

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the Title IX Coordinator. Students may also make a report of sexual harassment and/or sex discrimination to the U.S. Department of Education:

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

Students may also make a report of sexual harassment and/or sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll Free Number: 1-800-477-5737).

Legal References:

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

Title IX of the Education Amendments of 1972, 34 C.F.R § 106.1, et seq.

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Conn. Gen. Stat. § 10-15c - Discrimination in public schools prohibited.

Date of Adoption: August 25, 2020

Date of Revision: March 16, 2021

Statement of Policy

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

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

Definitions

1. "School transportation" means the procedure, program, or implemented plan by which a pupil is transported to and/or from school from ~~his/her~~ the pupil’s residence or the assigned bus stop at public expense, whether by use of publicly owned equipment or by contract. Such transportation shall be over public roads approved and maintained by the municipality or the state of Connecticut, or private roads approved pursuant to C.G.S. Section 10-220c.
2. "Walking distance" means the linear measure of a prescribed or authorized pedestrian route between the pupil's residence and ~~his/her~~ the pupil’s school from a point at the curb or edge of a public or private road nearest the pupil's residence to a point at the entrance of the school, or a safe entrance to the school grounds located within one hundred feet of the

34 school building entrance or the bus pick-up area, or the route from the point on the public
35 thoroughfare nearest the residence to the school bus or vehicle embarkation point
36 established by the Madison Board of Education.

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38 3. "One-mile walking distance" means a reasonable measurement of a route to be traversed
39 extending from the point of measurement at least 5,280 feet, but not more than 5,380 feet.

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41 4. "Grade K" means kindergarten, or a school program appropriate to a beginning pupil.

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43 5. "Hazard" means a thing or condition, as prescribed in this policy under "Hazardous
44 Conditions" that affects the safety of pupils walking to or from school and/or to or from a
45 designated bus pick-up area.

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47 6. "Sidewalk" means a portion of the landscape right of way approximately three feet wide,
48 usually parallel to the traffic lanes which may be paved or unpaved, and marked by
49 curbing, drainage ditch, grass area or fencing; apart from and independent of any white
50 line safety markings along the street pavement.

51

52 7. "Raised walk area" means a portion of the landscape right of way approximately three
53 feet wide, usually parallel to the traffic lanes which may be paved or unpaved,
54 distinguished by some elevation above the street pavement level and marked by curbing,
55 drainage ditch, grass area or fencing; apart from and independent of any painted safety
56 markings along the street pavement.

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58 8. "Walking route" means the route that the student is expected to travel between his/her
59 residence to and from school and/or an assigned bus stop.

#3541.5(c)

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9. “Bus stop” shall be defined as a geographical location designated by the Board of Education, school administration or their designee where students can safely wait for purposes of embarking or disembarking a school bus.

10. "Pupil" means any individual of school age enrolled in a public or nonprofit private school located within the school district or contiguous school district as the case may be.

Provision of Transportation

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

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

<u>Grade</u>	<u>Limit</u>
K	½ mile
1-3	1 mile
4-8	1 1/2 miles
9-12	2 miles

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

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Access to Bus Stops/Transportation and Behavior

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

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

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

Hazardous Conditions

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

1. Except as provided in Paragraph 7 of this Section, a street or road, along a designated walking route to or from school and/or to or from a designated bus pick-up area, having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when any one of the following conditions exist:
 - a) For pupils under age ten, or enrolled in grades K through 3:
 - (i) the absence of a pedestrian crossing light or crossing guard where three or more streets intersect, and a pupil is expected to cross the street; OR

126 (ii) street crossings where there are no stop signs or crossing guards and the traffic count
127 during the time that pupils are walking to or from school exceeds sixty vehicles per
128 hour at the intersection, and a pupil is expected to cross the street.

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130 b) For pupils over age ten, or enrolled in grades 4 through 12, the absence of a traffic light
131 or stop signs or crossing guard at an intersection where three or more streets intersect
132 which has a traffic count which exceeds ninety vehicles per hour during the time that
133 pupils are walking to or from school, and such pupils are expected to cross the street;

134

135 c) For all pupils:

136 (i) any street, road, or highway with speed limits in excess of forty miles per hour which
137 does not have pedestrian crossing lights or crossing guards or other safety provisions
138 at points where pupils must cross when going to or from school or the bus stop; OR

139

140 (ii) the usual or frequent presence of any nuisance such as open man-holes, construction,
141 snow plowed or piled on the walk area making walkways unusable, loading zones
142 where delivery trucks are permitted to park on walkways, commercial entrances and
143 exits where cars are crossing walking areas at speeds in excess of five miles per hour,
144 and the like, including such nuisances which are hazardous or attractive to children.

145

146 2. Any street, road, or highway, along a designated walking route to or from school and/or to or
147 from a designated bus pick-up area, that has no sidewalks or raised walk areas shall be
148 deemed hazardous if any one of the following conditions exist:

149

150 a) For pupils under age ten, or enrolled in grade K through 3:

151 (i) any street, road, or highway possessing a traffic count of sixty or more vehicles per
152 hour at the time that pupils are walking to or from school; OR

153 (ii) any street, road, or highway possessing a speed limit in excess of thirty miles per
154 hour.

155 (iii)

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#3541.5(f)

157 b) For all pupils:

158 (i) the presence of ~~human~~made hazards including attractive nuisances, as stated in
159 1(c)(ii) above; OR

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161 (ii) any roadway available to vehicles that does not have a minimum width of
162 approximately twenty-two feet; OR

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164 (iii) any roadway available to vehicles that, when plowed free of snow accumulations,
165 does not have a minimum width of approximately twenty feet; OR

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167 (iv) any street, road, or highway where the line-of-sight visibility together with posted
168 speed limits do not permit vehicular braking/stopping in accordance with the
169 Connecticut Drivers Manual or Department of Transportation, Division of Design
170 Standard, or other reasonable standard.

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172 3. Any walkway, path, or bridge, along a designated walking route to or from school and/or to
173 or from a designated bus pick-up area, in an area adjacent or parallel to railroad tracks shall
174 be considered hazardous unless a suitable physical barrier along the entire pedestrian route is
175 present and fixed between pupils and the track; and any crossing of railroad tracks carrying
176 moving trains during hours that pupils are walking to or from school or to and from a
177 designated bus pick-up area shall be deemed hazardous unless:

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179 a) a crossing guard is present; OR

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181 b) for pupil under age ten, an automatic control bar is present at crossings; OR

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183 c) for pupils over age ten, a bar or red flashing signal light is operational.

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185 4. For pupils in grades K through 4, the following conditions shall be deemed hazardous:

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187 **#3541.5(g)**

188 a) a lake, pond, stream, culvert, water-way, or bridge shall be deemed a hazard in the
189 absence of a fence or other suitable barrier fixed between the pupil and the water; OR

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b) any area adjacent to a roadway, sidewalk, or bridge, along a designated walking route to or from school and/or to or from a designated bus pick-up area, having a drop of three or more feet per four feet of travel length on either side of the established lanes, in the absence of a fence or other suitable barrier.

5. For pupils in grades K through 8, walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous.

6. For all students, walking along any street, road, walkway, sidewalk, or path designated as a walking route which passes through an area which has a history of aggressive acts of molestation resulting in actual or threatened physical harm or moral degradation during the hours when pupils ordinarily walk to or from school shall be deemed hazardous.

7. It shall not be a “hazard” or “hazardous condition” for a pupil whose residence abuts a public street, road or highway to (1) wait for the bus on the private property where the pupil resides for the school bus, until the school bus’s flashing red lights are activated to stop traffic so that the student can enter onto or cross the public street, road or highway to get on a school bus; or (2) exit a school bus that is stopped on the public street, road or highway, when the bus’s flashing red lights are activated to stop traffic so that the pupil can enter onto or cross such street, road or highway to access the private property where the pupil resides.

Applicability and Exceptions

1. This policy is applicable to public road approved and maintained by the municipality or state of Connecticut, or private roads approved for passage of school transportation vehicles in accordance with C.G.S. Section 10-220c.

219 **#3541.5(h)**

220 2. Special Education pupils and pupils eligible for accommodations under Section 504 of the
221 Rehabilitation Act shall be judged on an individual basis, and appropriate transportation
222 provided.

223
224 3. The Superintendent of Schools may grant an exception to any guideline set forth in this
225 policy where a peculiar condition or combination of conditions renders such condition(s) a
226 hazard based upon reasonable judgment; or where under the circumstances, other conditions
227 exist under which the safety of students necessitates a variance with the guidelines within this
228 policy.

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230 **Complaint Procedure**

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232 1. All complaints concerning school transportation safety shall be made in writing to the
233 Superintendent of Schools or designee. The Superintendent or designee shall maintain a
234 written record of all such complaints, and shall conduct appropriate investigations of the
235 allegations in a timely manner. The investigation shall include 1) the review of the complaint
236 raised with appropriate personnel responsible for transportation of students and 2) the
237 opportunity for the parent or other person making the complaint to meet with the
238 Superintendent to discuss the complaint and any possible resolution thereof.

239

240 2. Annually, within thirty (30) business days of the end of the school year, the Superintendent
241 of Schools or designee shall provide the Commissioner of Motor Vehicles (“Commissioner”)
242 with a copy of the written record of complaints received during the previous twelve (12)
243 month period.

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245 3. The Superintendent of Schools or designee shall make a written report of the circumstances
246 of any accident within the Board’s jurisdiction and knowledge, involving a motor vehicle and
247 any pedestrian who is a student, which occurs at a designated school bus stop or in the
248 immediate vicinity thereof, to the Commissioner within ten (10) business days thereafter on a
249 form prescribed by the Commissioner.

#3541.5(i)

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4. If a complaint covered by Section 10-186 of the Connecticut General Statutes, and is not resolved by the Superintendent, the Superintendent shall inform parent or guardian, or an emancipated minor or a pupil eighteen years of age or older, of ~~his or her~~ the right to request a hearing regarding the complaint. Such hearing, if requested, shall be held in accordance with Section 10-186 of the Connecticut General Statutes, as it may be amended from time to time.

Legal Reference: Connecticut General Statutes

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

Date of Adoption: October 6, 2020