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NEW MILFORD, CT

NEW MILFORD BOARD OF EDUCATION  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, Connecticut 06776



**BOARD OF EDUCATION  
MEETING NOTICE**

**DATE:** February 17, 2026  
**TIME:** 6:30 P.M.  
**PLACE:** Sarah Noble Intermediate School – Library Media Center

**REVISED AGENDA**

**New Milford Public Schools Mission Statement**

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

**1. CALL TO ORDER**

A. Pledge of Allegiance

**2. PUBLIC COMMENT**

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

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

**3. STUDENT RECOGNITION: LITCHFIELD HILLS TRANSITION CENTER**

**4. PTO REPORT**

**5. STUDENT REPRESENTATIVES' REPORT**

**6. APPROVAL OF MINUTES**

- A. Approval of the following Board of Education Meeting Minutes:
  - 1. Regular Meeting Minutes December 16, 2026
  - 2. Annual Meeting Notice Minutes December 16, 2026
  - 3. Budget Hearing Minutes January 13, 14, 20, and 21, 2026

**7. SUPERINTENDENT'S REPORT**

**8. BOARD CHAIRPERSON'S REPORT**

**9. SUBCOMMITTEE REPORTS**

- A. Policy
- B. Committee on Learning
- C. Facilities
- D. Operations

**10. DISCUSSION AND POSSIBLE ACTION**

- A. Monthly Reports
  - 1. Budget Position dated January 31, 2026
  - 2. Purchase Resolution D-803
  - 3. Request for Budget Transfers
- B. Revised Policies for First Read:
  - 1. 4118.25 Reports of Suspected Abuse or Neglect of Children or Reports of  
4218.25 Sexual Assaults of Students by School Employees
  - 2. 4131 Social Media  
4231
  - 3. 4152.6 Family and Medical Leave Act  
4252.6
  - 4. 5131 Student Discipline
  - 5. 5146 Child Sexual Abuse and Assault Response Policy and Reporting  
Procedure
- C. Policies for Second Read and Approval:
  - 1. 1105 Non-Discrimination (Community)
  - 2. 4111.1 Non-Discrimination (Personnel)  
4211.1
  - 3. 4118.113 Prohibition of Sex Discrimination and Sexual Harassment (Personnel)  
4218.113
  - 4. 5000 Non-Discrimination (Students)
  - 5. 5145.7 Prohibition of Sex Discrimination and Sexual Harassment (Students)
- D. Bid Award - RFP E-2526-002 NMHS Culinary A&E
- E. Food Services CEP Participation and Meal Prices
- F. 25-26 CEN WiFi Grant Update Rounds #1 and #2

**11. ITEMS OF INFORMATION**

- A. Items of Information
  - 1. 4131 R Administrative Regulations Regarding Social Media  
4231 R
  - 2. 5131 R Administrative Regulations Regarding Student Discipline
  - 3. 1105 R Administrative Regulations Regarding Non-Discrimination (Community)
  - 4. 4111.1 R Administrative Regulations Regarding Non-Discrimination (Personnel)  
4211.1 R
  - 5. 4118.113 R Administrative Regulations Regarding Prohibition of Sex Discrimination and  
Sexual  
4218.113 R Harassment (Personnel)
  - 6. 5000 R Administrative Regulations Regarding Non-Discrimination (Students)
  - 7. 5145.7 R Administrative Regulations Regarding Sex Discrimination and Sexual  
Harassment (Students)
- B. Facilities Items
- C. Employment Report - February 2026
- D. Enrollment Report - February 2026
- E. 2023 Supplemental School Security Competitive Grant Program Round #61
- F. ESG NV5 - Year 1 Energy Performance Results
- G. E-Rate Funding for 26-27 School Year
- H. February Fundraising Report
- I. Field Trip Report

**12. ADJOURN**

**New Milford Board of Education  
Meeting Motions and Minutes  
December 16, 2025  
Sarah Noble Intermediate School Library Media Center**

  
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2025 DEC 18 P 3:52  
NEW MILFORD, CT

<b>Present:</b>	Mrs. Leslie Sarich, Chairperson Mr. Eric Hansell, Vice Chairperson Mrs. Sarah Herring, Secretary Mrs. Tammy McInerney, Assistant Secretary, <i>arrived 6:31pm</i> Mr. Dean Barile Mr. Joseph Failla Mrs. Wendy Faulenbach Mr. Brian McCauley Mr. Tom O'Brien
<b>Absent:</b>	

<b>Also Present:</b>	Dr. Janet Parlato, Superintendent of Schools Ms. Holly Hollander, Assistant Superintendent of Schools Dr. Kimberly Culkin, Director of Student Services Mrs. Sandra Sullivan, Director of Food Services Ms. Penelope Morrissey, Student Representative Mr. Mark Porter, Student Representative
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<b>1.</b>	<b>A.</b>	<b>Call to Order</b> Pledge of Allegiance The meeting of the New Milford Board of Education was called to order at 6:30 p.m. by Mrs. Leslie Sarich, Chairperson. The Pledge of Allegiance immediately followed the call to order.	<b>Call to Order</b> A. Pledge of Allegiance
<b>2.</b>	<b>A.</b>	<b>Public Comment</b> There was none.	<b>Public Comment</b>
<b>3.</b>		<b>IDEAL STUDENT RECOGNITION: NEW MILFORD HIGH SCHOOL</b> Dr. Parlato stated these students were nominated based on their collaboration, heart, creativity and focus. Dr. Parlato recognized the following students:  Antonella Galarza-Vargas, Zachary Pina, Iris Gaudenzi, Lindsay Haleks, Grace Isaacs, Victoria Garcia, Emma Coleman, Luke Williams, Lurinz Serrano-Santiago Sophie Vaughan and Marcos Pereira Euriques.	<b>IDEAL STUDENT RECOGNITION: NEW MILFORD HIGH SCHOOL</b>

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4.	<p><b>PTO REPORT</b>  Mrs. Lang, PTO President for Hill &amp; Plain, stated all 3 of the elementary schools did their holiday stores and there is a plan to have a staff treat bar before the holiday break. Hill and Plain School (HPS) created a partnership with Kind Words to create a “Be Kind” mural at HPS. Students will help in the creation of the mural with an installation the last week of April. HPS also did a “Be Kind” challenge for the 67th day of school.</p>	<p><b>PTO REPORT</b></p>
5.	<p><b>STUDENT REPRESENTATIVES’ REPORT</b>  Mr. Porter stated the Northville Elementary School’s (NES) marking period ended and progress reports went home Friday. They celebrated ugly sweater day. December 23rd is a school wide pajama day and students are encouraged to bring in a dollar to donate to the Children’s Medical Center. HPS had a fancy dress up day, a 50’s day, where the students dressed up on the 50th day of school and “Balloons over Broadway.” The high school and middle school visited to participate in a lab class and give feedback to the students about literacy. NMHS Children’s Literacy students visited to share recent books they had written.</p> <p>Ms. Morrissey stated at Sarah Noble Intermediate School (SNIS), progress reports went home. 5th grade classes collected money for families through Santa Fund. SNIS students performed in 4 concerts. Schaghticoke had their staff vs. student volleyball game and they are looking forward to more concerts this week. There was no report from the high school.</p>	<p><b>STUDENT REPRESENTATIVES’ REPORT</b></p>
6.	<p><b>APPROVAL OF MINUTES</b>  <b>Approval of the following Board of Education Meeting Minutes:</b></p> <ol style="list-style-type: none"> <li>1. <b>Regular Meeting Minutes November 18, 2025</b></li> <li>2. <b>Special Meeting Minutes November 18, 2025</b></li> <li>3. <b>Special Meeting Minutes November 24, 2025</b></li> </ol>	<p><b>APPROVAL OF MINUTES</b>  <b>A. Approval of the following Board of Education Meeting Minutes:</b></p> <ol style="list-style-type: none"> <li>1. <b>Regular Meeting Minutes November 18, 2025</b></li> <li>2. <b>Special Meeting Minutes November 18, 2025</b></li> </ol>

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	<p>Mr. O’Brien asked for an amendment to the November 18th meeting minutes. Mr. O’Brien requested that it be noted for the record, when he commented on the Employment Report, he was happy to see that there were no “certified staff resignations,” not “non-certified staff resignations.” Mr. O’Brien wanted to make a point that it was nice to see certified staff not leaving for other districts.</p> <p>Mr. Hansell noted he was not at the November 24th meeting, and questioned being able to approve the minutes. Mrs. Faulenbach clarified that Mr. Hansell, and any other board member, can vote on minutes if they have read them and feel confident with the content, even if they were not in attendance for the meeting.</p> <p><i>Mr. McCauley moved to approve the Regular Meeting Minutes, November 18, 2025, Special Meeting Minutes November 18, 2025 and Special Meeting Minutes November 24, 2025. Seconded by Mr. Barile. Motion passed unanimously.</i></p>	<p><b>3. Special Meeting Minutes  November 24, 2025</b></p> <p>Motion made and passed to approve the Regular Meeting Minutes, November 18, 2025, Special Meeting Minutes November 18, 2025 and Special Meeting Minutes November 24, 2025. Motion passed.</p>
7.	<p><b>SUPERINTENDENT’S REPORT</b>  Dr. Parlato stated there is a lot of excitement heading toward holiday break, which includes many gatherings. Dr. Parlato stated she wished the New Milford Public School community a great time off and a fantastic 2026. As we head into January she will share the 2026/27 budget.</p>	<p><b>SUPERINTENDENT’S REPORT</b></p>
8.	<p><b>BOARD CHAIRPERSON’S REPORT</b>  Mrs. Sarich wished everyone a happy holidays and a wonderful 2026.</p>	<p><b>BOARD CHAIRPERSON’S REPORT</b></p>
9.	<p><b>SUBCOMMITTEE REPORT’S</b>  <b>A. Policy</b>  <i>December 2nd meeting cancelled - no report.</i>  <b>B. Committee on Learning</b>  <i>December 2nd meeting cancelled - no report.</i>  <b>C. Facilities</b>  Mr. O’Brien stated RFPs have been issued for the ongoing projects. At the recent MBC meeting it was</p>	<p><b>SUBCOMMITTEE REPORT’S</b>  <b>A. Policy</b>  <b>B. Committee on Learning</b>  <b>C. Facilities</b></p>

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	<p>decided to pursue the roof option that required a grant application. This decision was passed by Town Council, which included resolutions that the state requires the district to have in order to apply for the grant. MBC will oversee the hiring of the architect, issuing the RFP and soliciting bids. The hope is for the project to be completed over the summer but the timing will be tight.</p> <p>Mr. O'Brien stated Mr. Cunningham started an elevator due diligence survey. Mr. Cunningham has hired an independent firm to look into the mechanics or the elevators in each school, and a report should be coming soon. Dr. Parlato stated this company will help prioritize the fixes.</p> <p>Mr. Barile asked if there were deadlines for any grants. Dr. Parlato stated there are no deadlines but proper documentation is required. Only the Superintendent can submit the documents.</p> <p><b>D. Operations</b>  Mrs. Faulenbach stated the minutes capture everything. The Capital Reserve account is showing actual funds, which will change in February, pending final audit. There is a budget transfer that does not require a motion, but it's on the report for transparency. There will be an update on food services tonight.</p>	<p><b>D. Operations</b></p>
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<p><b>10.</b></p>	<p><b>DISCUSSION AND POSSIBLE ACTION</b></p> <p><b>A. Monthly Reports</b></p> <ol style="list-style-type: none"> <li><b>1. Budget Position dated November 30, 2025</b></li> <li><b>2. Purchase Resolution: D-801</b></li> <li><b>3. Request for Budget Transfers</b></li> </ol> <p>Mr. Failla asked about the transfer of \$25,000 from the CNA and EMT training to Crisis Prevention Institute (CPI) training, noting we already do deescalation training. After the \$25,000 is transferred</p>	<p><b>DISCUSSION AND POSSIBLE ACTION</b></p> <p><b>A. Monthly Reports</b></p> <ol style="list-style-type: none"> <li><b>1. Budget Position dated November 30, 2025</b></li> <li><b>2. Purchase Resolution: D-801</b></li> <li><b>3. Request for Budget Transfers</b></li> </ol>
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	<p>there will be additional funds needed to cover the cost. Mr. Failla asked what the benefit was by utilizing the program and if it means there will not be a CNA and EMT training going forward.</p> <p>Dr. Parlato stated the transfer of \$25,000 from Professional Services for the CNA and EMT training is a one-time contribution. The CNA and EMT program will be offered next year, provided there is an instructor available. This year, in place of the CNA and EMT program, they are offering the CPI training.</p> <p>Mr. Failla asked how much will be needed in addition to the \$25,000 to cover the cost of the CPI training. Dr. Culkin stated it is roughly \$10,000-\$12,000. The district needs a more robust and in-depth training for staff. Students are demonstrating more complex profiles and staff needs to be more skilled. The student behavior is having an impact on the school day. There is a need to deepen our strategies so we are meeting the needs of staff, who are repeatedly engaging with these students, and ensuring school safety.</p> <p>Dr. Parlato stated staff are reporting more injuries and the training will help alleviate that. Mr. Failla asked if there has been an increase in workers comp claims. Dr. Parlato stated yes. Mr. Failla stated he understands the cost is being offset this year, but was concerned with the cost over time. Dr. Parlato stated they would share future costs, stating the training is better than what is currently offered.</p> <p>Mrs. Faulenbach stated they cannot vote on the transfer since it is not going over major object codes, but it can be discussed and voted on at budget. This move was prompted because the district couldn't offer CNA or EMT training. Safety training is important given the escalation that is happening with the staff and students.</p>	
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	<p>Mr. McCauley stated he is familiar with CPI and this training will save the school money. Outplacement is very expensive.</p> <p>Mrs. Sarich asked if the same staff would be trained every year. Dr. Culkin stated the decision to offer the program was based upon the money available for the current year. Training needs can be evaluated each year going forward. Staff will be trained as “coaches,” and they would provide training to select staff in the buildings. This program would be available to all of the staff who work directly with students. It’s information for everyone but a deeper dive for staff working with students with complex needs and administrators. Mrs. Sarich asked if the same people need retraining each year. Dr. Culkin stated the district instructors would have to do the initial training and refresher training. The refresher training is not as costly. Ms. Hollander stated this would build an internal capacity, alleviating the need to go outside of the district.</p> <p>Mrs. Sarich asked if other schools in our District Reference Group (DRG) use this program. Dr. Culkin stated it is used in other districts and she would provide specific names.</p> <p>Mrs. Faulenbach asked if this was a more robust training than the one offered in the audit report for special education. Dr. Parlato stated yes. At the end of the year, per state statute, she has to report how many times the district has had to clear a classroom, how many times bodily harm was caused and other instances. In the 5 schools so far this year, there have been roughly 90 instances of injuries, harm to self, or harm to others.</p> <p>Mr. Barile asked if it was unique instances or if it was a smaller group with repeating behavior. Dr. Parlato stated she would provide that.</p>	
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	<p>Mrs. Herring stated she is skeptical but also hopeful for the training. This is something that has always been an issue. Mrs. Herring stated she was wondering what new methods they have found to deescalate a situation. Kids feel they have the power. With the teacher trying to teach a lesson, a disruption makes it hard to defuse the situation and get back to work.</p> <p>Dr. Parlato stated it's important to reduce the number of seclusions and restraints.</p> <p>Mr. Barile asked to have more information on the training itself. Dr. Parlato stated they would provide sample training materials.</p> <p><i>Mr. Hansell moved to approve the Budget Position dated November 30, 2025; Purchase Resolution D-801; and Request for Budget Transfers. Seconded by Mrs. Faulenbach. Motion passed 8-0-1 with Mr. Failla not in favor.</i></p> <p><b>B. AB Note Music Trust</b></p> <p>Dr. Parlato stated the trust dates back more than 100 years, originating in Litchfield County, and focuses on music.</p> <p><i>Mr. McCauley moved to accept the Battell Stoeckel Music Trust - Grant Award in the amount of \$10,000. Seconded by Mrs. Faulenbach. Motion passed unanimously.</i></p> <p><b>C. Food Services - CEP Participation and Meal Prices</b></p> <p>Mrs. Sullivan stated the district-wide free meals will continue through February 2026. The program has been going on for two and a half years. By joining CEP, funds have been able to go further and allowed New Milford to meet the necessary requirements. Currently the district can offer free breakfast and</p>	<p>Moton made to approve the Budget Position dated November 30, 2025; Revised Purchase Resolution D-801; and Request for Budget Transfers. Motion passed 8-0-1.</p> <p><b>B. AB Note Music Trust</b></p> <p>Moton made to accept the Battell Stoeckel Music Trust - Grant Award in the amount of \$10,000. Motion passed.</p> <p><b>C. Food Services - CEP Participation and Meal Prices</b></p>
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	<p>lunch until the end of February and then there will be a transition back to paid breakfast and lunch. To generate a little income, the cost of meals will increase by .50 cents, which would currently affect students that purchase a second lunch or breakfast. Prices for lunch and breakfast have not been increased in over 10 years. The breakfast program was instituted in 2010 and those prices have never been increased. With the increase, New Milford is still well below other towns by \$1.00 - \$1.25 per meal.</p> <p>Dr. Parlato asked if there was a chance the program could be extended beyond February. Mrs. Sullivan replied that the last reimbursement just came through, and it will be reevaluated in January.</p> <p>Mrs. Faulenbach thanked Mrs. Sullivan, noting food service employee wages come from the food service account. Having meals served to the community has been a tremendous asset. Once the increase hits we are still far below other districts.</p> <p>Mrs. Sarich stated the quality of food available to the students is amazing.</p> <p>Mrs. Sullivan stated, if a student took advantage of the free breakfast and lunch, since 2023 it saved families \$1,700 per child.</p> <p>Mrs. McInerney noted that people can apply for free/reduced lunch if they have not already. Dr. Parlato stated the process has been streamlined and SNAP communicates directly with them. Mrs. Sullivan stated that while the district is under CEP people cannot apply, but once it ends we can accept applications for people not on SNAP. Once CEP ends, there is a 30 day school day carry over to submit an application.</p> <p>Mr. Failla stated it is a well run program, the more we inform our community the better. Mr. Barile</p>	
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**New Milford Board of Education  
Meeting Motions and Minutes  
December 16, 2025  
Sarah Noble Intermediate School Library Media Center**

		added that it should be pointed out that it's been 15 years since a price increase. All the board members should stop into the cafeteria to experience it.	
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<b>11.</b>	<p><b>A. Facilities Projects</b>  <i>Discussed in the Subcommittee Report.</i></p> <p><b>B. Employment Report - December 2025</b>  Dr. Parlato stated it shows stability. Current openings reflect the shortage that is happening state-wide.</p> <p><b>C. Enrollment Report - December 2025</b>  Dr. Parlato stated the projections are still accurate.</p> <p><b>D. November Fundraising Report</b>  No discussion.</p> <p><b>E. Field trip Report</b>  No discussion.</p>	<p><b>ITEMS OF INFORMATION</b></p> <p><b>A. Facilities Projects</b></p> <p><b>B. Employment Report - December 2025</b></p> <p><b>C. Enrollment Report -December 2025</b></p> <p><b>D. December Fundraising Report</b></p> <p><b>E. Field trip Report</b></p>
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<b>12.</b>	<p><b>ADJOURN</b>  <i>Mr. O'Brien moved to adjourn the meeting at 7:36 p.m. Seconded by Mr. McCauley. Vote passed unanimously.</i></p>	<p><b>ADJOURN</b>  Motion made to adjourn the meeting at 7:36 p.m. Motion passed unanimously.</p>
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Respectfully Submitted,



Mrs. Sarah Herring  
Secretary  
New Milford Board of Education

**New Milford Board of Education  
Annual Meeting Minutes  
December 16, 2025  
Sarah Noble Intermediate School Library Media Center**

RECEIVED  
TOWN CLERK *CP*  
2025 DEC 19 A 10:14  
NEW MILFORD, CT

Present:	Mrs. Leslie Sarich Mr. Eric Hansell Mrs. Sarah Herring Mrs. Wendy Faulenbach Mr. Tom O'Brien Mr. Brian McCauley Mr. Dean Barile Mr. Joseph Failla
Absent:	Mrs. Tammy McInerney

Also Present:	Dr. Janet Parlato, Superintendent of Schools Ms. Holly Hollander, Assistant Superintendent of Schools
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1.	A.	<b>Call to Order</b> Pledge of Allegiance The meeting of the New Milford Board of Education was called to order at 6:15 pm by Dr. Parlato, Superintendent. The Pledge of Allegiance immediately followed the call to order.	<b>Call to Order</b> Pledge of Allegiance
2.	A.	<b><u>RECOMMENDED ACTION</u></b> <b>Election of Board of Officers</b>  1. <b>Chairperson</b>  Dr. Parlato, Superintendent of Schools, asked for nominations for the position of Chairperson of the New Milford Board of Education.  Mr. Hansell nominated Mrs. Sarich for Chairperson. Seconded by Mrs. Herring.  All other members present passed.  After a roll call vote, Mrs. Sarich was elected Chairperson by a 9-0-0 vote.  2. <b>Vice Chairperson</b> Mrs. Sarich asked for nominations for the position of Vice Chairperson of the New Milford Board of Education.	<b><u>RECOMMENDED ACTION</u></b> <b>A. Election of Board of Officers</b> 1. <b>Chairperson</b>  <b>Mrs. Sarich was elected Chairperson of the New Milford Board of Education.</b>  2. <b>Vice Chairperson</b>

	<p>Mrs. Sarich nominated Mr. Hansell for Vice Chairperson. Seconded by Mrs. Herring.</p> <p>All other members present passed.</p> <p>After a roll call vote, Mr. Hansell was elected Vice Chairperson by a 9-0-0 vote.</p> <p style="text-align: center;"><b>3. Secretary</b></p> <p>Mrs. Sarich asked for nominations for the position of Secretary of the New Milford Board of Education.</p> <p>Mrs. Sarich nominated Mrs. Herring for Secretary. Seconded by Mr. Hansell.</p> <p>Mr. McCauley nominated Mrs. McNerney for Secretary.</p> <p>All other members present passed.</p> <p>After a roll call vote, Mrs. Herring was elected Secretary by a 8-1-0 vote.</p> <p style="text-align: center;"><b>4. Assistant Secretary</b></p> <p>Mrs. Sarich asked for nominations for Assistant Secretary of the New Milford Board of Education.</p> <p>Mr. O'Brien nominated Mrs. McNerney for Assistant Secretary. Seconded by Mr. Failla.</p> <p>All other members present passed.</p> <p>After a roll call vote, Mrs. McNerney was elected Assistant Secretary by a 9-0-0 vote.</p>	<p><b>Mr. Hansell was elected Vice Chairperson of the New Milford Board of Education.</b></p> <p style="text-align: center;"><b>3. Secretary</b></p> <p><b>Mrs. Herring was elected Secretary of the New Milford Board of Education.</b></p> <p style="text-align: center;"><b>4. Assistant Secretary</b></p> <p><b>Mrs. McNerney was elected Assistant Secretary of the New Milford Board of Education.</b></p>
<p><b>3.</b></p>	<p><b>ADJOURN</b>  <i>Mr. Hansell moved to adjourn the meeting at 6:22 p.m. Seconded by Mr. O'Brien. Vote passed unanimously.</i></p>	<p><b>ADJOURN</b>        Motion made to adjourn the meeting at 6:22 p.m. Motion passed unanimously.</p>

Respectfully submitted:

**New Milford Board of Education  
Annual Meeting Minutes  
December 16, 2025  
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**Page 3**

A handwritten signature in black ink that reads "Sarah E. Herring". The signature is written in a cursive style with a large initial 'S' and 'H'.

Sarah Herring  
Secretary  
New Milford Board of Education

**New Milford Board of Education  
 Budget Hearings & Adoption of Motions and Minutes  
 January 13, 14, 20 & 21 2026  
 Sarah Noble Intermediate School Library Media Center**

RECEIVED  
 TOWN CLERK  
 2026 JAN 28 P 3:14  
 NEW MILFORD, CT

**Budget Hearing Motions and Minutes  
January 13, 2026  
 Sarah Noble Intermediate School Library Media Center**

<b>Present:</b>	Mrs. Leslie Sarich, Chairperson <i>via video conference</i> Mr. Eric Hansell Mrs. Sarah Herring Mrs. Tammy McInerney Mr. Dean Barile Mrs. Wendy Faulenbach Mr. Brian McCauley Mr. Tom O'Brien Mr. Joseph Failla Mayor Pete Bass, <i>ex-officio</i>
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<b>Also Present:</b>	Dr. Janet Parlato, Superintendent of Schools Ms. Holly Hollander, Assistant Superintendent of Schools Mr. Anthony Giovannone, Director of Fiscal Services and Operations Mr. Jeffrey Turner, Technology Director Mr. Matthew Cunningham, Facilities Director Dr. Kimberly Culkin, Director of Pupil Personnel and Special Services Mrs. Anne Bilko, Sarah Noble Intermediate School Principal Mrs. Gwen Gallagher, Northville Elementary School Principal Mrs. Catherine Calabrese, Hill and Plain Elementary School Principal
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1.		<b>Call to Order</b> <b>Pledge of Allegiance</b> The budget hearing meeting of the New Milford Board of Education was called to order at 6:30pm. by Mr. Eric Hansell, Vice Chairperson. The Pledge of Allegiance immediately followed the call to order.	<b>Call to Order</b> <b>Pledge of Allegiance</b>
2.		<b>Presentation of the Superintendent's Proposed 2026-2027 Budget</b>  Dr. Parlato stated it is the Superintendent's responsibility to prepare, advocate, and implement an annual budget that addresses district goals, meets needs of students, and to have regular status updates throughout the year. The Board of Education (BOE) has a responsibility to oversee the budget, advocate and adopt while meeting the needs of students.	<b>Presentation of the Superintendent's Proposed 2026-2027 School Budget</b>

The last 3 years were focused on district guiding documents and concept documents. The current BOE goals are increasing student achievement, family and community engagement, budget development and fiscal management, creating a safe school environment and an exceptional workforce. This budget addresses those ongoing needs, while maintaining momentum and staying fiscally responsible.

Dr. Parlato stated the mission of the New Milford Public Schools (NMPS) is a collaborative partnership of students, educators, family and community. The goal is to prepare each student so they may excel in an ever-changing world, and embrace challenges, while respecting others.

The Portrait of a Life Long Learner allows us to assess skills students need, inspire growth, become an agile communicator, critical thinker, thoughtful problem solver, and trustworthy community member.

Dr. Parlato stated the District Accountability Indicators are trending in the right direction, with a slight increase in the Overall Performance Index.

Dr. Parlato stated, for the budget, the following fixed costs are required items that carry forward from one year to the next. 77.3% of the entire budget is fixed costs that cannot be changed.

Required Item for 2026-27	\$ Increase	% Increase
Contractual Salary Increases for All Bargaining Units	\$1,871,548	2.45%
Contractual Health Benefits Increases for All Bargaining Units	\$1,361,548	1.78%
Transportation - Bus Contract Increase	\$194,723	0.26%

Utility & Refuse/Recycling Increases	\$75,089	0.10%
Other Insurance (Life, Disability, Workers Comp, Cyber, Liability for Auto/Property, Student Accident)	\$68,616	0.09%
Total Increase of Fixed Costs	\$3,571,524	4.68%

Dr. Parlato stated it would be a 4.68% increase, but with reductions, the proposed increase is 3.2%.

Proposed additions and reductions are:

- -5.0 certified staff in grades Prek -5
- -3.0 certified staff, grades 6-12
- -0.4 nurse
- +1.5 certified staff, prek-5

It is a net reduction of 6.9 Full Time Employee (FTE) with a cost reduction of \$516,886.

Dr. Parlato stated the district has seen a decline in enrollment. The current 11th grade cohort is 301 and the current 1st grade cohort is 200 students. With the reductions, the class sizes will remain the same or even be slightly lower. Adding in a 5th grade teacher will bring the average class size down to 21.9 students from 23.9 students.

Other proposed reductions are to the Out of District (OOD) Tuition, Out of District Transportation, General Busing, Legal Fees, and Pension.

Proposed increases include Substitutes, Disability Insurance, Director of Human Resources salary increase, School Security Officer hourly rate, and Literacy Workbooks.

Dr. Parlato stated, with declining enrollment there has been an increase in High Needs students. These are students on Free/Reduced lunch, Multi

Language (ML) students and students with IEPs. Dr. Parlato reviewed the increase of High Needs students:			
	2014-15	2019-20	2025-26
Free/ Reduced Lunch	875 20.2%	1342 34.1%	1257 36.4%
Multilingual	120 2.7%	199 5%	321 9.3%
IEPs	591 13.6%	602 15.3%	648 18.8%
Enrollment	4335	3925	3446
<p>Dr. Parlato stated the requests that were not included in the budget were:</p> <ul style="list-style-type: none"> <li>● 6.0 Kindergarten general education paraprofessionals - Hill and Plain School (HPS) and Northville Elementary School (NES)</li> <li>● Trapezoid Classroom Tables and Associated Chairs - NES</li> <li>● Classroom Carpets - Sarah Noble Intermediate School (SNIS)</li> <li>● 1.0 Dean of Students - Schaghticoke Middle School (SMS)</li> <li>● 1.0 Music teacher - SMS</li> <li>● 3.0 Hallway Monitors - SMS</li> <li>● Renovation of Chorus Room to be a Chorus Room (former Home Economics room)</li> <li>● 1.0 In-School Suspension Monitor - New Milford High School (NMHS)</li> <li>● 2.0 Multilingual tutors - NMHS</li> <li>● Slab Roller for Ceramics - NMHS</li> <li>● Ductless Fume Hood for Art - NMHS</li> <li>● 1.0 Director of Curriculum/Instructional Supervisor - Central Office</li> </ul>			

	<p>Dr. Parlato stated this is an honest and balanced budget. The needs of the students are increasing, and guiding documents show there is momentum in the right direction.</p> <p>Mr. McCauley stated he was concerned with the OOD Tuition and OOD Transportation reductions, noting that it is a variable cost. Dr. Parlato stated there are already additional placeholders in the budget for unexpected placements. Mrs. McNerney asked if any OOD placed students were returning to the district. Dr. Parlato stated students are leaving or aging out, and no students are being brought back to the district.</p> <p>Mr. Barile asked if there were any non-certified staff reductions. Dr. Parlato stated the nurse position is a non-certified staff, but no paraprofessionals, custodians or secretaries are being reduced. Mr. Barile asked how a student is identified as requiring special education services. Dr. Parlato stated a student is first referred, and then receives testing to see about eligibility. Mr. Barile asked to get more information specific to the special education teachers and paraprofessionals.</p> <p>Mrs. Faulenbach asked what other bargaining units are upcoming and would affect the legal line item. Mr. Giovannone stated custodians and maintainers are in the spring with nurses and secretaries next year.</p>	
<p><b>3.</b></p>	<p><b>Discussion of the Superintendent's Proposed 2026-2027 Budget including but not limited to, PK - Grade 5, Transportation, Benefits, Revenue, District-Wide Departments</b></p> <p>Mrs. Bilko began her presentation by thanking staff and colleagues, along with the BOE for all their hard work. Mrs. Calabrese stated the focus is for students to have academic achievements and grow with confidence. Mrs. Gallagher stated the ideas we live by guide us and our daily decision making.</p>	<p><b>Discussion of the Superintendent's Proposed 2026-2027 Budget including but not limited to, PK - Grade 5, Transportation, Benefits, Revenue, District-Wide Departments</b></p>

	<p>Mrs. Calabrese stated HPS would have a 0.45% increase, which includes:</p> <ul style="list-style-type: none"> <li>● Increase of a 0.5 FTE Teacher in Pre-K</li> <li>● Reduction of 1.0 FTE Teacher in Grade 1</li> <li>● Reduction of 1.0 FTE Teacher in Grade 2</li> <li>● Reduction of 0.5 FTE Teacher in Special Education</li> <li>● Transfer in of a 0.1 FTE Nurse from Litchfield Hills Transition Center (LHTC)</li> </ul> <p>General Education would go from 18 to 16 teachers, Excel would go up 0.5, Special Education would go to 4.0 and Unified Arts would stay at 4.0. The student population is declining. In 2025 HPS served 363 students and next year the projection is 333.</p> <p>Mrs. Gallagher stated NES would have a 0.09% decrease, which includes:</p> <ul style="list-style-type: none"> <li>● Reduction of 1.0 FTE Teacher in Grade 1</li> <li>● Reduction of 1.0 FTE Teacher in Grade 2</li> <li>● Reduction of 0.5 FTE Teacher in Special Education</li> <li>● Transfer in of a 0.1 FTE Nurse from LHTC</li> </ul> <p>General Education would go from 21 to 19 teachers. Excel would have 3.0 teachers, Special Education would have 5.0 teachers, and Unified Arts would have 4.0 teachers. In 2025 NES served 399 students and next year the projection is 362.</p> <p>Mrs. Bilko stated SNIS would have a 6.15% increase, which includes:</p> <ul style="list-style-type: none"> <li>● Increase of 1.0 FTE Teacher in Grade 5</li> <li>● Transfer in of a 0.1 FTE Nurse from LHTC</li> </ul> <p>General Education would increase to 36 teachers. Special Education would have 12.0 teachers and Unified Arts would have 9.0 teachers. Mrs. Bilko stated it's important to build a school community that engages with the larger community. All three schools engage in service projects so students can feel a sense of pride.</p> <p>Mrs. Calabrese stated there is a new program called Character Strong that includes a "kindness</p>	
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	<p>kickoff” and assemblies to encourage students to have strong character.</p> <p>Mrs. Gallagher stated K-5 professional learning helps with social and emotional needs of students. Science of Reading and iReady has also helped identify areas for growth.</p> <p>Mrs. Bilko stated, building climate and culture is important. They want families to feel confident in the school system. There is communication through social media and Parent Square. Seeing the service projects being done is important for families to know what is happening outside of school. Additionally, there have been staff shout-outs and recognizing those that make a positive difference. Students are encouraged to grow with leadership roles such as doing the morning announcements and having classroom jobs. The schools offer recognition such as “Top Dogs” or OSCARS. This gives confidence to the students. Mrs. Calabrese stated partnership with the PTO is imperative and they could not do it without their help. Through collaboration, they are able to enhance programs and while addressing district priorities.</p> <p>All three of the schools combined are 21% of the overall budget. The focus is to maintain the programs currently being offered and strengthen students. It is done as a whole to include social and emotional support and guidance lessons. A dynamic curriculum that is designed towards positive outcomes.</p> <p>Mayor Bass thanked Mrs. Calabrese, Mrs. Gallagher and Mrs. Bilko for their presentations and asked a question about a video shown with students learning while sitting on the carpet in the classroom. Mrs. Bilko replied that there has been a lot of research done regarding movement and students' ability to learn. It helps encourage collaboration. As the students get older, they may go back and forth from the carpet to their desks.</p> <p>Mayor Bass asked what changes the principals have noticed from 5 years ago to today. Mrs. Bilko</p>	
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	<p>stated there has been a significant increase in high needs students. Skillsets are changing with a faster paced world surrounded by technology. It is a trend being seen not just in New Milford, but around the country. These needs require more attention. Mrs. Calabrese stated it is about self regulation. Students come to school with what she calls, “invisible backpacks,” and it is hard for them to connect the students with the teacher.</p> <p>Mr. Failla asked the principals to give their opinions on the class sizes. Mrs. Calabrese stated smaller class sizes can meet the needs of students better. Small groups in the classroom are more manageable. Mrs. Gallagher added it is easier to launch the new program, Bookworms, because the class sizes are smaller. Mr. Failla asked when Bookworms will be assessed. Mrs. Gallagher stated testing is currently being done. The data will help see how students are progressing and allow teachers to give individual instruction.</p> <p>Mr. Barile asked to see the percentage of Special Education students by school. With the reduction of certified staff, will that mean relying too much on non-certified staff. Dr. Parlato stated student need is what helps dictate staffing needs.</p> <p>Mr. McCauley noted the past two years there has been a request for 6.0 paraprofessionals and asked to know more. Mrs. Gallagher stated, paras are helpful when it comes to having another adult to answer questions and manage a classroom of 17-18 students.</p> <p><u>Department of General Administration:</u>      Mr. Giovannone stated the proposed budget represents a decrease of 24.97%. The staffing allocated to this department are the following:</p> <ul style="list-style-type: none"> <li>● 0.5 BOE Clerk</li> </ul> <p>The non-salary lines that had changes include legal fees, dropping by \$85,000 for next year. The current retainer should have enough to cover the rest of the year. Professional Services includes Shipman &amp; Goodman expenses, BOE recordings and other programs. They will be collapsing those</p>	
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	<p>line items and rolling them up into Professional Services. Advertising is for bids and legal notices, which is being utilized more in conjunction with the 5 year Capital Plan. The supply line is increased by \$5,800. That is a reallocation. Dues and Fees has a slight increase.</p> <p>Mrs. Faulenbach asked about Professional Services, is it district-wide or just part of the department. Mr. Giovannone stated it is just within the BOE, not across the Department of General Administration.</p> <p>Mr. Giovannone continued, stating the Office of the Superintendent has an increase of 0.80%. There are proposed reductions that will not affect the office. Staffing includes:</p> <ul style="list-style-type: none"> <li>● 1.0 FTE Superintendent</li> <li>● 1.0 FTE Admin Assistant to the Superintendent</li> </ul> <p>The proposed budget has a benefit increase of 9.17%. Health insurance is the biggest factor. Functions of payroll also have corresponding increases. The pension amount is provided by the Finance Department, and a reduction was recommended. Disability was locked in for the last 3 years and now has an increase. The district saved money by not paying for the year over year compounding increases. Life insurance is changing by a small amount and Workers Comp is provided by CIRMA.</p> <p>Mrs. Faulenbach asked if health insurance was being offset by reductions. Mr. Giovannone stated yes. Mrs. Faulenbach asked if there is a new locked-in rate for disability. Mr. Giovannone stated they still have to go out to bid. Mrs. Faulenbach suggested coordinating with the town.</p> <p>Mr. Giovannone stated health insurance, State Partnership Plan (SPP), anticipates an increase of up to 13.5%. Dental insurance is partially insured through CIGNA, and partially SPP. Teamsters manage their plan. The new employee assistance program started in 2025.</p>	
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	<p>Mr. Failla asked for more information about the new employee assistance program. Dr. Parlato stated it is part of the benefits for employees, which includes 2 free counseling sessions, advice on stress management and more. Mr. Failla asked if employees contribute to the plan. Mr. Giovannone stated the district pays it 100%.</p> <p>Mrs. Faulenbach asked what the dollar amount is for the increase to health insurance. Mr. Giovannone stated it is about \$1,300,000 and a 1.78% increase to the budget. Mrs. Faulenbach noted that a 13% increase is shocking, but the numbers across the state are closer to 20%. Mayor Bass stated, when the district moved over to SPP, it was a cost avoidance of millions. Mrs. Faulenbach agreed and asked the Mayor to have a conversation with Brown and Brown to see if that percentage could be reduced.</p> <p>Mr. Giovannone stated the Department of Fiscal Services would have a 3.59% increase. This includes fees for Quickbooks, MUNIS user fee, audit fee, reduction of \$1,000 in tech supplies, increase fees for memberships, budget of \$500 for Amazon Prime District, and LAP (Liability, Auto and Property). CIRMA is recommending the district use a projected 5% increase.</p> <p><u>Transportation:</u>          Mr. Giovannone stated Transportation would have an increase of 0.58% in the proposed budget. This includes the reduction of one bus route and pushing for All Star to service other runs. Mrs. McInerney asked why the district privatized those runs in the past. Mr. Giovannone stated it was due to driver shortages and rural roads that are impassable for buses.</p> <p>Mr. Failla asked what the longest bus route is for a student in minutes. Mr. Giovannone stated it's somewhere around 52 minutes. The policy is no longer than 1 hour in either direction. Mrs. Faulenbach asked if there are runs for other services such as athletics. Mr. Giovannone stated this number is just for pupil transportation and late bus runs, not athletics.</p>	
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	<p>Mayor Bass stated New Milford is one of the environmental justice districts, and by 2030 all school buses will have zero emissions. The Mayor asked if there were any discussions regarding that. Mr. Giovannone stated all the buses are propane and was not aware of the zero emissions. The Mayor suggested calling WestConn for more information. Mrs. McInerney asked if All Star had been able to resume athletic runs. Mr. Giovannone stated some, and it's getting better.</p> <p><u>Revenue:</u></p> <p>Mr. Giovannone stated the revenue lines have 2 changes, one is excess cost that has to do with the current placements, plus any additional new placements within Special Education. This would include tuition and transportation, both of which are being reduced. The district is reimbursed roughly 68%, so it is not dollar for dollar. Using the same reimbursement rate, and less students being outplaced, means less revenue to get back from the state. Medicaid is changing by 24.55%. Building use fees, Excel tuition and gate/parking permit fees are flat. DCF tuition will not count as a revenue driver.</p> <p>Mr. Failla stated he did not agree with charging students a parking fee and it should be covered by the district. Mrs. McInerney stated she agreed with Mr. Failla.</p> <p>Mr. Hansell asked if the building use fees included fields. Mr. Giovannone stated yes, to cover costs such as custodial, lighting fees, etc.</p>	
<p><b>4.</b></p>	<p><b>Opportunity for the Public to be heard</b>        Mrs. Nicole Orletski, 1st grade teacher at HPS, asked the BOE members to picture a 5 year old child walking into school for the first time. What happens will shape how they see themselves for years to come. The reality is kids need to be seen and heard. Studies from the Tennessee Star Project found smaller classrooms perform better in reading and math. Effective reading depends on small groups and immediate feedback. Smaller class sizes allow for intervention and help students</p>	<p><b>Opportunity for the Public to be heard</b></p>

	<p>falling behind. Smaller classes can help the teacher identify students that are withdrawn emotionally. It also means safer classrooms and stronger student relationships. When students do not get strong early instruction, it is more costly in the long run with intervention and remediation. Keeping student numbers low in primary grades will help teachers and student success.</p> <p>Mrs. Doranne Koval, HPS teacher, stated students have changed. They have significantly increased in emotional behavioral and academic needs. At the elementary level, teachers deliver curriculum in multiple subjects as well as with social emotional learning (SEL). Developmental play based learning is also essential and required. All require time and capacity. Small class sizes help address these needs. It allows teachers to listen and build relationships with students to be proactive and not reactive. Each transition takes instructional minutes. Larger classes take away from meaningful relationships. Play builds critical functioning skills that align with NMPS goals. From a Special Education perspective, it helps reduce the need for more interventions later. Smaller class sizes support stronger academic outcomes. Mrs. Koval encouraged the board to keep elementary class sizes small, and to remember enrollment can increase throughout the year.</p>	
<b>5.</b>	<p><b>Recessed to Wednesday January 14, 2026</b>          The budget hearing meeting of the New Milford Board of Education was called to recess at 8:28p.m. by Mr. Eric Hansell, Vice Chairperson.</p>	<p><b>Recessed to January 14, 2026</b>  <b>The meeting recessed at 8:28 p.m.</b></p>

**Budget Hearing Motions and Minutes  
January 14, 2026  
 Sarah Noble Intermediate School Library Media Center**

<b>Present:</b>	<p>Mrs. Leslie Sarich, Chairperson <i>via video conference</i>          Mr. Eric Hansell, Vice Chairperson          Mrs. Sarah Herring          Mrs. Tammy McInerney</p>
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**New Milford Board of Education  
 Budget Hearings & Adoption of Motions and Minutes  
 January 13, 14, 20 & 21 2026  
 Sarah Noble Intermediate School Library Media Center**

	Mr. Dean Barile Mrs. Wendy Faulenbach Mr. Brian McCauley Mr. Joseph Failla
<b>Absent:</b>	Mr. Tom O'Brien

<b>Also Present:</b>	Dr. Janet Parlato, Superintendent of Schools Ms. Holly Hollander, Assistant Superintendent of Schools Mr. Anthony Giovannone, Director of Fiscal Services and Operations Mr. Jeffrey Turner, Technology Director Mr. Matthew Cunningham, Facilities Director Dr. Kimberly Culkin, Director of Pupil Personnel and Special Services Mr. Raymond Manka, New Milford High School Principal Mr. Keith Lipinsky, New Milford High School Athletic Director Ms. Linda Demeyer, Schaghticoke Middle School Principal
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<b>1.</b>	<b>Call to Order Pledge of Allegiance</b> The budget hearing meeting of the New Milford Board of Education was called to order at 6:30pm. by Eric Hansell, Vice-Chairperson. The Pledge of Allegiance immediately followed the call to order to resume the meeting.	<b>Call to Order Pledge of Allegiance</b>
<b>2.</b>	<b>Opportunity for the Public to be heard</b> There was none.	<b>Opportunity for the Public to be heard</b>
<b>3.</b>	<b>Discussion of the Superintendent's Proposed 2026-2027 Budget including, but not limited to, Grades 6-12 and District-Wide Departments</b>  Mrs. Demeyer stated it's about innovation and sustainability while preparing students to excel in a competing world. It is about ensuring students have the opportunity to stretch themselves in a variety of ways and step out of their comfort zone. SMS has 796 students with 160 Special Education students, and 72 MLs. There are 936 members of the SMS community and 140 staff.  Mrs. Demeyer stated they have been working on community building, and balancing academics with creativity. A healthy culture is a prerequisite for academic growth and it is about the whole child. Student visibility and community building provides stability and empowerment that students need.	<b>Discussion of the Superintendent's Proposed 2026-2027 Budget including, but not limited to, Grades 6-12 and District-Wide Departments</b>

<p>Increasing student visibility at SMS includes photographs and mirrors in the hallway. Last year they had one 8th grade ceremony instead of 3 different ones and it made a difference. Commitment to the whole child includes new courses, curriculum revisions, and new core materials. They have been working hard on implementing those materials. Robotics and coding has launched. There has also been teacher evaluations, professional development, non-evaluative visits and improved data use. The goal is to ensure everyone can grow at their own pace.</p> <p>The budget priorities are centered around the students. The hope is to maintain current programming so that athletics and academics are integrated. There has been high inflation for basic supplies so the thought is to move the funds where needed. Buying programs such as Quill help student engagement. There has been a surge in participation in band, and they are hoping to build the outdoor community. There is a push to expand student leadership with guest speakers and field trips. Student leadership is how students see themselves and their potential. Guest speakers help students see what their academics may look like in the outside world. Field trips have experiential learning. Prioritizing these experiences helps students pursue their aspirations.</p> <p>Mrs. Herring asked how many students are currently taking a language given there is a lack of language teachers. Mrs. Demeyer stated 26 students are taking French. There are 5 sessions of Spanish with 120 students total. It's all 8th graders. Mrs. Herring asked if there was a chance it could be offered to 7th graders in the future. Ms. Hollander stated language is a shortage area and it's a balance of hoping to bring someone onboard, but then it doesn't work out. Students are still able to take a language, it is just not until 8th grade. Mrs. Demeyer stated, because of the gap that this created, the need was filled with instruction of reading/writing and speaking. This Communication Arts course has proven to be very helpful to students. Mrs. Herring asked if there was a curriculum for the class and Mrs. Demeyer stated there was. Mrs. Herring asked about having STEM and if finding a teacher was still a difficulty. Dr. Parlato stated they have hired someone to build a bridge to the first year academy at the high school. Ms. Hollander stated the thought was</p>	
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<p>to have a complementary course in 8th grade for the Pathways. All these efforts are to keep students engaged vs. sitting in a study hall. Dr. Parlato stated, in the absence of a STEM teacher, there are many offerings at SMS with computer and computer science and there are still STEM offerings. Mrs. Herring asked which 8th graders get to take a language. Mrs. Demeyer stated they look at data points, and base it on ELA performance.</p> <p>Mr. Failla stated he has heard great things about SMS, it's been turned around from a problematic school. The emphasis placed on academics as well as the non-academic part of the student is critical. Mr. Failla thanked Mrs. Demeyer.</p> <p>Mrs. Faulenbach noted the transportation line for athletics didn't change much, and asked if it was because of the contract, or number of opportunities offered. Mrs. Demeyer stated she looked at previous usage history, and was able to give a number with more certainty. Mrs. Faulenbach asked if the same opportunities were being offered. Mrs. Demeyer stated yes, it is a dollar amount increase based on rising costs.</p> <p>Mrs. Faulenbach asked about the 140 staff members at SMS. Mr. Giovannone stated they may work at SMS but their salaries are within other departments such as Special Education or Facilities.</p> <p>Mrs. Faulenbach asked to confirm there were no staffing changes at SMS. Mrs. Demeyer stated that was correct.</p> <p>Mr. Manka began his presentation by thanking everyone, including staff, the BOE, cabinet members and parents. Mr. Manka stated the focus has been centered around a sense of belonging. The aim is to have students build on their strengths in the classroom, on the fields and other areas of education. Over the last 5 years students have been returning to band, chorus and athletics. There has also been an increase in special education needs. MLs are 7% of NMHS student population. There is quarterly planning done to assist students and ensure they have what they need to be successful. Programs such as Wingman help students transition from 8th grade to high school. The Pathways</p>	
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	<p>program is instrumental, the Peer to Peer program and FLEX continue to be assets. Within the proposed budget, NMHS is looking at a 1.56% increase.</p> <p>Mr. Manka stated NMHS has the following staff:</p> <ul style="list-style-type: none"><li>● 102 Teachers, which includes department chairs</li><li>● 1.0 Special Education Department Chair</li><li>● 1.0 Pathways Coordinator</li><li>● 2.0 Social Workers</li><li>● 1.5 School Psychologist (0.5 vacant)</li><li>● 1.0 Substance Abuse Counselor</li><li>● 6.0 Counselors</li><li>● 15.0 Paraeducators</li><li>● 1.0 SCW (1.0 vacant)</li><li>● 1.5 S&amp;L</li><li>● 2.0 OT/PT which is shared</li></ul> <p>Mr. Manka stated, the hope is to have consistency and to understand the portrait of the Lifelong Learner. It is important to have communication, instructional rounds, Tier 1 strategies, Connecticut State Department of Education (CSDE) accountability measures and grants. It's critical to take the work, disseminate through the departments and regularly communicate weekly to parents and staff. The instructional keystones are using high impact, Tier 1 strategies.</p> <p>Mr. Manka stated NMHS needed to work on getting attendance back up and there were behaviors that needed to be addressed. With the introduction of student leaders and having regular meetings with teachers they are making progress. There has been a steady rise over the last 3 years in student success. This is from intentional programming.</p> <p>Social Emotional Programming, such as the Wingman Program, has 148 students help mentor and be leaders. These programs help students focus on social awareness, responsibility and day to day work that are essential skills. Another program, Peer-to-Peer, has added students that speak Spanish and Portuguese. These programs create an instant friend, and opportunities for students to feel part of the community. It also helps students transition into NMHS with a feeling of security.</p>	
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<p>NMHS was recently recognized for the AP 2025 SILVER award for staff and students. It's a big achievement. NMHS is looking to provide ECE (Early College Experience) courses. For the 26/27 school year there are 13 potential courses for students to receive college credit. These are transferable credits at a fraction of the cost. Students are dual enrolled in a safe environment.</p> <p>The continuation of the Pathways program will build partnerships and internships with places such as Nuvance Health and Ives Bank. There are conversations happening with Columbia University for an educator Pathways. It would be great to provide students with these exposures so they can have it on their transcripts.</p> <p>The Summit is an alternative education program for students. Students have to apply and there has been success with students who were previously school avoidant. They are provided with what they need academically and emotionally.</p> <p>Mr. Manka concluded by stating the budget provides adequate FTE staff, including support staff, clerical and administrative. The budget covers the resources to support the arts, and the cost of instructional materials.</p> <p><u>NMHS Athletics:</u></p> <p>Mr. Lipinsky stated the athletic department mirrors the mission of the district. NMHS received the Michaels Cup Award, which is a very prestigious award. The Michaels Cup is awarded to districts that promote sportsmanship, citizenship, and positive school spirit. New Milford has received it 4 years in a row. Athletics teaches life skills. There are 28 sports offerings at various levels. There are 524 student athletes, which is over 45% of the student population. NMHS has unified sports events and awards nights. In regards to the proposed budget, purchase services went up, which are the fees for referees and officials. Also, dues and league fees went up for invitationals and tournaments. The budget will ensure we have the equipment we need, staffing of security, officials/game workers, dues and fees for state membership, fees for golf, swimming, ice hockey and gymnastics.</p>	
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	<p>Mr. Barile noted there are 3 certified staff members being reduced. Mr. Manka stated the average class size in English was an area where there was a reason for a reduction. A math teacher left at the beginning of the year and that had a negligible effect on class size.</p> <p>Mr. Failla noted projected enrollment is a decrease of 50 students. Mr. Manka stated that was correct. Mr. Failla asked about the accountability index for graduation rate. Mr. Manka stated last year it was 88.9%. Mr. Failla asked why 11% of the students are not graduating. Mr. Manka stated that it is usually because of truancy, school avoidance, or an inability to be successful in class. 88.9% has room for improvement but it's a trend in the right direction. Mr. Failla asked what was being done to increase the graduation rate. Mr. Manka stated the Summit Program is helpful for that. It is bringing back students who were school avoidant. There is also a credit recovery program that is offered after school to students. The SEL program is helping students who are quiet and passive be more active in class.</p> <p>Mr. Barile asked if NMHS follows students after high school, and works with them through a program online to finish courses and graduate. Mr. Manka stated they do. They work with BYU for credit courses, which allows older students to be able to catch up with lost credits.</p> <p>Mr. Failla stated it's good the district is helping students who do not think college is the right path for them. Mr. Manka stated they have a teacher that is certified to bring back computer graphing and has a wonderful vision. Woodshop had a massive update, and they now have a teacher in that role.</p> <p>Mr. Failla asked about ECE Courses. Mr. Manka stated they have spent the last few years getting interest from staff and are now launching those courses.</p> <p>Mr. Failla asked if students are reading entire books cover to cover. Mr. Manka stated yes, and are working on students increasing the number of minutes they are reading. They are trying to move away from screens.</p>	
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<p>Mr. Failla asked if Mr. Manka was aware of a study done by USC San Diego on student prepping. The study found students were falling below middle school standards. Ms. Hollander agreed this was an area of concern. Students are lacking in ability to write and read. They are working to remedy this with the core curriculum and it is now moving up the grades. They are seeing the same in Adult Education. Mr. Failla stated the students should get back to the basics so they are prepared for college if they choose that route.</p> <p>Mrs. Herring asked if the Substance Abuse Counselor goes into the classroom or if they see the students one on one. Mr. Manka stated it varies. It can be part of a PPT, small group work, or meeting individually. It is based on the level of need.</p> <p>Mrs. Faulenbach asked to confirm there are 6 counselors. Mr. Manka stated they are part of guidance. Mrs. Faulenbach stated counselors can help with early identification for students that need help catching up on credits and asked if truancy rates have improved. Mr. Manka stated NMPS falls below the nationwide average. The counselors have weekly meetings, and the attendance team meets regularly.</p> <p>Mrs. Faulenbach asked Mr. Lipinsky about the ice hockey rental fee. Mr. Lipinsky stated it was about \$15,000-\$16,000. Mrs. Faulenbach asked if the line item for transportation is covered under the bus contract. Mr. Giovannone stated not all of them. This winter All Star did about 90% of the bus runs for athletic events. Mrs. Faulenbach asked about the slight increase in the phones. Mr. Giovannone stated that it falls under utilities, and is service related and part of the Office of the Principal.</p> <p><u>Department of Instruction:</u> Ms. Hollander stated it is a collaborative partnership to prepare students for the future and to prepare them for challenges. The alignment of work is through the Board of Education, the district and The Department of Instruction (DOI).</p> <p>The mission of the DOI is to provide coherency, empowerment, partnership and collaboration, which aligns with the 5 pillars of the district. This effort is not</p>	
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siloes but done as partnerships, while keeping the instructional core at the forefront. The roles and responsibilities include curriculum development, data collection, regular and special education curriculum, report cards, classroom models, and MTSS (Multi-Tiered Systems of Support). Also under the Office of the Superintendent is residency, Title IX, Title I, Title II, Title IV, Professional Learning, Educator Evaluation, Adult Education, test coordination, Multilingual Learners (ML), policy implementation and community partnerships.

This year the DOI addressed 36 instances of residency checks and performed an audit of all the 6th grade families.

Multilingual Learners or English Learners (MLs/ELs) have grown. ML teachers provide a targeted instruction, grounded in Tier 1 instruction. The English learners receive English language development, and phonics, even those identified with a disability.

It is the district’s responsibility to assess and identify any ELs, communicate all policies to ELs and stakeholders, submit annual assessments, and review all EL data annually. Parent Square helps with this.

ELs have increased by 213% over the last 10 years. At this time the DOI is not seeking additional support, but plans to move faculty to the areas with the most need. Currently there are the following EL numbers:

School	Number EL students (as of 1/10/26)	Number of Teachers
HPS	63	2.0
NES	38	1.0
SNIS	87	2.5
SMS	75	2.0
NMHS	74	1.5

<p>There is an intake process, classroom placement procedures, and a curriculum for K-12. There is also progress monitoring for dual identified students, based on data collection. The continued work includes a language development plan that spans K-12, building based programming, translation tools and state mandates.</p> <p><u>Adult Education:</u></p> <p>Ms. Hollander stated the district is required to provide instruction for basic adult education, which is for adults functioning below the secondary level and need basic skills. It also provides instruction for English as a Second Language (ESL), secondary school completion, citizenship preparation and career readiness.</p> <p>The goal is to prepare these adult students for the workforce, which the state sets targets. The number of students has grown from 88 in 2023/2024 to 112 in 2025/2026. The staff for the Adult Education program include a program director, program facilitator, guidance counselor (1.5 FTE with 0.5 grant funded), a secretary, an adult education evaluator, and 12 teachers.</p> <p>The program offers in person or remote credit diploma programs, computer instruction for GED in English and Spanish, ESL instruction, digital literacy, OSHA 10 workplace safety and other opportunities such as cosmetology. The program connects students with community resources, builds confidence and work ethic.</p> <p>There have been grants awarded, which include \$30,000 for instructional innovation and \$50,000 for transition, career navigation and support. Funding sources need to be closely monitored. The Adult Education program has been funded through the LEA budget and grants. The budget overview would lead to a 8.98% increase with a 10.75% increase in salary.</p> <p><u>Tuition:</u></p> <p>The Shepaug Agriscience program has 34 seats, the total tuition cost is \$134,538. Western Connecticut Academy of International Studies (K-5) in Danbury has 18 seats, with a tuition cost of \$1,247 per seat, and a total cost of \$22,446. The Henry Abbott Tech High</p>	
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School has 17 seats on average from SMS and 70-100 district wide. The number of available seats is based upon a formula the district must adhere to.

Impact on the Budget:

Ms. Hollander stated the purpose is to build consistency, think creatively and stay true to the intervention model. There are signs of improved instructional consistency, greater efficiency and clarity and a stronger alignment between district priorities and classroom practice.

The major driver has been aligning and streamlining the K-8 curriculum process. There is a unified math pathway with the iReady math for K-5, Savvas math for 6-8 and the 9th grade Math Lab. For ELA & Literacy, K-3 launched Bookworms, commonized screening for K-5 and there is a new offering for 9th grade, Academic Reading.

Focusing on improvement and support systems means stronger coaching by utilizing lab classrooms, increasing teacher access to realtime data, having ongoing professional development and providing clearer communication about student progress. The collaboration between general education, special education and ML will ensure a coherent support for diverse learners. Actions that continue are reviewing core materials, streamlining processes, and improved communication channels through shared data dashboards.

MTSS:

Ms. Hollander stated MTSS (Multi-Tiered Systems of Support) is a framework for enhancing the implementation and adoption of evidence-based interventions to achieve important academic and social-emotional outcomes.

Current support is:

School	Numbers (as of 12/23/25)	Percentage (as of 12/23/25)	Interventionists
HPS	32	13%	2

NES	28	11%	2
SNIS	137	18%	4
SMS	107	14%	3

The work continues by ensuring long term sustainability and continued support for Tier 1 instructional practices. There are adjustments happening to meet the needs of students at the secondary level. The goal is to provide stronger core instruction, refine MTSS, SEL and attendance, and examine the supports from Tier 1 to Special Education.

Dr. Parlato stated, MTSS can help catch a student struggling with foundational skills early on and offer remediation.

Ms. Hollander stated, the next steps include building grades 5-8 literacy programing, supporting mathematics, phonics skills, fluency and vocabulary. There is also alignment for students in grades 6-12 to transition from middle school to high school.

The Department of Instruction overview will have an increase of salaries through contractual obligations and will be an increase of 1.2%.

Mr. Failla stated the Agriscience program is a great program to help students who may not be on a college track. Mr. Failla asked how many students apply for the Shepaug Agriscience program. Dr. Parlato stated she would find out that information. Mr. McCauley stated he is amazed how the Agriscience program has grown. Mrs. Faulenbach agreed it is a great program.

Mrs. Herring asked how many salaries are under DOI. Ms. Hollander stated she believes it is 7.

Mr. Hansell asked how many ML learners, after taking assessments, transition out of the program. Ms. Hollander stated the district uses the state assessment.

Dr. Parlato asked Ms. Hollander to explain what revenue might be generated through the Adult Education program. Ms. Hollander stated enrichment

	<p>programs were put on hold because they are courses already being offered through the town, such as knitting. They were not getting the interest or participants that they had in the past.</p> <p><u>Department of Technology:</u>          Mr. Turner stated the department works hard to provide students what they need with safety in mind. The department has 9 people, which includes the IT Director, 1.0 secretary, techs and a network analyst.</p> <p>Grades K-2 are using chromebooks only in school. Grades 3-12 bring them home. The department continues to seek out grants. The district has already been awarded \$1,600,000 in grants. Currently they are working on updating desktops and laptops because of the Windows 11 upgrade. It's about being cost conscious. With the E-Rate grant, all servers have been updated. The phones will be updated. There will be bids on items such as access points and audio visual projects will include cafeteria/stage and gym updates.</p> <p>After using Powerschool for the last 4 years, there is a large amount of data for all the departments.</p> <p>Mr. Turner stated the implementation of AI tools will need to be done for teachers safely. Currently there is Gemini and School AI. No student will have AI accessible to them unless they are in a google classroom where a teacher is proactively looking at it.</p> <p>Mrs. McInerney asked if students have access to Gemini. Mr. Turner stated it is locked down. Anything the district could not control safely was eliminated.</p>	
<p><b>4.</b></p>	<p><b>Opportunity for the Public to be heard</b>          There was none.</p>	<p><b>Opportunity for the Public to be heard</b></p>
<p><b>5.</b></p>	<p><b>Recessed to Tuesday, January 20, 2026</b>          The budget hearing meeting of the New Milford Board of Education was called to recess at 8:54p.m. by Mr. Eric Hansell, Vice Chairperson.</p>	<p><b>Recessed to Tuesday, January 20, 2026</b>  <b>The meeting recessed at 8:54 p.m.</b></p>

**Budget Hearing Motions and Minutes  
January 20, 2026  
 Sarah Noble Intermediate School Library Media Center**

<b>Present:</b>	Mrs. Leslie Sarich, Chairperson Mrs. Sarah Herring Mrs. Tammy McInerney Mr. Dean Barile Mrs. Wendy Faulenbach Mr. Brian McCauley Mr. Tom O'Brien
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<b>Absent:</b>	Mr. Joseph Failla Mr. Eric Hansell
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<b>Also Present:</b>	Dr. Janet Parlato, Superintendent of Schools Ms. Holly Hollander, Assistant Superintendent of Schools Mr. Anthony Giovannone, Director of Fiscal Services and Operations Dr. Kimberly Culkin, Director of Pupil Personnel and Special Services Mr. Matthew Cunningham, Facilities Director Mr. Jeffrey Turner, Technology Director Mrs. Lauren Bergner, Grades 6-12 Supervisor Special Education Mrs. Kristen Phillips, Grades PK-5 Supervisor Special Education
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<b>1.</b>	<b>Call to Order</b> <b>Pledge of Allegiance</b> The budget hearing meeting of the New Milford Board of Education was called to order at 6:30 p.m. by Mrs. Leslie Sarich, Chairperson. The Pledge of Allegiance immediately followed the call to order to resume the meeting.	<b>Call to Order</b> <b>Pledge of Allegiance</b>
<b>2.</b>	<b>Opportunity for the Public to be heard</b> There was none.	<b>Opportunity for the Public to be heard</b>
<b>3.</b>	<b>Discussion Superintendent's Proposed 2026-2027 Budget including, but not limited to, District-wide Departments</b> <u>Department of Student Services:</u> Dr. Culkin stated she has the privilege of working with Mrs. Lauren Bergner, Mrs. Kristen Phillips and the rest	<b>Discussion Superintendent's Proposed 2026-2027 Budget including, but not limited to, District-wide Departments</b>

	<p>of the staff and with the families of the district. The Department of Student Services aligns their work with the district mission. They have drafted a revised Statement of Belief that sees the whole child, and with intention and instructional practices all students can be successful. This mindset builds the foundations. The department has been focusing on collaboration administration and team union, para union, and DOL. They continue to have professional learning, as well as district wide team professionals participating in planning and placement.</p> <p>Dr. Culkin stated they have identified areas of improvement and are developing district standards and a corresponding tool kit to be used across the schools. The focus is to improve student and staff experiences by providing tools to promote self-regulation in students and adults.</p> <p>Within the department there are 3 administrative positions, 3 secretaries at central office, nurses, secretaries, BCBA's, special education teachers, OT's and PT's. There are also 9.4 nurses, 7.0 school psychologists, 99.5 para educators, 9.0 social workers, and 9.4 speech language pathologists. IDEA grant funds are used to pay for some of these staff salaries.</p> <p>The percentage of students with disabilities has incrementally increased. There is an increase in students with autism, emotional disability, ADHD, and intellectual disability. There has also been a slight decrease in students having a learning disability, and other disabilities.</p> <p>The year over year comparison of students with special education programming and the number of students within the school shifts over the course of the school year. The anticipated enrollment at LHTC is projected at 20. Currently there are 17, with room for 3, which could come from outside of the school district.</p> <p>The EXCEL preschool program has 63 students enrolled that are identified as learning disabled, with an additional 19 students in evaluation. The additional 0.5 preschool teacher will help with this.</p>	
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<p>The LHTC provides special education post secondary transition programming, as needed to students with disabilities upon completion of 12th grade, through the school year. The LHTC coordinator serves as the transition coordinator. The benefit includes cost avoidance for OOD placements. The cost for LHTC supplies has increased. This includes funds for purchasing food and other supplies to help students learn. It is approximately a \$25 weekly cost per student.</p> <p>The OOD placement budget is for 37 students at \$4,559,937. The proposed reduction would bring it down to \$4,364,654. This also includes a reduction in transportation, which was budgeted at \$1,709,580 and proposed is \$1,388,630. The reason for the reduction is because less students are expected to be placed OOD.</p> <p>The proposed department budget will continue honoring and celebrating students to teach the whole child. The hope is to expand the partnership with parents and families, and enhance procedures and expectations of NMPS.</p> <p>Mrs. Sarich asked about the instructional supplies. Dr. Culkin stated the LHTC students shop and buy food needed for their classroom so they can learn food preparation and preparing lunches. In the past, parents were paying out of pocket for these items. The increase in \$17,195 to the budget will alleviate that burden on the parents. Mrs. McNerney asked if it was a hardship for some families. Dr. Culkin stated some parents expressed that it was. The \$17,195 is approximately \$5/day per student.</p> <p>Mrs. Sarich about the increase of \$22,176. Mr. Giovannone stated that was a partial realignment for AEDs that do not need replacement, with funds partially allocated for the CPI program and deescalation training. Mrs. Sarich asked what the cost for that training would be for next year. Dr. Culkin stated she would provide that.</p> <p>Mr. McCauley asked about the caseload for teachers. Dr. Culkin stated HPS would go from 6.5- 7.8 students and NES would go from 8.6-7.4 respectively. The case</p>	
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	<p>load at SMS ranges between 7-18 and NMHS ranges from 14-17 students.</p> <p>Mrs. Herring asked how many students are in residential settings this year. Dr. Parlato stated there are approximately 2 students. Mrs. Herring asked about SWD attending OOD schools, noting there are 20 students going to a public school in other districts. Dr. Culkin explained that programs such as ACES, and Ed Advance are considered public schools.</p> <p>Mr. McCauley asked how many placeholders have been used this year for OOD placements. Dr. Culkin stated they have not used any of the placeholders. Mrs. Faulenbach stated the district used to use 7 placeholders, now they are going from 5-4, but why only reduce it by 1. We have not exceeded our placeholders for the last 5 years. Dr. Parlato stated it can be a volatile number. Placeholders are necessary, if we run short we will need special appropriation and have to ask the town for money.</p> <p>Mrs. Faulenbach asked how many students are budgeted for OOD placement. Dr. Culkin stated the current budget has 37 students with 5 placeholders. Mrs. Faulenbach noted the proposed budget has 30 placements with 4 placeholders. That should bring down the transportation cost. Mrs. Faulenbach asked who provides that transportation. Mr. Giovannone stated it is various providers, about 8-9 vendors. It is a separate number than our general education transportation line. The vendors are sourced by putting out a bid. Mrs. Faulenbach asked if the number was down because of consolidation efforts or because of student change. Mr. Giovannone stated it was a combination of both.</p> <p>Mr. O'Brien asked if the shortage of transportation providers has gotten better. Mr. Giovannone stated it has but only slightly.</p> <p>Mrs. McInerney noted some OOD placed students are transitioning out of the district at the end of the year. That is a large class size that is cycling out. Dr. Culkin confirmed they are transitioning out students who no longer require services because of their age.</p>	
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Facilities Department:

Mr. Cunningham stated he keeps the board updated on projects throughout the year. The department has almost 50 employees. They work hard and embrace the ideals we live by. Last April, over spring break, the facilities department did work on dialectic units and through focus, they were able to change out 70 units in 3 days. With heart, the department built a gaga ball pit and placed engraving bricks, going outside typical custodial maintenance. Through collaboration the department revamped the SNIS planetarium. With creativity, the department replaced 24 thermostats at SMS.

It has been over 30 years since major work has been done at the schools:

- New Milford High School opened in 2000
- Schaghticoke Middle School in 1973, with an addition in 1993
- Sarah Noble Intermediate School opened in 1963 and was renovated in 2001
- Hill & Plain Elementary School opened in 1967 and had an addition in 1993
- Northville Elementary School opened in 1981 and had an addition in 1992

Annual contractual obligations include: fire equipment inspections/repairs, sprinklers, pumps, extinguishers, hydrants, devices and panels. The 6 elevators and 3 lifts. 12 boilers, generators, CoGen system and cameras. Other items include bleachers, HVAC automated building management systems, alarm monitoring and an integrated pest management plan. All contractual agreements are about \$250,000 a year and they are mandated. A typical increase is 3-5% annually.

Mr. Cunningham stated, within the budget they will be asking for the addition of a solar preventative maintenance contract to ensure long-term efficiency. Some inhouse projects include being able to control the HVAC and air handling units so it is based on need and not running 100% at all times. Facilities services over 50 air handler units, over 3000 unit ventilators, three dozen pumps, nearly 50 variable frequency drives, dozens of hot water heaters and over 1000 doors. Each door has to be fire and ADA compliant

<p>and has to be able to lock. When compared to a traditional 2,000 square foot home, the district is about 375 houses. The drivers for the budget include increases in utilities, salaries and preventative maintenance contracts.</p> <p>Mr. O'Brien asked about the solar preventative maintenance of \$9,000 per year. Mr. Cunningham stated it will be approximately that with 3-5% escalators built in for each year after.</p> <p>Mrs. Faulenbach asked about the annual utility increase and asked what was being budgeted. Mr. Giovannone stated it is different amounts for different services. The electricity combined is 6.5% but the escalators depend on the type of service. The bond payment for ESG is due annually, based on prior year fund balance. When the auditors are complete in January, then the payment for ESG will be carved out. There are 18 years left. Mrs. Faulenbach stated she agrees they should plan for the 3rd party maintenance, but it was something that was not discussed or brought up by ESG, and it is a cost that adds up. Mr. Giovannone stated they have received their first summary report from ESG and NV5. It will be reviewed in the next Facilities committee meeting.</p> <p>Mr. Barile asked if the solar panels are maxed out on the roofs. Mr. Cunningham stated it depends on the amount of sun that is on the roof. Mr. Barile asked if there are plans to add solar to the other schools. Mr. Cunningham stated that is a decision on the town side since they are town buildings. Mr. Barile asked if a Tesla wall was looked into so they could store the energy. Mr. Cunningham stated they have not but there is a meeting next week about possibly storing energy in a bank of batteries.</p> <p>Mrs. Faulenbach asked about the overall budget increase. Mr. Giovannone stated custodial is 1.5%, maintenance is 2.82% and there are no staffing changes. It is a \$136,000 increase. \$60,000 is tied to utilities, which are fixed costs, and \$9,000 is for solar.</p> <p><u>Human Resources:</u></p>	
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	<p>Mr. Giovannone stated the Superintendent’s proposed budget for this area represents an increase of 17.35% and includes 1.0 FTE Human Resources Director, 1.0 FTE Admin Secretary for Human Resources, 0.5 FTE Admin Secretary for Human Resources and 0.5 FTE Human Resources Benefits Specialist.</p> <p>The line for substitutes requires a 5.2% increase and is the main driver for the increase. The salary line increase reflects the change in projected salary for the current vacant Human Resources Director position. This increase is aligned to the administrator bargaining unit schedule. Professional Services increases are for ongoing Frontline and AESOP programs.</p> <p>Mr. McCauley asked if the teachers are offered incentives to take less days. Dr. Parlato stated there are no incentives in the contract.</p> <p>Mrs. Herring asked, on an average day, how many positions are not filled with a substitute, where other staff have to cover. Dr. Parlato stated she would get that number for Mrs. Herring.</p> <p>Mrs. McInerney noted, many of the instances where a substitute is needed is because of meetings. Dr. Parlato added that with the paid sick leave, people can take time in 1 hour increments in the first 40 hours. Mrs. McInerney asked if the district raised the sub rate last year. Dr. Parlato stated yes. Mr. Giovannone stated the bill rate for the full day is \$184. The pay rate is \$141. ESS is the processor. Mrs. McInerney asked how it works out if you call for a ½ day sub, and you only need them for an hour. Dr. Parlato stated they still utilize the sub for the full time.</p>	
<p><b>4.</b></p>	<p><b>Opportunity for the Public to be heard</b>          There was none.</p>	<p><b>Opportunity for the Public to be heard</b></p>
<p><b>5.</b></p>	<p><b>Recessed to Wednesday January 21, 2026</b>          The budget hearing meeting of the New Milford Board of Education was called to recess at 7:40p.m. by Mrs. Leslie Sarich, Chairperson.</p>	<p><b>Recessed to Wednesday January 21, 2026</b>  <b>The meeting recessed at 7:40pm.</b></p>

**New Milford Board of Education  
 Budget Hearings & Adoption of Motions and Minutes  
 January 13, 14, 20 & 21 2026  
 Sarah Noble Intermediate School Library Media Center**

<b>Present:</b>	Mrs. Sarich, Chairperson Mr. Eric Hansell Mrs. Sarah Herring Mrs. Tammy McInerney Mr. Brian McCauley Mrs. Wendy Faulenbach Mr. Tom O'Brien Mr. Dean Barile Mr. Joseph Failla
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<b>Also Present:</b>	Dr. Janet Parlato, Superintendent of Schools Ms. Holly Hollander, Assistant Superintendent of Schools Mr. Anthony Giovannone, Director of Fiscal Services and Operations Dr. Kimberly Culkin, Director of Pupil Personnel and Special Services Mr. Matthew Cunningham, Facilities Director Mr. Jeffrey Turner, Technology Director
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<b>1.</b>	<b>Call to Order          Pledge of Allegiance</b> The budget hearing meeting of the New Milford Board of Education was called to order at 6:30 p.m. by Mrs. Leslie Sarich, Chairperson. The Pledge of Allegiance immediately followed the call to order to resume the meeting.	<b>Call to Order          Pledge of Allegiance</b>
<b>2.</b>	<b>Public Comment</b>	<b>Public Comment</b>
<b>3.</b>	<b>Discussion of the Superintendent's Proposed 2026-2027 Budget including, but not limited to, wrap-up issues and questions</b>	<b>Discussion of the Superintendent's Proposed 2026-2027 Budget including, but not limited to, wrap-up issues and questions</b>
<b>4.</b>	<b>Vote on Adoption of the 2026-2027 Board of Education Budget</b>  Mr. McCauley stated this is a very reasonable budget put forward and will support it. Mrs. Sarich agreed.  Mrs. Faulenbach stated she anticipated a higher increase. Everything has been well done. It is also the largest insurance increase since being on the board. With salary fluctuations and looking at current positions, there are two factors: rising costs and enrollment. The reduction of 6.5 positions will have a reduction amount of \$480,000 and \$130,000 for benefits. All of this thought was done prior to sending	<b>Vote on Adoption of the 2026-2027 Board of Education Budget</b>

	<p>it to the BOE. Mrs. Faulenbach stated she will support the budget.</p> <p>Mrs. McInerney stated she will support the budget but is concerned with the cut of a 1.0 special education teacher and not hiring 6.0 paraprofessionals in the kindergarten classes. Mrs. McInerney stated she hopes the Superintendent will monitor it and if something creatively can be done to support the teachers, Mrs. McInerney stated she is confident the Superintendent will do it.</p> <p>Mr. Barile thanked Dr. Parlato for all the time and effort put into the budget. He will support the budget and believes Dr. Parlato is capable of turning this ship around. Mr. Barile stated he did want to dive deeper, but trusts Dr. Parlato that they are moving in the right direction.</p> <p>Mr. Failla stated he is supporting the budget, but does not believe students should pay the parking fees. That can be addressed later in the year.</p> <p>Mrs. Herring stated she will support the budget. She does not like to see teachers cut but the numbers are reasonable. Hopefully with staff that are retiring, it will make it possible that no one loses their job. Mrs. Herring stated she trusts Dr. Parlato to keep an eye on things.</p> <p><i>Mrs. Sarich moved for the Board of Education to adopt the 2026-2027 budget in the amount of \$78,773,658, reflecting a 3.20% increase. Seconded by Mr. McCauley. Motion passed unanimously.</i></p>	<p>Motion made and passed unanimously for the Board of Education to adopt the 2026-2027 budget in the amount of \$78,773,658, reflecting a 3.20% increase.</p>
<p><b>5.</b></p>	<p><b>Discussion and Possible Action:</b></p> <p><b>A. Monthly Reports</b></p> <p><i>Mrs. McInerney moved to approve the monthly reports: Budget Position, Budget Transfer Request and Purchase Resolution D-802, seconded by Mr. Barile. Motion passed unanimously.</i></p> <p><b>B. Bid Award for Central Office A&amp;E</b></p>	<p><b>Discussion and possible action</b></p> <p><b>A. Monthly Reports</b></p> <p>Motion made and passed unanimously to approve the monthly reports: Budget Position, Budget Transfer Request and Purchase Resolution D-802.</p> <p><b>B. Bid Award for Central Office A&amp;E</b></p>

	<p><i>Mr. Hansell moved to approve the Bid Award for Central Office A&amp;E, seconded by Mrs. Sarich. Motion passed unanimously.</i></p> <p><b>C. Approval of Educational Specifications for the Northville Roof Project</b></p> <p>Mr. Failla asked who would oversee the project. Mr. Cunningham stated it is MBC’s project. When they go to bid on A&amp;E, they decide the direction. Mr. Failla stated, prior projects that had a Clerk of the Works ran more smoothly. Mr. Failla stated he would recommend MBC hiring a Clerk of the Works.</p> <p>Dr. Parlato stated the administration stated they believe a Clerk of the Works is the way to go.</p> <p>Mr. O’Brien stated he has attended every MBC meeting and wanted to express his appreciation to Mr. Cunningham for drafting 3 different options for the project. He provided plenty of information on how to supervise the project.</p> <p>Dr. Parlato provided details for how the specifications need to be documented, approved by the BOE and uploaded to the grant portal.</p> <p><i>Mr. Hansell moved to approve the Educational Specifications for the Northville Roof Project, seconded by Mr. O’Brien. Motion passed unanimously.</i></p>	<p>Motion made and passed unanimously to approve the Bid Award for Central Office A&amp;E.</p> <p><b>C. Approval of Educational Specifications for the Northville Roof Project</b></p> <p>Motion made and passed unanimously to approve the Educational Specifications for the Northville Roof Project.</p>
<p><b>6.</b></p>	<p><b>Adjourn</b></p> <p><i>Mr. O’Brien moved to adjourn the meeting at 6:42 pm, seconded by Mr. McCauley and passed unanimously.</i></p>	<p><b>6. Adjourn</b></p> <p>Motion made and passed unanimously to adjourn the meeting at 6:42 p.m.</p>

Respectfully submitted:



Mrs. Sarah Herring  
 Secretary  
 New Milford Board of Education



RANGE	MAJOR OBJECT CODE DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
100'S	SALARIES - CERTIFIED	33,811,945	0	33,811,945	15,590,608	17,445,638	775,699	97.71%
100'S	SALARIES - NON CERTIFIED	11,041,245	-479,359	10,561,886	6,093,628	3,700,153	768,106	92.73%
200'S	BENEFITS	13,426,487	0	13,426,487	9,280,985	3,521,698	623,804	95.35%
300'S	PROFESSIONAL SERVICES	4,447,179	509,359	4,956,538	1,867,709	1,468,870	1,619,959	67.32%
400'S	PROPERTY SERVICES	1,003,348	0	1,003,348	492,911	190,815	319,621	68.14%
500'S	OTHER SERVICES	12,302,511	-30,000	12,272,511	5,233,857	6,294,051	744,604	93.93%
600'S	SUPPLIES	2,956,759	0	2,956,759	1,300,639	1,075,964	580,156	80.38%
700'S	CAPITAL	97,216	0	97,216	67,792	1,804	27,620	71.59%
800'S	DUES AND FEES	98,510	0	98,510	58,011	6,939	33,560	65.93%
900'S	REVENUE	-2,852,613	0	-2,852,613	-146,688	0	-2,705,925	5.14%
<b>GRAND TOTAL</b>		<b>76,332,587</b>	<b>0</b>	<b>76,332,587</b>	<b>39,839,452</b>	<b>33,705,931</b>	<b>2,787,204</b>	<b>96.35%</b>

SALARIES - NON CERTIFIED BREAKOUT

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
51180	SALARIES - NON CERT - STIPENDS	577,620	0	577,620	219,398	0	358,222	37.98%
51201	SALARIES - NON CERT - PARA EDUCATORS	2,325,860	-402,197	1,923,663	1,140,385	783,278	0	100.00%
51202	SALARIES - NON CERT - SUBSTITUTES	1,056,108	0	1,056,108	1,045,568	0	10,540	99.00%
51210	SALARIES - NON CERT - SECRETARY	2,557,666	0	2,557,666	1,330,176	1,023,279	204,211	92.02%
51225	SALARIES - NON CERT - TUTORS	154,755	0	154,755	48,900	0	105,855	31.60%
51240	SALARIES - NON CERT - CUSTODIAL	2,130,677	0	2,130,677	1,202,545	928,132	0	100.00%
51250	SALARIES - NON CERT - MAINTENANCE	1,063,194	0	1,063,194	573,038	490,156	0	100.00%
51285	SALARIES - NON CERT - TECHNOLOGY	566,189	0	566,189	273,145	242,741	50,303	91.12%
51336	SALARIES - NON CERT - NURSES	609,176	-77,162	532,014	260,473	232,566	38,974	92.67%
<b>TOTAL</b>		<b>11,041,245</b>	<b>-479,359</b>	<b>10,561,886</b>	<b>6,093,628</b>	<b>3,700,153</b>	<b>768,106</b>	<b>92.73%</b>

BENEFIT BREAKOUT

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
52200	BENEFITS - FICA	641,382	0	641,382	354,482	0	286,900	55.27%
52201	BENEFITS - MEDICARE	608,966	0	608,966	294,899	0	314,067	48.43%
52300	BENEFITS - PENSION	1,320,333	0	1,320,333	1,320,333	0	0	100.00%
52600	BENEFITS - UNEMPLOYMENT COMP	35,000	0	35,000	21,545	13,455	0	100.00%
52810	BENEFITS - HEALTH INSURANCE	10,147,190	0	10,147,190	6,826,042	3,321,148	0	100.00%
52820	BENEFITS - DISABILITY INSURANCE	105,000	0	105,000	76,487	23,526	4,987	95.25%
52830	BENEFITS - LIFE INSURANCE	144,000	0	144,000	80,852	61,472	1,676	98.84%
52900	BENEFITS - OTHER EMPLOYEE BENEFITS	424,616	0	424,616	306,345	102,097	16,174	96.19%
<b>TOTAL</b>		<b>13,426,487</b>	<b>0</b>	<b>13,426,487</b>	<b>9,280,985</b>	<b>3,521,698</b>	<b>623,804</b>	<b>95.35%</b>



EXPENDITURES

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
51110	CERTIFIED SALARIES	33,811,945	0	33,811,945	15,590,608	17,445,638	775,699	97.71%
51200	NON-CERTIFIED SALARIES	11,041,245	-479,359	10,561,886	6,093,628	3,700,153	768,106	92.73%
52000	BENEFITS	13,426,487	0	13,426,487	9,280,985	3,521,698	623,804	95.35%
53010	LEGAL SERVICES	285,478	0	285,478	11,060	6,108	268,310	6.01%
53050	CURRICULUM DEVELOPMENT	80,000	0	80,000	29,074	0	50,926	36.34%
53200	PROFESSIONAL SERVICES	2,291,248	0	2,291,248	980,281	587,085	723,882	68.41%
53201	MEDICAL SERVICES - SPORTS	2,700	0	2,700	2,141	0	559	79.28%
53210	TIME & ATTENDANCE SOFTWARE	7,500	0	7,500	1,453	3,547	2,500	66.67%
53220	IN SERVICE	149,150	0	149,150	4,772	180	144,198	3.32%
53230	PUPIL SERVICES	801,857	479,359	1,281,216	398,167	585,666	297,383	76.79%
53300	OTHER PROF/ TECH SERVICES	73,792	30,000	103,792	45,478	6,956	51,358	50.52%
53310	AUDIT/ACCOUNTING	48,000	0	48,000	48,000	0	0	100.00%
53500	TECHNICAL SERVICES	264,475	0	264,475	159,388	25,588	79,499	69.94%
53530	SECURITY SERVICES	321,993	0	321,993	99,331	221,319	1,343	99.58%
53540	SPORTS OFFICIALS SERVICES	120,986	0	120,986	88,564	32,422	0	100.00%
54101	CONTRACTUAL TRASH PICK UP	87,288	0	87,288	50,551	22,189	14,548	83.33%
54301	REPAIRS & MAINTENANCE	505,667	0	505,667	250,938	75,240	179,489	64.50%
54303	GROUNDS MAINTENANCE	12,200	0	12,200	4,299	2,230	5,671	53.52%
54310	GENERAL REPAIRS	44,970	0	44,970	37,408	3,273	4,289	90.46%
54320	TECHNOLOGY RELATED REPAIRS	66,021	0	66,021	16,693	48	49,280	25.36%
54411	WATER	66,830	0	66,830	25,729	38,268	2,833	95.76%
54412	SEWER	19,949	0	19,949	19,949	0	0	100.00%
54420	LEASE/RENTAL EQUIP/VEH	200,423	0	200,423	87,345	49,567	63,511	68.31%
55100	PUPIL TRANSPORTATION - OTHER	198,700	0	198,700	123,275	39,374	36,050	81.86%
55101	PUPIL TRANS - FIELD TRIP	53,500	0	53,500	16,930	0	36,570	31.64%
55110	STUDENT TRANSPORTATION	6,670,572	0	6,670,572	2,346,558	3,957,862	366,152	94.51%
55200	GENERAL INSURANCE	359,946	0	359,946	359,946	0	0	100.00%
55300	COMMUNICATIONS	41,396	0	41,396	15,784	8,355	17,257	58.31%
55301	POSTAGE	27,200	0	27,200	6,138	20,550	512	98.12%
55302	TELEPHONE	48,192	0	48,192	46,753	1,439	0	100.00%



EXPENDITURES

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
55400	ADVERTISING	11,450	0	11,450	2,737	0	8,713	23.91%
55505	PRINTING	24,785	0	24,785	3,072	5,532	16,181	34.72%
55600	TUITION - TRAINING	30,000	0	30,000	4,240	0	25,760	14.13%
55610	TUITION - PUBLIC PLACEMENTS	1,655,537	-30,000	1,625,537	782,433	841,220	1,885	99.88%
55630	TUITION - PRIVATE PLACEMENTS	3,141,768	0	3,141,768	1,517,544	1,418,672	205,552	93.46%
55800	TRAVEL	39,465	0	39,465	8,446	1,047	29,972	24.05%
56100	GENERAL INSTRUCTIONAL SUPPLIES	197,263	0	197,263	83,120	20,755	93,388	52.66%
56110	INSTRUCTIONAL SUPPLIES	489,145	0	489,145	210,027	35,569	243,550	50.21%
56120	ADMIN SUPPLIES	34,563	0	34,563	11,208	1,999	21,356	38.21%
56210	NATURAL GAS	221,263	0	221,263	98,329	122,934	0	100.00%
56220	ELECTRICITY	1,096,947	0	1,096,947	401,336	688,180	7,431	99.32%
56230	PROPANE	4,251	0	4,251	310	0	3,941	7.30%
56240	OIL	241,840	0	241,840	124,597	117,243	0	100.00%
56260	GASOLINE	38,405	0	38,405	13,370	16,400	8,635	77.52%
56290	FACILITIES SUPPLIES	328,874	0	328,874	188,268	51,138	89,468	72.80%
56291	MAINTENANCE COMPONENTS	16,475	0	16,475	4,172	2,720	9,583	41.83%
56292	UNIFORMS/ CONTRACTUAL	13,622	0	13,622	2,285	1,337	10,000	26.59%
56293	GROUNDKEEPING SUPPLIES	25,445	0	25,445	20,259	3,188	1,998	92.15%
56410	TEXTBOOKS	40,020	0	40,020	13,475	2,101	24,444	38.92%
56411	CONSUMABLE TEXTS	77,823	0	77,823	65,776	456	11,592	85.11%
56420	LIBRARY BOOKS	60,426	0	60,426	25,255	10,194	24,977	58.67%
56430	PERIODICALS	18,923	0	18,923	14,970	220	3,733	80.27%
56460	WORKBOOKS	1,000	0	1,000	0	0	1,000	0.00%
56500	SUPPLIES - TECH RELATED	50,474	0	50,474	23,883	1,529	25,062	50.35%
57340	COMPUTERS	50,000	0	50,000	41,731	4	8,265	83.47%
57345	INSTRUCTIONAL EQUIPMENT	32,200	0	32,200	18,990	1,800	11,410	64.57%
57400	GENERAL EQUIPMENT	10,516	0	10,516	2,571	0	7,945	24.45%
57500	FURNITURE & FIXTURES	4,500	0	4,500	4,500	0	0	100.00%
58100	DUES & FEES	98,510	0	98,510	58,011	6,939	33,560	65.93%
<b>EXPENDITURE TOTAL</b>		<b>79,185,200</b>	<b>0</b>	<b>79,185,200</b>	<b>39,986,140</b>	<b>33,705,931</b>	<b>5,493,129</b>	<b>93.06%</b>



REVENUES

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
43103	EXCESS COSTS	-2,473,363	0	-2,473,363	0	0	-2,473,363	0.00%
43105	MEDICAID REIMBURSEMENT	-88,017	0	-88,017	-27,755	0	-60,262	31.53%
44705	BUILDING USE FEES (BASE RENTAL)	-43,765	0	-43,765	-10,982	0	-32,783	25.09%
49102	BUILDING USE FEES (CUSTODIAL)	-36,758	0	-36,758	-12,068	0	-24,690	32.83%
44800	REGULAR ED TUITION	-136,800	0	-136,800	-64,883	0	-71,917	47.43%
44822	SPECIAL ED TUITION	-34,660	0	-34,660	0	0	-34,660	0.00%
44860	ADMISSIONS/ATHLETIC GATE RECEIPTS	-18,400	0	-18,400	-18,000	0	-400	97.83%
44861	PARKING PERMIT FEES	-20,850	0	-20,850	-13,000	0	-7,850	62.35%
<b>REVENUE TOTAL</b>		<b>-2,852,613</b>	<b>0</b>	<b>-2,852,613</b>	<b>-146,688</b>	<b>0</b>	<b>-2,705,925</b>	<b>5.14%</b>

<b>GRAND TOTAL</b>	<b>76,332,587</b>	<b>0</b>	<b>76,332,587</b>	<b>39,839,452</b>	<b>33,705,931</b>	<b>2,787,204</b>	<b>96.35%</b>
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<b>BOE Capital Reserve Acct #43020000-10101</b>	
MUNIS Balance as of 7/1/22	3,039,825
Contribution Towards NMHS Roof Replacement	-450,000
5 year Capital Withdraw 22/23	-980,030
Close and return of Security Grant Set-Asside	201,875
Wastewater Management Plan - SMS	-17,562
NMHS Woodshop	-233,980
Central Office to SNIS Move	-100,000
Fiscal Year End 21/22 Deposit	2,816,025
New Security Grant Set-Asside	-139,800
1/2 of NMHS Fire Insurance Claim Shortfall	-28,538
5 year Capital Withdraw 23/24	-984,078
Observatory Contribution	-12,500
Additional HVAC FUNDS	-150,000
Fiscal Year End 22/23 Deposit	1,568,696
Energy Systems Group 2023 & 2024 Payments	-895,443
5 year Capital Withdraw 24/25	-1,424,000
Fiscal Year End 23/24 Deposit	1,420,700
5 year Capital Withdraw 25/26	-2,586,000
<b>TOTAL AS OF 1/31/26</b>	<b>1,045,189</b>

<b>Turf Field Replacement Acct Contributions #43020000-10130</b>	
FROM BOE 17/18 FYE BALANCE	50,000
FROM BOE 18/19 FYE BALANCE	50,000
FROM BOE TEAM FEE'S & BANNER SALES - 16/17, 17/18, 18/19	10,225
FROM TOWN DATED 6/4/20	50,000
FROM TOWN DATED 6/16/21	50,000
FROM BOE TEAM FEE'S & BANNER SALES - 19/20	3,765
FROM BOE TEAM FEE'S & BANNER SALES - 20/21	1,890
FROM BOE 20/21 FYE BALANCE	100,000
FROM TOWN DATED 6/9/22	50,000
CONTRIBUTION - FROM BOE 21/22 FYE BALANCE	50,000
FROM BOE TEAM FEE'S & BANNER SALES - 21/22 & 22/23	12,960
CONTRIBUTION - FROM BOE 22/23 FYE BALANCE	100,000
CONTRIBUTION - FROM TOWN 22/23 FYE BALANCE	100,000
FROM TOWN DATED 4/18/24	50,000
CONTRIBUTION - FROM BOE 23/24 FYE BALANCE	100,000
CONTRIBUTION - FROM TOWN 23/24 FYE BALANCE	100,000
FROM TOWN DATED 6/9/25	50,000
<b>TOTAL AS OF 1/31/26</b>	<b>928,840</b>



WHEREAS, the equipment, supplies and/or services for which the following Purchase Orders have been issued and deemed necessary by the Superintendent of Schools, and the cost, thereof, are within the budget appropriations approved by the voters of the Town, NOW, BE IT RESOLVED, that the said purchase orders and all disbursements in connection, thereof, are hereby approved.

<b>Funding</b>	<b>Location</b>	<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>	<b>Object</b>
GENERAL	FACILITIES	ANTINOZZI ASSOCIATES	PHASE 1 OF A&E WORK FOR NMHS CULINARY	\$ 13,500.00	53200
GENERAL	NMHS	COLLEGE BOARD	NMHS FALL PSAT - 10 & 11 GRADES	\$ 6,542.86	53200
GENERAL	NMHS	ALL AMERICAN SPORTS-RIDDELL	FLEX HELMET AND SHOULDER PADS FOR FOOTBALL	\$ 6,364.00	53540

*ITEMS LISTED IN BOLD AND ITALIC FONT ABOVE WERE FUNDED VIA GRANT(S)*



#	DETAIL		FROM (-)			TO (+)		
	REASON	AMOUNT	LOCATION	ORG	OBJECT	LOCATION	ORG	OBJECT
	NONE AT THIS TIME		NONE	AT THIS TIME		NONE	AT THIS TIME	

#	DETAIL		FROM (-)			TO (+)		
	REASON	AMOUNT	LOCATION	ORG	OBJECT	LOCATION	ORG	OBJECT
DISTRICT -1	PORTION OF THE FUNDING THAT IS IN THE CURRENT BUDGET FOR THE CERTIFIED NURSING ASSISTANT (CNA) & EMERGENCY MEDICAL TECHNICIAN (EMT) PROGRAMS THAT ARE NOT BEING OFFERED, TO BE USED TOWARD PHASE 1 OF NMHS CULINARY A&E.	\$13,500.00	NMHS	BLE10022	53200 PROFESSIONAL SERVICES	DISTRICT	BFY26243	53300 PROFESSIONAL SERVICES

**Note: Passed during the 2024 legislative session, Section 40 of Public Act 24-41 authorizes a Board employee to conduct a preliminary inquiry to determine if reasonable cause exists to make a report of suspected child abuse or neglect. The Department of Children and Families (“DCF”) recently updated its mandated reporter training to include information on this preliminary inquiry. The policy has been revised to specify that any such preliminary inquiry must be conducted in accordance with the DCF training. The policy has also been updated to replace the term “Safe School Climate Coordinator” with the current statutory term, “School Climate Specialist.” Finally, the legal references have been revised, the cited statutory definitions have been updated, and there have been edits to the optional Appendices B and C to incorporate information provided by DCF.**

**Series 4000  
Personnel**

**4118.25  
4218.25**

## **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR REPORTS OF SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**

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

### **1. Scope of Policy**

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

### **2. Definitions**

For the purposes of this policy:

"Abused" means that a child (a) has had physical injury or injuries inflicted upon the child other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the

result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

"Neglected" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to the child's well-being, or (d) has been abused.

"School employee" means (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in a Board elementary, middle or high school; or (b) any other person who, in the performance of that person's duties, has regular contact with students and who provides services to or on behalf of students enrolled in the New Milford Public Schools ("District"), pursuant to a contract with the Board.

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

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

### 3. What Must Be Reported

- a) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any child under the age of eighteen years:
  - i) has been abused or neglected;
  - ii) has had nonaccidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon the child;
  - iii) is placed at imminent risk of serious harm; or
- b) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age,

who is being educated by the Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee:

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

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

- c) The suspicion or belief of a Board employee may be based on factors including, but not limited to, observations, allegations, facts or statements by a child or victim, as described above, or a third party. Such suspicion or belief does not require certainty or probable cause.
- d) A Board employee is not precluded from conducting a preliminary inquiry to determine if reasonable cause exists to make a report. Such preliminary inquiry shall not be considered an investigation conducted by the Board. Preliminary inquiries must be conducted in accordance with the training for school employees for the accurate and prompt identification and reporting of child abuse and neglect developed by the Department of Children and Families (“DCF”).

#### 4. Reporting Procedures for Statutorily Mandated Reporters

The following procedures apply only to statutorily mandated reporters, as defined above.

- a) When an employee of the Board of Education who is a statutorily mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.
  - (1) The employee shall make an oral or electronic report as soon as practicable, but not later than twelve (12) hours after having reasonable cause to suspect or believe that a child has been

abused or neglected or placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee.

- (a) An oral report shall be made by telephone or in person to the Commissioner of DCF or the local law enforcement agency. DCF has established a 24 hour Child Abuse and Neglect Careline at 1-800-842-2288 for the purpose of making such oral reports.
  - (b) An electronic report shall be made in the manner prescribed by the Commissioner of DCF. An employee making an electronic report shall respond to further inquiries from the Commissioner of DCF or Commissioner's designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or Superintendent's designee as soon as possible as to the nature of the further communication with the Commissioner or Commissioner's designee.
- (2) The employee shall also make an oral report as soon as practicable to the Building Principal or Building Principal's designee, and/or the Superintendent or Superintendent's designee. If the Building Principal is the alleged perpetrator of the abuse/neglect or sexual assault of a student, then the employee shall notify the Superintendent or Superintendent's designee directly.
- (3) In cases involving suspected or believed abuse, neglect, or sexual assault of a student by a school employee, the Superintendent or Superintendent's designee shall immediately notify the child's parent or guardian that such a report has been made.
- (4) Not later than forty-eight (48) hours after making an oral report, the employee shall submit a written or electronic report to the Commissioner of DCF or the Commissioner's designee containing all of the required information. The written or electronic report should be submitted in the manner prescribed by the Commissioner of DCF. When such report is submitted electronically, the employee shall respond to further inquiries from the Commissioner of DCF or Commissioner's designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or Superintendent's designee as soon as possible as to the nature of the further communication with the Commissioner or Commissioner's designee.
- (5) The employee shall immediately submit a copy of the written or electronic report to the Building Principal or Building Principal's designee and to the Superintendent or the Superintendent's designee.

- (6) If the report concerns suspected abuse, neglect, or sexual assault of a student by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Commissioner of DCF (or Commissioner of DCF's designee) shall submit a copy of the written or electronic report to the Commissioner of Education (or Commissioner of Education's designee).

5. Reporting Procedures for Employees Other Than Statutorily Mandated Reporters

The following procedures apply only to employees who are not statutorily mandated reporters, as defined above.

- a) When an employee who is not a statutorily mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.
  - (1) The employee shall make an oral report as soon as practicable, but not later than twelve (12) hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm or a student is a victim of sexual assault by a school employee. Such oral report shall be made by telephone or in person to the Superintendent of Schools or Superintendent's designee, to be followed by an immediate written report to the Superintendent or Superintendent's designee.
  - (2) If the Superintendent or Superintendent's designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm or a student is a victim of sexual assault by a school employee, the Superintendent or designee shall cause reports to be made in accordance with the procedures set forth for statutorily mandated reporters.
- b) Nothing in this policy shall be construed to preclude an employee reporting suspected child abuse, neglect or sexual assault by a school employee from reporting the same directly to the Commissioner of DCF.

6. Contents of Reports

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

- a) The names and addresses of the child\* and the child's parents or other person responsible for the child's care;
- b) the age of the child;
- c) the gender of the child;
- d) the nature and extent of the child's injury or injuries, maltreatment or neglect;
- e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;
- f) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or the child's siblings;
- g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
- i) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
- j) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
- k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

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

#### 7. Investigation of the Report

- a) The Superintendent or Superintendent's designee shall thoroughly investigate reports of suspected abuse, neglect or sexual assault if/when such report involves an employee of the Board of Education or other individual under the control of the Board, provided the procedures in subparagraph (b), below are followed. In all other cases, DCF shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.
- b) Recognizing that DCF is the lead agency for the investigation of child abuse and neglect reports and reports of a student's sexual assault by school employees, the Superintendent's investigation shall permit and give priority to any investigation conducted by the Commissioner of DCF or the appropriate local law enforcement agency. The

Superintendent shall conduct the District's investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of DCF or the appropriate local law enforcement agency that the District's investigation will not interfere with the investigation of the Commissioner of DCF or the local law enforcement agency.

- c) The Superintendent shall coordinate investigatory activities in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect or sexual assault, as appropriate.
- d) Any person reporting child abuse or neglect or the sexual assault of a student by a school employee, or having any information relevant to alleged abuse or neglect or of the sexual assault of a student by a school employee, shall provide the Superintendent with all information related to the investigation that is in the possession or control of such person, except as expressly prohibited by state or federal law.
- e) When the school district is conducting an investigation involving suspected abuse or neglect or sexual assault of a student by an employee of the Board or other individual under the control of the Board, the Superintendent's investigation shall include an opportunity for the individual suspected of abuse, neglect or sexual assault to be heard with respect to the allegations contained within the report. During the course of such investigation, the Superintendent may suspend a Board employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation. If the individual is one who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board of Education, the Superintendent may suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the District, pending the outcome of the investigation.

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

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

- b) Not later than seventy-two (72) hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or the Commissioner of Education's representative, of the reasons for and the conditions of the suspension. The Superintendent shall disclose such records to the Commissioner of Education and the Board of Education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization, if any.
  - c) The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the Superintendent and/or Board of Education acts pursuant to the provisions of Conn. Gen. Stat. §10—151. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
  - d) The suspension of a school employee employed in a position requiring an authorization or permit shall remain in effect until the Superintendent and/or Board of Education acts pursuant to any applicable termination provisions. If the contract of employment of a school employee holding an authorization or permit from the State Department of Education is terminated, or such school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
  - e) Regardless of the outcome of any investigation by the Commissioner of DCF and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected by a school employee or that a student has been a victim of sexual assault by a school employee.
  - f) The District shall not employ a person whose employment contract is terminated or who resigned from employment following a suspension pursuant to Paragraph 8(a) of this policy and Conn. Gen. Stat. § 17a-101i, if such person is convicted of a crime involving an act of child abuse or neglect or an act of sexual assault of a student, as described in Paragraph 2 of this policy.
9. Evidence of Abuse, Neglect or Sexual Assault by an Independent Contractor of the Board of Education

If the investigation by the Superintendent and/or the Commissioner of DCF produces evidence that a child has been abused or neglected, or a student has been sexually assaulted, by any individual who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board, the

Superintendent shall permanently suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the District.

10. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

11. Confidential Rapid Response Team

The Superintendent shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected abuse or neglect or sexual assault of a student by a school employee, as described in Paragraph 2, above, and (2) provide immediate access to information and individuals relevant

to the department's investigation. The confidential rapid response team shall consist of a teacher and the Superintendent, a local police officer and any other person the Board of Education, acting through its Superintendent, deems appropriate.

12. Disciplinary Action for Failure to Follow Policy

Except as provided in Section 14 below, any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

13. Prohibition on Hiring Following Conviction Related to Mandatory Reporting

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

14. Non-Discrimination Policy/Prohibition Against Retaliation

The Board of Education expressly prohibits retaliation against individuals reporting child abuse or neglect or the sexual assault of a student by a school employee and shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith, makes a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect or

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

15. Distribution of Policy, Guidelines and Posting of Careline Information

This policy shall annually be distributed electronically to all school employees employed by the Board. The Board shall document that all such school employees have received this written policy and completed the training and refresher training programs required by in Section 16, below. Guidelines regarding identifying and reporting child sexual abuse developed by the Governor's task force on justice for abused children shall annually be distributed electronically to all school employees, Board members, and the parents or guardians of students enrolled in the schools under the jurisdiction of the Board. The Board shall post the Internet web site address and telephone number for the DCF Child Abuse and Neglect Careline in a conspicuous location frequented by students in each school under the jurisdiction of the Board.

16. Training

- a) All new school employees, as defined above, shall be required to complete an educational training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program shall be developed and approved by the Commissioner of DCF.
- b) All school employees, as defined above, shall take a refresher training course developed and approved by the Commissioner of DCF at least once every three years.
- c) The principal for each school shall annually certify to the Superintendent that each school employee, as defined above, working at such school, is in compliance with the training provisions in this policy and as required by state law. The Superintendent shall certify such compliance to the State Board of Education.
- d) All school employees, as defined above, shall complete the (1) training regarding the prevention and identification of, and response to, child sexual abuse and assault; (2) bystander training program; and (3) appropriate interaction with children training program. Each employee must repeat these trainings at least once every three years. Such trainings shall be identified or developed by DCF.

17. Records

- a) The Board shall maintain in a central location all records of allegations, investigations, and reports that a child has been abused or neglected by a school employee employed by the Board or that a student has been a victim of sexual assault by a school employee employed by the Board, as defined above, and conducted in accordance with this policy. Such records shall include any reports made to DCF. The State Department of Education shall have access to such records upon request.
- b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the Commissioner of DCF, upon request and for the purposes of an investigation by the Commissioner of DCF of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept on file by the Board. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of the Board, and records of the personal misconduct of such teacher. For purposes of this section, "teacher" includes each certified professional employee below the rank of superintendent employed by the Board in a position requiring a certificate issued by the State Board of Education.

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

The Board has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of the sexual assault and abuse prevention and awareness program identified or developed by DCF, as outlined in Board Policy 5146, **Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure**. Upon receipt of any report of child sexual abuse and/or sexual assault from any source, a school employee shall report such suspicion to the School Climate Specialist in addition to complying with the school employee's obligations under this Policy and the law regarding mandatory reporting of abuse, neglect and sexual assault.

Information regarding the sexual abuse and assault awareness and prevention program identified or developed by DCF shall be distributed electronically to all school employees, Board members, and the parents or guardians of enrolled students on an annual basis.

Legal References:

Connecticut General Statutes:

Section 10-151	Employment of teachers. Definitions. Tenure. Notice and hearing on failure to renew or termination of contract. Appeal.
Section 10-221s	Posting of Careline telephone number in schools. Investigations of child abuse and neglect. Disciplinary action.
Section 17a-101 <u>et seq.</u>	Protection of children from abuse. Mandated reporters. Educational and training programs. Model mandated reporting policy.
Section 17a-101q	Statewide Sexual Abuse and Assault Awareness and Prevention Program.
Section 17a-103	Reports by others. False reports. Notifications to law enforcement agency.
Section 46b-120	Definitions.
Section 53a-65	Definitions.

Approved: November 21, 2023  
Revised:

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

## Appendix A

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

An employee of the Board of Education must make a report in accordance with this policy when the employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee. The following are relevant excerpts of the sexual assault laws and related terms covered by mandatory reporting laws and this policy.

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

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

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

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

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

"Sexual contact" means (A) any contact with the intimate parts of a person for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person or any contact of the intimate parts of the actor with a person for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person, or (B) for the purposes of subdivision (4) of subsection (a) of section 53a-73a, any contact with the intimate parts of a dead human body, or any contact of the intimate parts of the actor with a dead human body, for the purpose of sexual gratification of the actor.

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

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

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

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

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

#### **Aggravated Sexual Assault of a Minor (Conn. Gen. Stat. § 53a-70c)**

A person is guilty of aggravated sexual assault of a minor when such person commits a violation of subdivision (2) of subsection (a) of section 53-21 or section 53a-70, 53a-70a, 53a-71, 53a-86, 53a-87 or 53a-196a and the victim of such offense is under thirteen years of age, and (1) such person kidnapped or illegally restrained the victim, (2) such person stalked the victim, (3) such person used violence to commit such offense against the victim, (4) such person caused serious physical injury to or disfigurement of the victim, (5) there was more than one victim of such offense under thirteen years of age, (6) such person was not known to the victim, or (7) such person has previously been convicted of a violent sexual assault.

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

A person is guilty of sexual assault in the second degree when such person engages in sexual intercourse with another person and: (1) Such other person is thirteen years of age or older but under sixteen years of age and the actor is more than three years older than such other person; or (2) such other person is impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual intercourse; or (3) such other person is physically helpless; or (4) such other person is less than eighteen years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; or (5) such other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (6) the actor is a psychotherapist and such other person is (A) a patient of the actor and the sexual intercourse occurs during the psychotherapy session, (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or

(C) a patient or former patient of the actor and the sexual intercourse occurs by means of therapeutic deception; or (7) the actor accomplishes the sexual intercourse by means of false representation that the sexual intercourse is for a bona fide medical purpose by a health care professional; or (8) the actor is a school employee and such other person is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (9) the actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and such other person is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (10) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and such other person is under eighteen years of age; or (11) such other person is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

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

A person is guilty of sexual assault in the third degree when such person (1) compels another person to submit to sexual contact (A) by the use of force against such other person or a third person, or (B) by the threat of use of force against such other person or against a third person, which reasonably causes such other person to fear physical injury to himself or herself or a third person, or (2) subjects another person to sexual contact and such other person is mentally incapacitated or impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual contact, or (3) engages in sexual intercourse with another person whom the actor knows to be related to him or her within any of the degrees of kindred specified in section 46b-21.

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

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

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

A person is guilty of sexual assault in the fourth degree when: (1) Such person subjects another person to sexual contact who is (A) under thirteen years of age and the actor is more than two years older than such other person, or (B) thirteen years of age or older but under fifteen years of age and the actor is more than three years older than such other person, or (C) physically helpless, or (D) less than eighteen years old and the actor is such other person's guardian or otherwise responsible for the general

supervision of such other person's welfare, or (E) in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (2) such person subjects another person to sexual contact without such other person's consent; or (3) such person engages in sexual contact with a dead human body; or (4) such person is a psychotherapist and subjects another person to sexual contact who is (A) a patient of the actor and the sexual contact occurs during the psychotherapy session, or (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual contact occurs by means of therapeutic deception; or (5) such person subjects another person to sexual contact and accomplishes the sexual contact by means of false representation that the sexual contact is for a bona fide medical purpose by a health care professional; or (6) such person is a school employee and subjects another person to sexual contact who is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (7) such person is a coach in an athletic activity or a person who provides intensive, ongoing instruction and subjects another person to sexual contact who is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (8) such person subjects another person to sexual contact and (A) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and (B) such other person is under eighteen years of age; or (9) such person subjects another person to sexual contact who is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

## APPENDIX B

### Operational Definitions of Child Abuse and Neglect

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

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

For the purposes of these operational definitions,

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

### Physical Abuse

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

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

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

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

- excessive physical punishment;
- bruises, scratches, lacerations;
- burns, and/or scalds;
- reddening or blistering of the tissue through application of heat by fire, chemical substances, cigarettes, matches, electricity, scalding water, friction, etc.;
- injuries to bone, muscle, cartilage, ligaments: fractures, dislocations, sprains, strains, displacements, hematomas, etc.;
- head injuries;
- internal injuries;
- death;
- misuse of medical treatments or therapies;
- malnutrition related to acts of commission or omission by an established caregiver resulting in a child's malnourished state that can be supported by professional medical opinion;
- deprivation of necessities acts of commission or omission by an established caregiver resulting in physical harm to child; and/or
- cruel punishment.

**Sexual Abuse/Exploitation Sexual Abuse/Exploitation**

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

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

- rape;
- penetration: digital, penile, or foreign objects;
- oral / genital contact;
- indecent exposure for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim;
- incest;
- fondling, including kissing, for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim;
- sexual exploitation, including: possession, manufacture, or distribution of child pornography, online enticement of a child for sexual acts, child prostitution, child-sex tourism, unsolicited obscene material sent to a child,

- or misleading domain name likely to attract a child to an inappropriate website;
- coercing or forcing a child to participate in, or be negligently exposed to, pornography and/or sexual behavior;
- disease or condition that arises from sexual transmission; and/or
- other verbal, written or physical behavior not overtly sexual but likely designed to “groom” a child for future sexual abuse.

Legal References: Federal Law 18 U.S.C. 2251 Sexual Exploitation of Children.

## **Human Trafficking**

### **Human Trafficking includes, but is not limited to:**

sex trafficking: the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; and

labor trafficking: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

## **Emotional Maltreatment-Abuse**

### **Emotional Maltreatment-Abuse is an:**

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

- has had, or is likely to have an adverse impact on the child; and/or
- interferes with a child’s positive emotional development.

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

- rejecting;
- degrading;
- isolating and/or victimizing a child by means of cruel, unusual, or excessive methods of discipline; and/or
- exposing the child to brutal or intimidating acts or statements.

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

- depression;
- withdrawal;
- low self-esteem;

- anxiety;
- fear;
- aggression/ passivity;
- emotional instability;
- sleep disturbances;
- somatic complaints with no medical basis;
- inappropriate behavior for age or development;
- suicidal ideations or attempts;
- extreme dependence;
- academic regression; and/or
- trust issues.

### **Physical Neglect**

#### **A child may be found neglected who:**

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

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

- inadequate food;
- malnutrition;
- inadequate clothing;
- inadequate housing or shelter;
- erratic, deviant, or impaired behavior by the person responsible for the child's health, welfare or care; by a person given access to the child; or by a person entrusted with the child's care which adversely impacts the child;
- permitting the child to live under conditions, circumstances or associations injurious to the child's well-being including, but not limited to, the following:
  - substance abuse by caregiver, which adversely impacts the child physically;
  - psychiatric problem of the caregiver which adversely impacts the child physically;
  - exposure to family violence which adversely impacts the child physically;
  - exposure to violent events, situations, or persons that would be reasonably judged to compromise a child's physical safety;
  - non-accidental, negligent exposure to drug trafficking and/or individuals engaged in the active abuse of illegal substances;
  - voluntarily and knowingly entrusting the care of a child to individuals who may be disqualified to provide safe care, *e.g.*, persons who are

- o subject to active protective or restraining orders; persons with past history of violent/drug/sex crimes; persons appearing on the Central Registry;
- o non-accidental or negligent exposure to pornography or sexual acts;
- o inability to consistently provide the minimum of child-caring tasks;
- o inability to provide or maintain a safe living environment;
- action/inaction resulting in death;
- abandonment;
- action/inaction resulting in the child's failure to thrive;
- transience;
- inadequate supervision: creating or allowing a circumstance in which a child is alone for an excessive period of time given the child's age and cognitive abilities;
- holding the child responsible for the care of siblings or others beyond the child's ability; and/or
- failure to provide reasonable and proper supervision of a child given the child's age and cognitive abilities.

**Note:**

- Inadequate food, clothing, or shelter or transience finding must be related to caregiver acts of omission or commission and not simply a function of poverty alone.
- Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level.
- The presence of legal or illegal substances in the bodily fluids of (1) a parent or legal guardian or (2) a pregnant person shall not form the sole or primary basis for any action or proceeding by the Department. Any action or proceeding by the Department must be based on harm or risk of harm to a child and the parent or guardian's ability to provide appropriate care for the child.
- Adverse impact may not be required if the action/inaction is a single incident that demonstrates a serious disregard for the child's welfare.

### **Medical Neglect**

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

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

- frequently missed appointments, therapies or other necessary medical and/or mental health treatments;
- withholding or failing to obtain or maintain medically necessary treatment from a child with life-threatening, acute or chronic medical or mental health conditions; and/or

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

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

### **Educational Neglect**

Except as noted below, **Educational Neglect** occurs when a school-aged child has excessive absences from school through the intent or neglect of the parent or caregiver.

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

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

**Criteria:**

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

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

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

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

- Rationale provided for the absences;
- Efforts to communicate and engage with the educational provider;
- and

- Failure to enroll a school-aged child in appropriate educational programming (including homeschooling)

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

1. A parent or person having control of a child may exercise the option of not sending the child to school at age five (5) or age six (6) years by personally appearing at the school district office and signing an option form. In these cases, educational neglect occurs if the parent or person having control of the child has registered the child at age five (5) or age (6) years and then does not allow the child to attend school or receive home instruction.
2. A parent or person having control of a child seventeen (17) years of age may consent to such child's withdrawal from school and enroll such child in an adult education program. Such parent or person shall personally appear at the school district office and sign an adult education withdrawal and enrollment form.

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

**Emotional Neglect**

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

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

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

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

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

- o exposure to family violence which adversely impacts the child emotionally.

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

- depression;
- withdrawal;
- low self-esteem;
- anxiety;
- fear;
- aggression/ passivity;
- emotional instability;
- sleep disturbances;
- somatic complaints with no medical basis;
- inappropriate behavior for age or development;
- suicidal ideations or attempts;
- extreme dependence;
- academic regression; and/or
- trust issues.

**Moral Neglect**

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

**Evidence of Moral Neglect includes but is not limited to:**

- stealing;
- using drugs and/or alcohol; and/or
- involving a child in the commission of a crime, directly or by caregiver indifference.

## **Appendix C**

### **INDICATORS OF CHILD ABUSE AND NEGLECT**

#### **Indicators of Physical Abuse**

##### **HISTORICAL**

- Delay in seeking appropriate care after injury
- No witnesses
- Inconsistent or changing descriptions of accident by child and/or parent
- Child's developmental level inconsistent with history
- History of prior "accidents"
- Absence of parental concern
- Child is handicapped (physically, mentally, developmentally) or otherwise perceived as "different" by parent
- Unexplained school absenteeism
- History of precipitating crisis

##### **PHYSICAL**

- Soft tissue injuries on face, lips, mouth, back, buttocks, thighs or large areas of the torso
- Clusters of skin lesions; regular patterns consistent with an implement
- Shape of lesions inconsistent with accidental bruise
- Bruises/welts in various stages of healing
- Burn pattern consistent with an implement on soles, palms, back, buttocks and genitalia; symmetrical and/or sharply demarcated edges
- Fractures/dislocations inconsistent with history
- Laceration of mouth, lips, gums or eyes
- Bald patches on scalp
- Abdominal swelling or vomiting
- Adult-size human bite mark(s)
- Fading cutaneous lesions noted after weekends or absences
- Rope marks

##### **BEHAVIORAL**

- Wary of physical contact with adults
- Affection inappropriate for age
- Expresses fear of parents
- Reports injury by parent
- Reluctance to go home
- Feels responsible (punishment "deserved")
- Poor self-esteem
- Clothing covers arms and legs even in hot weather

#### **Indicators of Sexual Abuse**

## **HISTORICAL**

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

## **PHYSICAL**

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

## **BEHAVIORAL**

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

### **Indicators of Emotional Abuse**

## **HISTORICAL**

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

## **PHYSICAL**

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

## **BEHAVIORAL**

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

### **Indicators of Physical Neglect**

## **HISTORICAL**

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

## **PHYSICAL**

- Hunger, dehydration
- Poor personal hygiene, unkempt, dirty
- Dental cavities/poor oral hygiene
- Inappropriate clothing for weather/size of child, clothing dirty; wears same clothes day after day
- Constant fatigue or listlessness
- Unattended physical or health care needs
- Infestations
- Multiple skin lesions/sores from infection

## **BEHAVIORAL**

- Comes to school early, leaves late
- Frequent sleeping in class
- Begging for/stealing food
- Adult behavior/maturity (parenting siblings)
- Delinquent behaviors

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Series 4000

4131

Personnel

4231

## POLICY AND ADMINISTRATIVE REGULATIONS REGARDING SOCIAL MEDIA

The New Milford Board of Education (the “Board”) recognizes the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in this policy, its implementing regulations or its enforcement is intended to limit an employee’s right to use social media or personal online accounts under applicable law, as it may evolve. The Board acknowledges, for example, that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Board will resolve any conflict between this policy and applicable law in favor of the law.

Ordinarily, the use of social media by employees, including employees’ use of personal online accounts, will not be a legal or policy issue. ~~While a policy cannot address every instance of inappropriate social media use, employees must refrain from personal social media use that:~~ However, the Board will regulate disruptive communications and/or actions by members of the school community when school officials determine that such communications or actions:

- 1) cause legally sufficient interference with, disruption to, or undermining of the effective operation of the New Milford Schools (the “District”) or a school or program operated by the District such that regulation of such communications comports with the First Amendment and other applicable laws;
- 2) ~~1) interferes, disrupts or undermines the effective operation of the school district~~ or isare used to engage in harassing, defamatory, obscene, abusive, discriminatory ~~or,~~ threatening, or similarly inappropriate communications (e.g., when such speech relates to a matter of public concern and its disruptive impact outweighs the importance of the speech);
- 3) ~~2) creates~~ create a hostile work environment;
- 4) ~~3) breaches~~ breach confidentiality obligations of ~~school district~~ Board employees; and/or
- 5) ~~4) violates~~ violate the law, Board policies, and/or other school rules ~~and/or~~ and/or regulations.

Employees’ ~~official~~ use of social media ~~use on behalf of the District~~ will be addressed as speech pursuant to duty under applicable First Amendment principles.

The Board, through its Superintendent, will adopt and maintain administrative regulations to implement this policy.

Legal References:

U.S. Constitution, Amend. I  
Pickering v. Board of Education, 391 U.S. 563 (1968)  
Connick v. Myers, 461 U.S. 138 (1983)  
Garcetti v. Ceballos, 547 U.S. 410 (2006)  
Lindke v. Freed, 601 U.S. 187 (2024)

Electronic Communication Privacy Act, 18 U.S.C. §§ 2510 through 2520

Conn. Constitution, Article I, Sections 3, ~~45~~, ~~146~~  
Conn. Gen. Stat. § 31-40x  
Conn. Gen. Stat. § 31-48d  
Conn. Gen. Stat. § 31-51q  
Conn. Gen. Stat. §§ 53a-182; 53a-183; ~~53a-250~~

Approved: August 15, 2023  
Revised: March 18, 2025

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

## ADMINISTRATIVE REGULATIONS REGARDING USE OF SOCIAL MEDIA

The New Milford Board of Education (the “Board”) recognizes the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in the Board’s policy ~~or~~, these administrative regulations or the enforcement thereof is intended to limit an employee’s right to use social media or personal online accounts under applicable law, as it may evolve. The Board acknowledges, for example, that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Board will resolve any conflict between the Board’s policy or these regulations and applicable law in favor of the law.

Ordinarily, the use of social media by employees, including employees’ use of personal online accounts, will not be a legal or policy issue. ~~While a policy or regulation cannot address every instance of inappropriate social media use, employees must refrain from personal social media use that:~~ However, the Board will regulate disruptive communications and/or actions by members of the school community when school officials determine that such communications or actions:

- 1) cause legally sufficient interference with, disruption to, or undermining of the effective operation of the Board or the New Milford Public Schools (the “District”) or a school or program operated by the District such that regulation of such communications comports with the First Amendment and other applicable laws;
- 2) ~~1) interferes, disrupts or undermines the effective operation of the school district or is~~ are used to engage in harassing, defamatory, obscene, abusive, discriminatory ~~or~~, threatening, or similarly inappropriate communications (e.g., when such speech relates to a matter of public concern and its disruptive impact outweighs the importance of the speech);
- 3) ~~2) creates~~ create a hostile work environment;
- 4) ~~3) breaches~~ breach confidentiality obligations of ~~school district~~ Board employees; and/or
- 5) ~~4) violates~~ violate the law, Board policies, and/or other school rules ~~and/or~~ and/or regulations.

Employees’ ~~official~~ use of social media ~~use on behalf of the District~~ will be addressed as speech pursuant to duty under applicable First Amendment principles.

### Definitions:

~~The rapid speed at which technology continuously evolves makes it difficult, if not impossible, to identify all types of social media.~~

~~Thus, the term “social”~~ “Social media” includes a variety of online tools and services that allow users to publish content and interact with their audiences. By way of example, social media includes, but is not limited to, the following websites or applications, including an employee’s personal online account using such social media:

- (1) social-networking (*e.g.*, Facebook, LinkedIn, ~~Google+~~ BlueSky);
- (2) blogs and micro-blogs (*e.g.*, X, Tumblr, Medium);
- (3) content-sharing (*e.g.*, Scribd, SlideShare, DropBox, Box, iCloud);
- (4) ~~imagesharing, videosharing~~ image sharing, video sharing or livestreaming (*e.g.*, TikTok, Snapchat, YouTube, Instagram, Pinterest, Twitch, Discord);
- (5) other sharing sites or apps such as by sound, location, news, or messaging, etc. (*e.g.*, Reddit, Kik, SoundCloud, WhatsApp). The rapid speed at which technology continuously evolves makes it difficult, if not impossible, to identify all types of social media.

“*Board of Education*” or “*Board*” includes all names, logos, buildings, images, and entities under the authority of the Board and/or the District.

“*Electronic communications device*” includes any electronic device that is capable of transmitting, accepting or processing data, including, but not limited to, a computer, computer network and computer system, and a cellular or wireless device.

“*Personal online account*” includes any online account that is used by an employee exclusively for personal purposes and unrelated to any business purpose of the Board, including, but not limited to electronic mail, social media, and retail-based Internet websites. Personal online account does not include any account created, maintained, used or accessed by an employee for a business, educational, or instructional purpose of the Board.

### **Rules Concerning District-Sponsored Social Media Activity**

1. In order for an employee to use social media sites as an educational tool or in relation to extracurricular activities or programs of the ~~school-district~~ District, the employee must seek and obtain the prior permission of the employee’s supervisor.
2. Employees may not use personal online accounts to access social media for classroom activities without express permission of the employee’s supervisor. Where appropriate and with permission, ~~district-sponsored~~ District-sponsored social media accounts should be used for such purposes.
3. If an employee wishes to use social media sites to communicate meetings, activities, games, responsibilities, announcements, etc., for a school-based club, school-based activity, official school-based organization, or official school-based sports team (collectively, a “school-based group”), the employee must also comply with the following rules:

- o The employee must receive the permission of the employee’s immediate supervisor.
  - o The employee must not use the employee’s personal online account for such purpose but shall use a Board-issued account.
  - o The employee must ensure that such social media use is compliant with all Board policies, regulations, and applicable state and federal law, including the provision of required legal notices and permission slips to parents.
  - o The employee must set up the school-based group as a group list which will be "closed" (*e.g.*, membership in the group is limited to students, parents/guardians, and appropriate school personnel), and “monitored” (*e.g.*, the employee has the ability to access and supervise communications on the social media site).
  - o Parents/guardians shall be permitted to access any page that their child has been invited to join.
  - o Access to the page may only be permitted for educational purposes related to the school-based group.
  - o The employee responsible for the page will monitor it regularly. If members of the group are permitted to contribute or comment on the site, the employee will monitor the communications and address any inappropriate communications in a manner designed to be consistent with Board policies, [administrative regulations](#), and applicable law.
  - o The employee’s supervisor shall be permitted access to any page established by the employee for a school-based group or school-related purpose.
  - o Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such ~~district-sponsored~~[District-sponsored](#) social media activity.
4. Employees are prohibited from making harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate statements in their social media communications using ~~district-sponsored~~[District-sponsored](#) sites or accounts or through Board-issued electronic accounts.
  5. Employees are required to comply with all Board policies and procedures and all applicable laws with respect to the use of electronic communications devices, networks, Board-issued accounts, or when accessing ~~district-sponsored~~[District-sponsored](#) social media sites or while using personal devices on the ~~district’s~~[District’s](#) wireless network or while accessing ~~district~~[District](#) servers.
  6. The Board reserves the right to monitor all employee use of ~~district~~[District](#) computers and other electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any communication made through social media, including personal online accounts, while using ~~district~~[District](#) electronic communications devices or while accessing ~~district~~[District](#) networks from a privately owned device.

7. All communications through ~~district-sponsored~~District-sponsored social media or Board-issued electronic accounts must comply with the Board's policies concerning confidentiality, including the confidentiality of student information. If an employee is considering sharing information and is unsure about the confidential nature of the information, the employee shall consult with the employee's supervisor prior to communicating such information.
8. An employee may not link a ~~district-sponsored~~District-sponsored social media page to any personal online account or sites not sponsored by the ~~school-district~~District.
9. An employee may not use ~~district-sponsored~~District-sponsored social media or Board-issued electronic accounts for communications for private financial gain, political, commercial, advertisement, proselytizing or solicitation purposes.
10. An employee may not use ~~district-sponsored~~District-sponsored social media or Board-issued electronic accounts in a manner that misrepresents ~~personal~~the views ~~as those~~ of the Board ~~of Education~~, individual school, or ~~school-district~~District, or in a manner that could reasonably be construed as such.

### **Rules Concerning Personal Online Accounts**

1. The Board understands that employees ~~utilize~~access social media and the web for personal matters ~~in the workplace~~. The Board reserves the right to monitor all employee use of ~~district~~District electronic communications devices, including a review of online and personal social media activities using such devices. An employee should have no expectation of personal privacy in any personal communication made through social media while using ~~district~~District computers, ~~district-issued~~District-issued cellular telephones, other electronic communications devices or when accessing ~~district~~District networks. While the Board reserves the right to monitor use of its electronic communications devices, employees may engage in incidental personal use of social media in the workplace so long as such use is not during times the employee is responsible for supervising or instructing students or otherwise engaged in their job duties, does not interfere with operations and productivity, and does not violate other Board policies and/or procedures.
2. An employee may not mention, discuss, reference, or link to the Board of Education, the ~~school-district~~District or its individual schools, programs or school-based groups, including sports teams, using personal online accounts or other sites or applications in a manner that could reasonably be construed as an official ~~school-district~~Board or District communication, unless the employee also states within the communication that such communication is the personal view of the employee of the ~~school-district~~District and that the views expressed are the employee's alone and do not represent the views of the ~~school-district~~District or the Board. An example of such a disclaimer is: "~~the~~The opinions and views expressed are those of the author and do not necessarily represent the position or opinion of

the school district or Board of Education.” For example, except as may be permitted by Board policy, employees may not provide job references for other individuals on social media that indicate that such references are made in an official capacity on behalf of the Board or District.

3. Employees should be aware that, in certain circumstances, their posts on personal social media pages could be considered “mixed use” for both personal and government (e.g., school district) action. To avoid a finding of state action on their personal pages, employees should take ~~care not to post~~ reasonable steps to refrain from posting anything that could be interpreted as an official action attributable to the Board or ~~school district~~ the District. Employees who fail to make clear that they are speaking in their personal, not official, capacity may expose themselves to liability in certain circumstances, including ~~those~~ the liability associated with deleting comments from and/or blocking an individual from their social media pages.
4. Employees should not use the buildings, grounds or equipment of the District to which they have access as an employee to record any audio or video file intended to be posted to personal social media. This provision shall not prevent employees from creating personal social media posts in appropriate circumstances when in the buildings or on the grounds of the District as a community member, for example, when attending a school event as a parent.
45. Employees are required to maintain appropriate professional boundaries with students, parents and guardians, and colleagues. For example, absent an unrelated online relationship (e.g., relative, family friend, other affiliation (such as scout troop, religious affiliation, or community organization) or pre-existing personal friendship unrelated to school), it is not appropriate for a teacher or administrator to “friend,” ~~a student, parent, or guardian~~ “follow,” or otherwise establish special relationships with selected students, parents, or guardians through personal online accounts, and it is not appropriate for an employee to give students or parents access to personal postings unrelated to school.
56. ~~In accordance with the public trust doctrine, employees~~ Employees are advised to refrain from engaging in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications through personal online accounts. Such communications reflect poorly on the ~~school district’s~~ District’s reputation, can affect the educational process and may substantially and materially interfere with an employee’s ability to fulfill the employee’s professional responsibilities.
67. Employees are individually responsible for their personal communications through social media and personal online accounts. Employees may be sued by other employees, parents, guardians, or others, and any individual that views an employee’s communication through social media and personal online accounts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile

work or educational environment. In addition, employees should consider refraining from posting anything that belongs to another person or entity, such as copyrighted publications or trademarked images. As all of these activities are outside the scope of employment, employees may be personally liable for such claims.

- 78. Employees are required to comply with all Board policies and procedures with respect to the use of electronic communications devices when accessing personal online accounts and/or social media through ~~district~~District computer systems. Any access to personal online accounts and/or personal social media activities while on school property or using ~~school-district~~District equipment must comply with those policies and may not interfere with an employee's duties at work.
- 89. All communications through personal online accounts and/or social media must comply with the Board's policies concerning confidentiality, including the confidentiality of student information. If an employee is considering sharing information and is unsure about the confidential nature of the information, the employee shall consult with the employee's supervisor prior to communicating such information.
- 910. An employee may not post official Board or District material using a personal online account without written permission of the employee's supervisor.
- ~~10~~11. All of the Board's policies and administrative regulations apply to employee use of personal online accounts in the same way that they apply to conduct that occurs in the workplace and off duty conduct.

### **Access to Personal Online Accounts**

- 1. An employee may not be required by the employee's supervisor to provide the employee's username, password, or other means of authentication of a personal online account.
- 2. An employee may not be required to authenticate or access a personal online account in the presence of the employee's supervisor.
- 3. An employee may not be required to invite or accept an invitation from the employee's supervisor or required to join a group with the employee's personal online account.

~~Use of Crowdfunding Activities~~  
OR  
~~Prohibition on Crowdfunding Activities:~~

### **Use of Crowdfunding Activities**

Prior to engaging in any crowdfunding activities (*e.g.*, DonorsChoose, Kickstarter, GoFundMe, etc.) for the Board, its schools, classes, or extracurricular teams or clubs, an employee must first apply in writing to the building principal and receive approval for the crowdfunding activity. Such written application must include the name of the website or application to be utilized, a full description of the reason for the crowdfunding activity, a copy of the proposed personal profile to be listed on the site/application, and the proposed content to be uploaded to the crowdfunding website or application, including images. Any money received from crowdfunding activities must be deposited directly into a school activity fund and may not first be received by the employee. Crowdfunding activities must comply with all Board policies, regulations and procedures, and shall not include photos of students or the sharing of any confidential student information.

### **Disciplinary Consequences**

Violation of the Board's policy concerning the use of social media or these administrative regulations may lead to discipline up to and including the termination of employment consistent with state and federal law. An employee may face disciplinary action up to and including termination of employment if an employee transmits, without the Board's permission, confidential information to or from the employee's personal online account.

An employee may not be disciplined for failing to provide the employee's username, password, or other authentication means for accessing a personal online account, failing to authenticate or access a personal online account in the presence of the employee's supervisor, or failing to invite the employee's supervisor or refusing to accept an invitation sent by the employee's supervisor to join a group affiliated with a personal online account, except as provided herein.

Notwithstanding, the Board may require that an employee provide the employee's username, password, or other means of accessing or authenticating a personal online account for purposes of accessing any account or service provided by the Board for business purposes or any electronic communications device supplied by or paid for, in whole or in part, by the Board.

Nothing in this policy or regulations shall prevent the ~~district~~District from conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements, or prohibitions against work-related employee misconduct based on the receipt of specific information about an activity on an employee's personal online account or based on specific information about the transfer of confidential information to or from an employee's personal online account. During the course of such investigation, the ~~district~~District may require an employee to allow the ~~district~~District to access the employee's personal online account for the purpose of conducting such investigation. However, the employee will not be required to provide the employee's username and/or password or other authentication means in order for the ~~district~~District to access the personal online account.

Legal References:

U.S. Constitution, Amend. I

Pickering v. Board of Education, 391 U.S. 563 (1968)

Connick v. Myers, 461 U.S. 138 (1983)

Garcetti v. Ceballos, 547 U.S. 410 (2006)

Lindke v. Freed, 601 U.S. 187 (2024)

Electronic Communication Privacy Act, 18 U.S.C. §§ 2510 through 2520

Conn. Constitution, Article I, Sections 3, ~~45~~, ~~146~~

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-48d

Conn. Gen. Stat. § 31-51q

Conn. Gen. Stat. §§ 53a-182; 53a-183; ~~53a-250~~

Regulation Approved: March 18, 2025

Regulation Revised:

Blue Text is new language

~~Red text with strikethrough is deleted language.~~

Series 4000

4152.6

Personnel

4252.6

## FAMILY AND MEDICAL LEAVE

### *PURPOSE*

The purpose of this policy is to apprise employees of their rights and establish guidelines for leaves taken by employees of the New Milford Board of Education (the “Board”), under the federal Family and Medical Leave Act of 1993 (“[Federal FMLA](#)”) [and/or the Connecticut Family and Medical Leave Act \(“CT FMLA”\)](#) and applicable Connecticut state law. This policy is not intended to, and does not, recite every provision of applicable law and regulations.

### *ELIGIBILITY*

An employee who ~~holds a certification under Chapter 166 of the Connecticut General Statutes (i.e. a certified employee) who~~ has been employed by the Board for at least twelve (12) months, and who has worked at least 1,250 actual work hours during the twelve (12) months immediately preceding the start of a leave, is eligible for unpaid leave under the [Federal FMLA](#). A full-time instructional employee meets the 1,250 hours of service requirement unless the Board can demonstrate that such employee did not meet the 1,250 hours of service requirement in the 12-month period prior to the start of leave.

An employee ~~who~~ [working for the Board in a position that](#) does not ~~hold~~ [require a professional certification under Chapter 166 of the Connecticut General Statutes \(i.e., a “noncertified employee”\)](#) is eligible for ~~the unpaid leave described in this policy under the CT FMLA~~ if such employee has [worked for been employed by](#) the Board for at least ~~twelve~~ [three \(123\)](#) months, ~~and has worked at least 950 service hours during~~ [in](#) the twelve (12) months immediately preceding the start of such leave.

### *DEFINITIONS*

**Genetic information:** For purposes of this policy, “genetic information” includes an individual’s family medical history, ~~the results of~~ an individual’s or family member’s genetic tests, [and/or](#) the fact that an individual or an individual’s family member sought or received genetic services, ~~and~~ [or participated in clinical research which includes genetic services.](#) “Genetic information” includes 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~~utilizing assistive reproductive ~~services~~technology.

**Instructional employee:** For purposes of this policy, an “instructional employee” is defined as a teacher or other employee of the Board who is employed principally in an instructional capacity and whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

**Noncertified employee:** For purposes of this policy, “noncertified employee” means an employee employed by the Board in a position that does not require a professional certification under Chapter 166 of the Connecticut General Statutes.

## *REASONS FOR LEAVE*

### (a) Federal FMLA

Leaves under the Federal FMLA ~~and applicable state law~~ may be taken for the following reasons:

- incapacity due to pregnancy, prenatal medical care, or child birth; ~~or~~
- to care for the employee’s newborn child; ~~or~~
- the placement of a child with the employee by adoption or for foster care; ~~or~~
- to care for the employee’s spouse, child, or parent who has a serious health condition; ~~or~~
- to care for the employee's own serious health condition that renders the employee unable to perform the functions of the employee’s position; ~~or~~
- ~~to serve as an organ or bone marrow donor; or~~
- to care for ana covered injured or ill servicemember (see below – Length of Leave – for further information); or
- to address a qualifying exigency arising out of ~~a family member’s~~an employee’s spouse, child, or parent’s military service, including one or more of the following reasons (note – more detailed information on the following categories is available from the Department of Human Resources:
  - short-notice deployment;
  - military events and related activities;
  - childcare and school activities;
  - financial and legal arrangements;
  - counseling;
  - rest and recuperation;

- post-deployment activities;
- parental care leave for military member's parent who is incapable of self-care and care is necessitated by the military member's covered active duty; and/or
- additional activities that arise out of the active duty or call to active duty status of a covered military member, provided that the Board and the employee agree that such leave qualifies as an exigency, and agree to both the timing and the duration of such leave.

(b) CT FMLA

Leaves under the CT FMLA may be taken for the following reasons:

- upon the birth of the employee's newborn child, and to care for the newborn child;
- upon the placement of a child with the employee for adoption or foster care, and to care for the newly placed child;
- to care for the employee's family member, if such family member has a serious health condition;
- because of the employee's own serious health condition, including any period of incapacity due to pregnancy or for prenatal care, that renders the employee unable to perform the functions of the employee's position;
- in order to serve as an organ or bone marrow donor;
- to care for an injured or ill servicemember who is the employee's spouse, parent, child or next of kin (see below – Length of Leave – for further information); or
- to address a qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on active duty, or has been notified of an impending call or order to active duty, in the armed forces.

For purposes of determining whether an employee has a qualifying reason for leave under the CT FMLA, "family member" is defined as a spouse, sibling, child, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.

***LENGTH OF LEAVE***

(a) Basic FMLA Leave Entitlement

(1) Leaves under the Federal FMLA: If a leave is requested for ~~one of the above-listed reasons, each eligible~~ a Federal FMLA-qualifying reason, an employee may take up to a total of twelve (12) weeks unpaid family or medical leave in the 12-month entitlement period.

(2) Leaves under CT FMLA: If a leave is requested for a CT FMLA-qualifying reason, an eligible employee may take up to a total of twelve (12) weeks unpaid family or medical leave in the 12-month entitlement period, except that the employee may take up to two (2) additional workweeks of leave during such twelve (12)-month period for a serious health condition resulting in incapacitation that occurs during pregnancy. These additional two (2) weeks are only available during pregnancy.

The 12-month entitlement period for family or medical leave is measured on the basis of a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave.

An employee may be entitled to leave under the Federal FMLA and/or CT FMLA. To the extent an employee is eligible for and qualifies for leave under both laws, the employee's Federal FMLA and CT FMLA leave will run concurrently.

(b) Leave to Care for an Injured or Ill Servicemember

In addition to the reasons for leave listed above, an eligible employee may take up to twenty-six (26) workweeks of Federal FMLA and/or CT FMLA leave during a 12-month period to care for ~~(i) a covered servicemember and/or covered veteran~~ (i) a covered servicemember and/or covered veteran who is the employee's spouse, parent, child or next of kin, and who incurred a serious injury or illness in the line of duty and while on active duty in the Armed Forces or had a preexisting injury or illness prior to beginning active duty that was aggravated by service in the line of duty ~~on active duty~~ in the Armed Forces; ~~or (ii) a covered veteran with a serious injury or illness who is the employee's spouse, parent, child or next of kin.~~

~~For servicemembers, the injury or illness must render the servicemember medically unable to perform the duties of office, grade, rank or rating. This provision applies to servicemembers who are undergoing medical treatment, recuperation, or therapy, are in outpatient status, or who are on the temporary disability retired list, for a serious injury or illness.~~

~~For covered veterans, the veteran must be undergoing medical treatment, recuperation or therapy for a serious injury or illness and must have been (1) a member of the Armed Forces (including the National Guard or Reserves); (2) discharged or released under conditions that were other than dishonorable; and (3) discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran.<sup>++</sup>~~

~~For covered veterans, serious injury or illness means any of the following:~~

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~~<sup>++</sup>The employee's first date of leave must be within the five-year period. However, the employee may continue to take leave throughout the single 12-month period even if the leave extends past the five-year period. Note - special rules may apply to calculating the five-year period for veterans discharged between October 28, 2009 and March 8, 2013. This period will effectively be excluded from the five-year calculation.~~

- ~~(i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or~~
- ~~(ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or~~
- ~~(iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or~~
- ~~(iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.~~

When combined with any other type of [Federal FMLA or CT FMLA](#)-qualifying leave, total leave time may not exceed twenty-six (26) weeks in a single twelve (12) month period. Standard ~~FMLA~~ leave procedures described below apply to all requests for and designation of leave for this purpose. *However*, in the case of leave to care for a servicemember with a serious injury or illness, the 12-month period begins on the day such leave actually commences.

### ***TYPES OF LEAVE AND CONDITIONS***

#### (a) Full-Time, Intermittent and Reduced Schedule Leave

Full-time leave excuses the employee from work for a continuous period of time. Full-time unpaid leave may be taken for any of the reasons permitted by the [Federal FMLA and/or CT FMLA](#).

Intermittent leave means leave taken due to a single qualifying reason in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave taken one day per week over a period of a few months or leave taken on an occasional/as-needed basis for medical appointments.

Reduced schedule leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.

Intermittent or reduced schedule [Federal FMLA and/or CT FMLA](#) leave may be taken (a) when medically necessary for an employee's or covered family member's serious health condition, or for a covered servicemember's serious illness or injury, and (b) the need for leave can be best accommodated through an intermittent or reduced

schedule leave. In addition, [Federal FMLA and/or CT FMLA](#) leave may be taken intermittently or on a reduced schedule basis (1) due to a qualifying exigency, or (2) to effectuate the placement of a child for adoption or foster care before the placement of the child in the home.

If foreseeable intermittent or reduced schedule leave is medically required based upon planned medical treatment of the employee or a [covered](#) family member or a covered servicemember, including during a period of recovery from an employee's or [covered](#) family member's serious health condition or a serious injury or illness of a covered servicemember, the Board may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested. ~~Also~~

[Under the Federal FMLA](#), special arrangements may be required of an instructional employee who needs to take intermittent or reduced-schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five days over a five-week period), if the leave is to care for a [covered](#) family member with a serious health condition, to care for a covered servicemember with a serious injury or illness, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment. In such situations, the Board may require the instructional employee to transfer temporarily to another job or take leave for a particular duration, not to exceed the duration of the planned medical treatment.

(b) Both Spouses Working for the Same Employer

If both spouses are eligible employees of the Board and request [Federal FMLA and/or CT FMLA](#) leave for the birth, placement of a child by adoption or for foster care, or to care for a parent ([or family member, for purposes of CT FMLA leave](#)) with a serious health condition, they only will be entitled to a maximum combined total leave equal to twelve (12) weeks in the 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount the employee has taken individually and the 12 weeks for [Federal and/or CT FMLA](#) leave for ~~their own or their spouse's serious health condition~~ [other qualifying reasons](#) in the 12-month entitlement ~~periods~~ [period](#).

(c) Leave Taken by Instructional Employees Near the End of an Academic Term

If ~~a~~ [Federal FMLA](#) leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, the Board may require that instructional employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the instructional employee would return to work during the three-week period before the end of the term.

If the instructional employee begins a [Federal FMLA](#) leave during the five-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the instructional employee would return to work during the two-week period before the end of the term.

If the instructional employee begins a [Federal FMLA](#) leave during the three-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

### ***REQUESTS FOR LEAVE***

#### **(a) Foreseeable Leave**

An employee must notify the Department of Human Resources of the need for a family or medical leave at least thirty (30) days before the leave is to begin if the need for the leave is foreseeable based on the expected birth of the employee's child, placement of a child with the employee for adoption or foster care, planned medical treatment for the employee's or a [covered](#) family member's serious health condition, or the planned medical treatment for a serious injury or illness of a covered servicemember. If 30 days-notice is not practicable, then the employee must provide notice as soon as practicable under the circumstances, usually the same day or the next business day after the employee becomes aware of the need for [Federal FMLA and/or CT FMLA](#) leave.

#### ~~**(b) Qualifying Exigency:**~~

~~An employee must provide notice as soon as practicable if the foreseeable leave is for a qualifying exigency, regardless of how far in advance such leave is foreseeable.~~

#### ~~**(c) Unforeseeable Leave:**~~

When the employee's need for leave is not foreseeable, an employee must provide notice as practicable under the circumstances.

### ***SCHEDULING PLANNED MEDICAL TREATMENT***

When planning medical treatment for foreseeable [Federal FMLA and/or CT FMLA](#) leave, an employee must consult with the Department of Human Resources and make a reasonable effort to schedule the treatment so as not to disrupt unduly the Board's operations, subject to the approval of the health care provider. Similarly, if an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as

not to disrupt unduly the Board's operations. Ordinarily, the employee should consult with the Department of Human Resources prior to scheduling the treatment in order to work out a treatment schedule that best suits the needs of the Board and the employee. The Board and the employee shall attempt to work out a schedule for leave that meets the employee's needs without unduly disrupting the Board's operations, subject to the approval of the health care provider as to any modification of the treatment schedule.

### ***REQUIRED CERTIFICATIONS/DOCUMENTATION***

For leaves taken for any [Federal FMLA or CT FMLA](#)-qualifying reason, an employee must submit a completed certification form(s) supporting the need for leave. The appropriate form(s) will be provided to the employee. The employee must submit a complete and sufficient certification form(s) as required within fifteen (15) calendar days of receiving the request for the completed certification. If it is not practicable for the employee to provide the completed form by the due date despite the employee's diligent, good faith efforts, the employee must inform the Department of Human Resources of the reason(s) for delay and what efforts the employee undertook to obtain the required certification. [Federal FMLA- and/or CT FMLA](#)-protected leave may be delayed or denied, [in accordance with applicable law](#), if the employee does not provide a complete and sufficient certification as required. Depending on the reason for leave, an employee may be required to submit medical certification from the employee's health care provider, medical certification the employee's family member's health care provider, and/or other documentation (e.g., to establish a family relationship, military active duty orders, etc.). In certain circumstances and under certain conditions, employees may also be required to obtain second or third medical opinions and/or recertifications, in accordance with applicable law.

If an employee takes leave for the employee's own serious health condition (except on an intermittent or reduced-schedule basis), prior to returning to work the employee must provide a medical fitness-for-duty certification that the employee is able to resume work and the health condition that created the need for the leave no longer renders the employee unable to perform the essential functions of the job. This certification must be submitted to the Department of Human Resources. If the employee is unable to perform one or more of the essential functions of the employee's position, the Board will determine whether the employee is eligible for additional [Federal FMLA and/or CT FMLA](#) leave (if [the eligible for such leave and](#) such leave has not been exhausted) or whether an accommodation is appropriate, in accordance with the Americans with Disabilities Act.

In connection with the Board's request for medical information, employees must be aware that the Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by Title II of GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the Board requests that employees not provide any genetic information when responding to a request for medical information.

NOTE: The medical certification form should include the above language related to GINA.

### ***USE OF PAID LEAVE***

Paid leave, which has been accrued in accordance with applicable law, the relevant collective bargaining agreement (if any), and/or Board policy (“PTO”) will be substituted for any unpaid portions of family or medical leave taken for any reason that is also a qualifying reason for using such accrued paid leave. In such instance, the employee’s accrued paid leave and [Federal FMLA and/or CT FMLA](#)-qualifying leave will run concurrently. The employee must satisfy any procedural requirements applicable to the use of paid leave, but only in connection with the receipt of such payment. [An employee who is approved for CT FMLA leave may retain up to two weeks of their accrued paid time off that would otherwise be required to run concurrently with CT FMLA leave.](#)

[Where a noncertified employee's accrued paid leave is not substituted for the entire period of unpaid leave for a qualifying reason under the CT FMLA and/or Connecticut law regarding leave for victims of family violence and sexual assault, the employee may apply for and be provided with compensation through the Paid Family and Medical Leave Insurance Program \(“CT Paid Leave”\) for all or part of any unpaid leave, provided the employee qualifies for payments under the program. Noncertified employees may apply to the Connecticut Paid Medical and Family Leave Insurance Authority \(“Authority”\) for partial income replacement benefits when they need leave for \(1\) any of the reasons that qualify for CT FMLA; and/or \(2\) if an employee is a victim of family violence or sexual assault, to seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim; to obtain services from a victim services organization on behalf of the victim; to relocate due to such family violence or sexual assault; or to participate in any civil or criminal proceeding related to or resulting from such family violence or sexual assault. Eligible employees shall apply directly to the Authority, which is responsible for determining an employee’s eligibility for CT Paid Leave benefits and the amount of such benefit. The Board will provide the Authority with all requested information regarding an employee’s application for CT Paid Leave, in accordance with applicable law.](#)

[\[OPTIONAL: The Board shall require employees to use applicable PTO concurrently with their CT FMLA leave, subject to their right to retain up to two weeks of accrued PTO. If, after exhausting other applicable PTO, an employee does not wish to retain two weeks of accrued PTO while on approved CT FMLA leave, the Board shall permit the employee to receive these accrued PTO benefits concurrently with their CT Paid Leave benefits, if any, provided the total compensation of such covered employee during such period of leave shall not exceed such covered employee's regular rate of compensation.\]](#)

In addition, in cases involving absences due to a Workers' Compensation injury that also qualifies as an FMLA serious health condition, and if the employee (and the employee's collective bargaining agent, if applicable) and the Board agree to do so, the Board will apply the employee's available accrued paid leave in increments as a supplement to the Workers' Compensation weekly benefit in an appropriate amount so that the employee can maintain the employee's regular weekly income level.

### ***MEDICAL INSURANCE AND OTHER BENEFITS***

During family or medical leaves ~~of absence~~ approved ~~pursuant to this policy~~ in accordance with the Federal FMLA, the Board will continue to pay its portion of medical insurance premiums for the period of unpaid ~~family or medical leave~~ Federal FMLA. The employee must continue to pay the employee's share of the premium, and failure to do so may result in loss of coverage. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse the Board for payment of medical insurance premiums during the family or medical leave, unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

During ~~ana~~ Federal FMLA and/or CT FMLA leave, an employee shall not accrue benefits, such as seniority, pension benefits, or sick or vacation leave, unless otherwise required by any applicable collective bargaining agreement or Board policy. However, unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under the Board's attendance policy, if any.

### ***REINSTATEMENT***

Except for circumstances unrelated to the taking of a family or medical leave pursuant to this policy, and unless an exception applies, an employee who returns to work following the expiration of a family or medical leave is entitled to return to the job such employee held prior to the leave or to an equivalent position with equivalent pay and benefits.

## **COMPLAINTS**

The Federal FMLA and CT FMLA prohibit employers from interfering with, restraining, or denying any rights provided by the respective laws. The Federal FMLA and CT FMLA also prohibit employers from terminating or discriminating against any individual for opposing any unlawful practice or being involved in any proceeding related to the Federal FMLA or CT FMLA, respectively. The CT FMLA also prohibits employers from interfering with, restraining, or denying any rights provided by CT Paid Leave and/or terminating or discriminating against an employee for applying for CT Paid Leave benefits.

An employee alleging a violation of the Federal FMLA may file a complaint with the U.S. Department of Labor, Wage and Hour Division. Such complaint should be filed within a reasonable time of when the employee discovers that the employee's Federal FMLA rights have been violated. In no event may a complaint be filed more than two (2) years after the action which is alleged to be a violation of the Federal FMLA occurred, or three years in the case of a willful violation. An employee may also be able to bring a private civil action for violations.

An employee alleging a violation of the CT FMLA may file a complaint with the Connecticut Department of Labor within one hundred eighty (180) calendar days of the employer action that prompted the complaint, unless good cause exists for the late filing. Upon receipt of any such complaint, the Connecticut Department of Labor Commissioner, or the Commissioner's designee, shall conduct an investigation and make a finding regarding jurisdiction and whether a violation of the CT FMLA has occurred. An employee alleging a violation of the CT FMLA may also bring a civil action in a court of competent jurisdiction against the employer within one hundred eighty (180) calendar days of the employer action alleged to be in violation of the CT FMLA. Such action may be brought by an employee without first filing an administrative complaint.

## **ADDITIONAL INFORMATION**

Questions regarding family or medical leave may be directed to the Superintendent or designee. ~~An employee may file a complaint with the U.S. or Department of Human Resources t of Labor or may bring a private lawsuit against an employer. FMLA does].~~ Federal FMLA and CT FMLA do not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Legal References:

Connecticut ~~General Statutes~~:

Conn. Gen. Stat. § ~~31-51rr~~ ~~Family and medical leave benefits for employees of political subdivisions~~31-51kk et seq.

Conn. Gen. Stat. § 31-49e et seq.

Regs. Conn. State Agencies ~~31-51rr-1~~31-51qq, et seq.

Public Act ~~24-4125-174~~, “An Act ~~Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements~~”Authorizing and Adjusting Bonds of the State and Concerning Grant Programs, State Grant Commitments for School Building Projects, Revisions to the School Building Projects Statutes and Various Provisions Revising and Implementing the Budget for the Biennium Ending June 30, 2027”

~~United States Code~~Federal:

Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended

29 CFR Part 825.100 et seq.

Title II of the Genetic Information Nondiscrimination Act of 2008, 42 USC 2000ff et seq.

29 CFR 1635.1 et seq.

Approved: August 15, 2023  
Revised:

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

Blue Text is new language

~~Red text with strikethrough is deleted language.~~

Series 5000  
Students

5131

## POLICY AND ADMINISTRATIVE REGULATIONS REGARDING STUDENT DISCIPLINE

It is the policy of the New Milford Board of Education (the “Board”) to create a school environment that promotes respect of self, others, and property within the New Milford Public Schools (the “District”). Compliance with this policy will enhance the Board and the District’s ability to maintain discipline and reduce interference with the educational process that can result from student misconduct. Pursuant to this policy, the District shall promote the utilization of consistent discipline practices, both within and across schools in the District, while also promoting the consideration of individual circumstances arising in each student disciplinary matter.

Where appropriate, the District utilizes strategies that teach, encourage, and reinforce positive student behavior ~~that do not require engagement with the discipline system.~~ Such strategies include, but are not limited to, using evidence and research-based interventions, including restorative practices, and may be implemented with or without imposing discipline, as appropriate. In addition to implementing this Student Discipline policy, the District shall address student behavior in accordance with the Board’s School Climate Policy, Restorative Practices Response Policy, and any school rules, student handbook, and/or code of conduct provisions regarding the same.

### I. Definitions

- A. Bullying means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.
- B. ~~A.~~ Cannabis means marijuana, as defined by Conn. Gen. Stat. § 21a-240.
- C. Challenging Behavior means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.
- D. ~~B.~~ Dangerous Instrument means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.

- E. ~~C.~~ **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. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g., hunting); type of projectile; force and velocity of discharge; method of discharge (e.g., spring v. CO2 cartridge) and potential for serious bodily harm or death.
- F. ~~D.~~ **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- G. ~~E.~~ **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- H. ~~F.~~ **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- I. ~~G.~~ **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.
- J. ~~H.~~ **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. A "destructive device" does not include: an antique

firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

K. ~~I.~~ **Generative Artificial Intelligence** (“AI”) refers to a technology system, including but not limited to ChatGPT, *[NOTE TO CLIENT: add other AI systems the District wishes to include as examples]* capable of learning patterns and relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.

L. ~~J.~~ **Protected Class Harassment** is a form of discrimination on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, *status as a victim of sexual assault or status as a victim of trafficking in persons.* or any other basis prohibited by state or federal law (“Protected Class”). Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment against any individual on the basis of that individual’s association with someone in a Protected Class may be a form of Protected Class harassment.

M. ~~K.~~ **In-School Suspension** means an exclusion from regular classroom activity for no more than five (5) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.

N. ~~L.~~ **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.

O. ~~M.~~ **Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.

P. ~~N.~~ **School Days** shall mean days when school is in session for students.

Q. ~~Q.~~ **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

R. ~~P.~~ **Seriously Disruptive of the Educational Process**, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

S. ~~Q.~~ **Suspension** means the exclusion of a student from school and/or transportation services only, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

T. **Synthetically created image** means any photograph, film, videotape or other image of a person that (A) is (i) not wholly recorded by a camera, or (ii) either partially or wholly generated by a computer system, and (B) depicts, and is virtually indistinguishable from what a reasonable person would believe is the actual depiction of, an identifiable person.

U. ~~R.~~ **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.

V. ~~S.~~ Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the District to another regular education classroom program in the District shall not constitute a suspension or expulsion.

W. ~~F.~~ For purposes of this policy, references to “school”, “school grounds” and “classroom” shall include physical educational environments, including on school transportation, as well as environments in which students are engaged in remote learning, which means instruction by means of one or more Internet-based software platforms as part of a remote learning model.

## II. Scope of the Student Discipline Policy

A. ***Conduct on School Grounds, on School Transportation, or at a School-Sponsored Activity:***

1. Suspension. Students may be **suspended** for conduct on school grounds, on school transportation, or at any school-sponsored activity that **violates a publicized policy of the Board or is seriously disruptive of the educational process or endangers persons or property.**
2. Expulsion. Students may be **expelled** for conduct on school grounds, on school transportation, or at any school-sponsored activity that either **(1) violates a publicized policy of the Board and is seriously disruptive of the educational process, or (2) endangers persons or property.**

**B. *Conduct off School Grounds:***

Discipline. Students may be disciplined, including suspension and/or expulsion, for conduct off school grounds if such conduct **violates a publicized policy of the Board and is seriously disruptive of the educational process.**

**C. *Seriously Disruptive of the Educational Process:***

In making a determination as to whether ~~such~~[off campus](#) conduct is seriously disruptive of the educational process, the Administration and the Board may consider, but such consideration shall not be limited to, the following factors: (1) **whether the incident occurred within close proximity of a school;** (2) **whether other students from the school were involved or whether there was any gang involvement;** (3) **whether the conduct involved violence, threats of violence, or the unlawful use of a weapon,** as defined in Section 29-38 of the Connecticut General Statutes, and **whether any injuries occurred;** and (4) **whether the conduct involved the use of alcohol.** The Administration and/or the Board may also consider (5) **whether the off-campus conduct involved the illegal use of drugs.**

**D. *Misconduct Involving Cannabis:***

A student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

**III. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion**

Conduct that is considered to violate a publicized policy of the Board includes the offenses described below. Any such conduct may lead to disciplinary

action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy):

1. ~~1.~~ Striking or assaulting a student, member of the school staff or other person(s).
2. ~~2.~~ Theft.
3. ~~3.~~ The use of obscene or profane language or gestures, ~~the~~.
4. ~~4.~~ The possession, display and/or ~~display~~dissemination of obscenity or pornographic images or the unauthorized or inappropriate possession, display and/or ~~display~~dissemination of images, pictures or photographs depicting nudity, including intimate synthetically created images.
5. ~~4.~~ Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
6. ~~5.~~ Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
7. ~~6.~~ The use of one or more of the following: objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression); other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership; display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class; graphic, written or electronic communications that are harmful, or humiliating based on Protected Class membership; bigoted conduct or communications; and/or physical, written, electronic or verbal threats based on Protected Class membership.
8. ~~6.~~ Any act of Protected Class Harassment or reprisal or retaliation against any individual for reporting in good faith incidents of Protected Class Harassment, or who participate in the investigation of such reports.
9. ~~7.~~ Refusal by a student to respond to a staff member's request for the student to provide the student's name to a staff member when asked, misidentification of oneself to such person(s), lying to school staff members or otherwise engaging in dishonest behavior.

10. ~~8.~~ Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, on school transportation, or at a school-sponsored activity.
11. ~~9.~~ A walk-out from or sit-in within a classroom or school building or school grounds.
12. ~~10.~~ Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke), including the use of AI to engage in such conduct.
13. ~~11.~~ Possession and/or use of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
14. ~~12.~~ Possession of any ammunition for any weapon described above in Paragraph ~~11~~13.
15. ~~13.~~ Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
16. ~~14.~~ Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
17. ~~15.~~ Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g., e-cigarettes), electronic cannabis delivery system, or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph ~~15~~17, the term “electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to,

electronic cigarette liquid. For purposes of Paragraph ~~15~~17, the term “electronic cannabis delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph ~~15~~17, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. For the purposes of this Paragraph ~~15~~17, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including cannabis.

18. ~~16.~~ Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.

19. ~~17.~~ Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in Paragraph ~~15~~17 above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances, including cannabis.

20. ~~18.~~ The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.

21. ~~19.~~ Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.

22. ~~20.~~ Trespassing on school grounds while on out-of-school suspension or expulsion.
23. ~~21.~~ Making false bomb threats or other threats to the safety of students, employees, and/or other persons.
24. ~~22.~~ Defiance of school rules and the valid authority of teachers, supervisors, administrators, other employees and/or law enforcement authorities.
25. ~~23.~~ Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school employees responsible for student supervision.
26. ~~24.~~ Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
27. ~~25.~~ Leaving school grounds, school transportation or a school-sponsored activity without authorization.
28. ~~26.~~ Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; the unauthorized use of AI for the completion of class assignments; or any other form of academic dishonesty, cheating or plagiarism.
29. ~~27.~~ Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, tablet, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds, on school transportation, or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
30. ~~28.~~ Possession and/or use of a beeper or paging device on school grounds, on school transportation, or at a school-sponsored activity without the written permission of the principal or designee.
31. ~~29.~~ Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes, including using AI in a manner that disrupts or undermines the effective operation of the school district or is otherwise seriously disruptive to the educational process.

32. ~~30.~~ Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.

~~33.~~ ~~31.~~ Hazing.

~~32.~~ ~~Bullying, defined as an act that is direct or indirect and severe, persistent or pervasive, which:~~

34. Challenging behavior, including, but not limited to, bullying, as defined in the Board's School Climate Policy and above.

~~a. causes physical or emotional harm to an individual;~~

~~b. places an individual in reasonable fear of physical or emotional harm; or~~

~~c. infringes on the rights or opportunities of an individual at school; or~~

~~Bullying shall include, but need not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.~~

35. ~~33.~~ Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

36. ~~34.~~ Acting in any manner that creates a health and/or safety hazard for employees, students, third parties on school property or the public, regardless of whether the conduct is intended as a joke, including but not limited to violating school or District health and safety protocols.

37. ~~35.~~ Engaging in a plan to stage or create a violent and/or sexual situation or activity for the purposes of recording it by electronic means and/or recording such situation or activity by electronic means. Reporting recordings to school officials may warrant exceptions from disciplinary action in certain circumstances.

38. ~~36.~~ The unauthorized publication or dissemination of a recording (photographic or audio) of another individual without permission of the individual or a school employee. Reporting

recordings to school officials may warrant exceptions from disciplinary action in certain circumstances.

- ~~39.~~ ~~37.~~ Using computer systems, including email, remote learning platforms, instant messaging, text messaging, blogging or the use of social networking websites, AI, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
- ~~40.~~ ~~38.~~ Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school employee.
- ~~41.~~ ~~39.~~ Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, which occurs between two students who are currently in or who have recently been in a dating relationship.
- ~~42.~~ ~~40.~~ Any action prohibited by any Federal or State law.
- ~~43.~~ ~~41.~~ Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

#### IV. Discretionary and Mandatory Expulsions

- A. An administrator responsible for a school program (“responsible administrator”) may consider recommendation of expulsion of a student in **grades three to twelve, inclusive**, in a case where the responsible administrator has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- B. A responsible administrator must recommend expulsion proceedings in all cases against any student in **grades kindergarten to twelve, inclusive**, whom the District Administration has reason to believe:
  - 1. was in **possession on school grounds, on school transportation, or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or
  - 2. **off school grounds, possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, a **deadly weapon**, a

**dangerous instrument** or a **martial arts weapon** in the **commission of a crime** under chapter 952 of the Connecticut General Statutes; or

3. was engaged **on or off school grounds or school transportation in offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278. Sale or distribution of less than one (1) kilogram of cannabis is not subject to mandatory expulsion.

The terms “**dangerous instrument**,” “**deadly weapon**,” “**electronic defense weapon**,” “**firearm**,” and “**martial arts weapon**,” are defined above in Section I.

- C. In any preschool program provided by the Board or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the Board, no **student enrolled in such a preschool program** shall be expelled from such preschool program, except an expulsion hearing shall be conducted by the Board in accordance with Section IX of this policy whenever the Administration has reason to believe that that a student enrolled in such preschool program was in **possession of a firearm** as defined in 18 U.S.C. § 921, as amended from time to time, on or off school grounds, on school transportation, or at a preschool program-sponsored event. The term “**firearm**” is defined above in Section I.
- D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

If the Superintendent or designee determines that a student should or must be expelled, the Superintendent or designee shall forward such recommendation to the Board so that the Board can consider and act upon this recommendation.

- E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Behavior that Causes a Serious Disruption

- A. A school principal or other school administrator shall notify a parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students; caused self-harm; or caused physical harm to a teacher, another student, or other school employee not later than twenty-four (24) hours after such behavior occurs.
- B. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting.
- C. If the teacher of record in the classroom ultimately requests a behavior intervention meeting with the crisis intervention team for the school, the parent or guardian must be notified that such meeting will occur.
- D. If a behavior intervention meeting occurs, the crisis intervention team shall, not later than seven (7) days after the behavior intervention meeting, provide to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including, but not limited to, the resources and supports identified.

VI. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if the student deliberately causes a serious disruption of the educational process. When a student is removed by a teacher, the teacher must send the student to a designated area and notify the ~~responsible administrator or the administrator's~~ building principal or designee at once.
- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the responsible administrator or the administrator's designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VII. Procedures Governing Suspension

- A. The responsible administrator or the administrator's designee shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than the following: five (5) consecutive school days for an in-school suspension; ten (10) consecutive school days for an

out-of-school suspension for students in grades three through twelve, inclusive; or five (5) consecutive school days for an out-of-school suspension for students in grades preschool to two, inclusive. In cases where suspension is contemplated, the following procedures shall be followed.

1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the responsible administrator or the administrator's designee at which the student is informed of the alleged misconduct and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
2. Prior to conducting the informal hearing referenced above, an administrator, school counselor or school social worker at the student's school must contact the District's Homeless Education Liaison to determine whether the student is a homeless child or youth, as defined by the McKinney-Vento Homeless Assistance Act. If a student is determined to be a homeless child or youth, the responsible administrator or the administrator's designee must consider the impact of homelessness on the student's behavior during the informal hearing.
23. If suspended, such suspension shall be an in-school suspension, except the responsible administrator or the administrator's designee may impose an out-of-school suspension on any student:
  - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the responsible administrator or the administrator's designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that the student should be excluded from school during the period of suspension; or (ii) the responsible administrator or the administrator's designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the District Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or
  - b. in grades preschool to two, inclusive, if the responsible administrator or the administrator's designee
    - (i) determines that an out-of-school suspension is appropriate for such student based on evidence

- that such student's conduct on school grounds is behavior that caused physical harm;
- (ii) requires that such student receives services that are trauma-informed and developmentally appropriate and align with any behavioral intervention plan, individualized education program ("IEP") or plan pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504") for such student upon such student's return to school immediately following the out-of-school suspension; and
  - (iii) considers whether to convene a Planning and Placement Team ("PPT") meeting for the purposes of conducting an evaluation to determine whether such student may require special education or related services.
34. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by responsible administrator or the administrator's designee, but only considered in the determination of the length of suspensions.
45. By telephone, responsible administrator or the administrator's designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
56. Whether or not telephone contact is made with the parent or guardian of such minor student, responsible administrator or the administrator's designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the responsible administrator or the administrator's designee), offering the parent or guardian an opportunity for a conference to discuss same.
67. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
78. Not later than twenty-four (24) hours after the commencement of the suspension, the responsible administrator or the administrator's designee shall also notify the Superintendent or designee of the name of the student being suspended and the reason for the suspension.

- ~~8~~9. The student shall be allowed to complete any classwork, including examinations, without penalty, which the student missed while under suspension.
- ~~9~~10. The Administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an Administration-specified program and meets any other conditions required by the Administration. Such Administration-specified program shall not require the student and/or the student's parents to pay for participation in the program. The Superintendent may delegate this authority to building or program level administrators.
- ~~10~~11. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VII.A(~~9~~10), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the Administration-specified program and meets any other conditions required by the Administration. The Superintendent may delegate this authority to building or program level administrators.
- ~~11~~12. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
- ~~12~~13. The decision of the responsible administrator or the administrator's designee with regard to disciplinary actions up to and including suspensions shall be final.
- ~~13~~14. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the responsible administrator or the administrator's designee specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

- B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board. The responsible administrator or the administrator's designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VIII. Procedures Governing In-School Suspension

- A. The responsible administrator or the administrator's designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy or seriously disrupts the educational process as determined by the responsible administrator or the administrator's designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by responsible administrator or the administrator's designee.
- C. In-school suspension may be served in the school or program that the student regularly attends or in any other school building within the jurisdiction of the Board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

IX. Procedures Governing Expulsion Hearing

A. ***Emergency Exception:***

Except in an emergency situation, the Board shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233l, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

**B. *Hearing Panel:***

1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.
2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

**C. *Hearing Notice and Rights of the Student and Parent(s)/Guardian(s):***

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to the student's parent(s) or guardian(s) at least five (5) business days before such hearing, not including the day of such hearing.
2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to the student's parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
  - a. The date, time, place and nature of the hearing, including if the hearing will be held virtually, via video conference.
  - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
  - c. A short, plain description of the conduct alleged by the Superintendent or designee.
  - d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
  - e. The student may cross-examine witnesses called by the Superintendent or designee.

- f. The student may be represented by an attorney or other advocate of the student's choice at the student's expense or at the expense of the student's parent(s) or guardian(s).
- g. A student is entitled to the services of a translator or interpreter, to be provided by the Board, whenever the student or the student's parent(s) or guardian(s) requires the services of an interpreter because they do not speak the English language or are disabled.
- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
- j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

1. [Prior to conducting the expulsion hearing, an administrator, school counselor, or school social worker at the student's school must contact the District's Homeless Education Liaison to determine whether the student is a homeless child or youth, as defined by the McKinney-Vento Homeless Assistance Act.](#)

**D. *Hearing Procedures:***

- 1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and others participating in the hearing (if applicable), briefly explain the hearing procedures, and swear in any witnesses called by the Superintendent/designee or the student. If an impartial board or more than one person has been appointed, the impartial board shall appoint a Presiding Officer.
- 2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape or digital recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.

3. The Superintendent or designee shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.
4. Formal rules of evidence will not be followed. The Board (or the impartial board) has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial, irrelevant and/or any other objections to its submission.
5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board (or the impartial board) will receive and consider evidence regarding the conduct alleged by the Administration.
6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or designee.
7. Each witness for the Superintendent or designee will be called and sworn. After a witness has finished testifying, the witness will be subject to cross-examination by the opposite party or the witness' legal counsel, by the Presiding Officer and by Board members (or the impartial board).
8. The student shall not be compelled to testify at the hearing.
9. After the Superintendent or designee has presented the Administration's case, the student will be asked if the student has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Superintendent or designee, the Presiding Officer and/or by the Board (or the impartial board). The student may also choose to make a statement at this time. If the student chooses to make a statement, the student will be sworn and subject to cross examination and questioning by the Superintendent or designee, the Presiding Officer and/or by the Board (or the impartial board). Concluding statements will be made by the Superintendent or designee and then by the student and/or the student's representative.
10. In cases where the student has denied the allegation, the Board (or the impartial board) must determine whether the student committed the offense(s) as charged by the Superintendent or designee.

11. If the Board (or the impartial board) determines that the student has committed the conduct as alleged, then the Board (or the impartial board) shall proceed with the second portion of the hearing, during which the Board (or the impartial board) will receive and consider relevant evidence regarding the length and conditions of expulsion.
12. When considering the length and conditions of expulsion, the Board (or the impartial board) may review the student's attendance, academic and past disciplinary records. The Board (or the impartial board) may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VII.A ~~(9)~~, ~~(10)~~, (11), (12), above, and Section XI, below. The Board (or the impartial board) may ask the Superintendent or designee for a recommendation as to the discipline to be imposed.
13. Evidence of past disciplinary problems that have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board (or the impartial board) is considering length of expulsion and nature of alternative educational opportunity to be offered.
  1. If a student is determined to be a homeless child or youth as described in Subsection IX.C(4), the Board (or the impartial board) must consider the impact of homelessness on the student's behavior. Such student may not be expelled without a plan of interventions and supports to mitigate the impact of homelessness on the student's behavior. If the student is identified as a homeless child or youth and is expelled more than one time, the student shall be provided a meeting with the District's Homeless Education Liaison.
  2. ~~14.~~ Where administrators presented the case in support of the charges against the student, neither such administrative staff nor the Superintendent or designee shall be present during the deliberations of the Board (or the impartial board) either on questions of evidence or on the final discipline to be imposed. The Superintendent or designee may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board (or the impartial panel) as to the appropriate discipline to be applied.
  3. ~~15.~~ The Board (or the impartial board) shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote

regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.

4. ~~16.~~ Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board (or the impartial board) may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board (or the impartial board). The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.

5. ~~17.~~ The Board (or the impartial board) shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

6. ~~18.~~ The hearing may be conducted virtually, via video conference, at the direction of the Board (or the impartial board), in the event school buildings are closed to students or individuals are provided limited access to school buildings due to a serious health or other emergency. Any virtual hearing must provide the student the due process rights identified in this Subsection D.

**EE. *Presence on School Grounds, on School Transportation, and Participation in School-Sponsored Activities During Expulsion:***

During the period of expulsion, the student shall not be permitted to be on school property or on school transportation, and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational opportunity provided by the District in accordance with this policy, unless the Superintendent or designee specifically provides written permission for the student to enter school property or school transportation for a specified purpose or to participate in a particular school-sponsored activity.

**FG. *Stipulated Agreements:***

In lieu of the procedures used in this Section, the Superintendent or designee and the parent(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board (or the impartial board) rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on the student's own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Superintendent or designee and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board (or the impartial board) in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents and/or student over the age of 18 understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board (or the impartial board) rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

X. Alternative Educational Opportunities for Expelled Students

A. *Students under sixteen (16) years of age:*

Whenever the Board expels a student under sixteen (16) years of age, it shall offer any such student an alternative educational opportunity.

B. *Students sixteen (16) to eighteen (18) years of age:*

1. The Board shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year-old student expelled for the first time if the student requests it and if the student agrees to the conditions set by the Board (or the impartial board). Such alternative educational opportunity may include, but shall not be limited to, the placement of a student who is at least seventeen years of age in an adult education program. Any student

participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to participation in the adult education program.

2. The Board is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for a second, or subsequent, time.
3. The Board shall count the expulsion of a student when the student was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such student when the student is between the ages of sixteen and eighteen.

C. ***Students eighteen (18) years of age or older:***

The Board is not required to offer an alternative educational opportunity to expelled students eighteen (18) years of age or older.

D. **Content of Alternative Educational Opportunity**

1. For the purposes of Section X, and subject to Subsection X.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the Connecticut State Board of Education (“CSBE”), with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the CSBE.
2. The Superintendent or designee shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards adopted by the CSBE. Such administrative regulations shall include, but are not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students placements and performance; and a process for transition planning.

E. ***Students identified as eligible for services under the Individuals with Disabilities Education Act (“IDEA”):***

Notwithstanding Subsections X.A. through D. above, if the Board expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act (“IDEA”), it shall offer an

alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time, and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the CSBE.

F. ***Students for whom an alternative educational opportunity is not required:***

The Board may offer an alternative educational opportunity to a student for whom such alternative educational opportunity is not required by law or as described in this policy. In such cases, the Board, or if delegated by the Board, the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

XI. **Notice of Student Expulsion on Cumulative Record**

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the District if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived in accordance with Section IX.D(~~16~~17), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

If the student has not previously been suspended or expelled, and the Administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose

of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XII. Change of Residence During Expulsion Proceedings

A. *Student moving into the District:*

1. If a student enrolls in the District while an expulsion hearing is pending in another public school district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing. The procedures outlined above in Section IX and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233l, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a shall be utilized for any hearing conducted under this section.
2. Where a student enrolls in the District during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board (or the impartial board) shall make its determination pertaining to expulsion based upon a hearing held by the Board (or the impartial board), which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board. The procedures outlined above in Section IX and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233l, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a shall be utilized for any hearing conducted under this section.

B. *Student moving out of the District:*

Where a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by the Board, the notice of the pending expulsion hearing shall be included on the student's cumulative record and the Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

XIII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act (“IDEA”)

A. *Suspension of IDEA students:*

Notwithstanding the foregoing, if a responsible administrator suspends a student identified as eligible for services under the IDEA (an “IDEA student”) who has violated any rule or code of conduct of the District that applies to all students, the following procedures shall apply:

1. The responsible administrator shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the District is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the District, except as set forth in subsection (3) below.
  1. If an IDEA student is being suspended and that student has already been removed from their current placement for ten (10) school days in the same school year, school personnel, in consultation with at least one of the student’s teachers, must determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student’s IEP, so long as the suspension does not constitute a change in placement. If the suspension constitutes a change in placement, subsection (B) below will apply.

B. *Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:*

Notwithstanding any provision to the contrary, if the Administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the District that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the Administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in educational placement:

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).
2. The District shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of the student's disability.
3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement the responsible administrator (or designee) should consider the nature of the misconduct and any relevant educational records of the student.

**C. *Removal of Special Education Students for Certain Offenses:***

1. A responsible administrator may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

- a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds, on school transportation, or at a school-sponsored activity, or
  - b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school transportation, or at a school-sponsored activity; or
  - c. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation, or at a school function.
2. The following definitions shall be used for this subsection XIII.C.:
- a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
  - b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
  - c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
  - d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

XIV. Procedures Governing Expulsions for Students Identified as Eligible under Section 504

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under

Section 504 who has violated any rule or code of conduct of the District that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.
  2. The District shall immediately convene the student's Section 504 team ("504 team") for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of the student's disability.
  3. If the 504 team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommended expulsion.
  4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.
- B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team *shall not be required to meet* to review the relationship between the student's disability and the behavior that led to the recommendation for expulsion.

XV. Procedures Governing Expulsions for Students Placed in a Juvenile Detention Center

- A. Any student who commits an expellable offense and is subsequently placed in a juvenile detention center or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of placement in a juvenile detention center or other residential placement.
- B. If a student who committed an expellable offense seeks to return to the District after participating in a diversionary program or having been placed in a juvenile detention center or any other residential placement and such student has not been expelled by the Board for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XVI. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmission requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVII. Dissemination of Policy

The District shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parent(s) and/or guardian(s) of this policy.

XVIII. Compliance with Documentation and Reporting Requirements

- A. The District shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).
- B. The District shall report all suspensions and expulsions to the State Department of Education.
- C. If the Board expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the District shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- D. If the Board expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the District shall report the violation to the local police.

Legal References:

Connecticut General Statutes:

- [§ 10-15c](#) [Discrimination in public schools prohibited. School attendance by five-year olds](#)
- § 10-16 Length of school year
- § 10-74j Alternative education
- §§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act

- ~~§ 10-222d~~ ~~Safe school plans. Definitions. Safe school climate assessments~~ [§ 10-222aa through 10-222kk School climate plans. Definitions. Safe school climate assessments](#)
- §§ 10-233a through 10-233f Suspension and expulsion of students
- § 10-233l Expulsion and suspension of children in preschool programs
- [§ 10-236c](#) [Disruptive or harmful behavior. Behavior intervention meetings for certain students. Notice to parents](#)
- § 10-253 School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.
- § 19a-342a Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties
- § 21a-240 Definitions
- § 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing
- § 21a-278 Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person
- §§ 21a-408a through 408p Palliative ~~Use~~[use](#) of ~~Marijuana~~[marijuana](#)
- § 29-35 Carrying of pistol or revolver without permit prohibited. Exceptions
- § 29-38 Weapons in vehicles
- [§ 46a-58](#) [Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. Restitution](#)
- § 53a-3 Definitions
- § 53-206 Carrying of dangerous weapons prohibited
- § 53-344 Sale or delivery of cigarettes or tobacco products to persons under twenty-one.
- § 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years or age

Public Act ~~24-45~~[25-168](#), [Sec. 261](#), “An Act Concerning ~~Education Mandate Relief, School Discipline and Disconnected Youth.~~[the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget.](#)” (definition of “synthetically created image”)

Public Act ~~24-93~~[25-93](#), “An Act ~~Concerning Various and Assorted Revisions to the~~[Increasing Resources for Students, Schools and Special Education](#)~~Statutes.~~”

[Public Act 25-139, “An Act Concerning Human Trafficking and Sexual Assault Victims.”](#)

*Packer v. Board of Educ. of the Town of Thomaston*, 717 A.2d 117 (Conn. 1998).

*State v. Hardy*, 896 A.2d 755 (Conn. 2006).

*State v. Guzman*, 955 A.2d 72 (Conn. App. Ct. 2008).

Connecticut State Department of Education, *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted January 3, 2018.

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

[Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, \*et seq.\*](#)

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

[Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, \*et seq.\*](#) 18

U.S.C. § 921 (definition of “firearm”)

18 U.S.C. § 930(g)(2) (definition of “dangerous weapon”)

18 U.S.C. § 1365(h)(3) (identifying “serious bodily injury”)

21 U.S.C. § 812(c) (identifying “controlled substances”)

34 C.F.R. § 300.530 (defining “illegal drugs”)

Gun-Free Schools Act, 20 U.S.C. § 7961

*Honig v. Doe*, 484 U.S. 305 (1988)

U.S. Department of Education Office for Civil Rights, U.S. Department of Justice Civil Rights Division, *Resource on Confronting Racial Discrimination in Student Discipline (May 2023)*

[Take It Down Act, Public L. 119-12](#)

[McKinney Vento Homeless Assistance Act, 42 U.S.C. § 11343a](#)

Approved: February 18, 2025

Revised:

NEW MILFORD PUBLIC SCHOOLS

New Milford, Connecticut

**ADMINISTRATIVE REGULATIONS REGARDING ALTERNATIVE  
EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS**

I. Applicability of these Administrative Regulations

These administrative regulations shall apply in cases when, pursuant to state law, a student in the New Milford Public Schools (the “District”) is entitled to an alternative educational opportunity during a period of expulsion.

II. Responsible Personnel

The administrator responsible for a school program (“responsible administrator”) from which the student has been expelled, or designee(s), shall maintain responsibility for compliance with these administrative regulations relative to the individual student who is being provided with the alternative educational opportunity.

III. Student Placement Procedures

- A. After a student has been expelled, and unless extraordinary circumstances exist, the responsible administrator, or designee(s), will take the following steps:
1. Meet with the expelled student’s parent(s)/guardian(s) prior to the student’s placement in an alternative educational setting to provide information concerning the potentially appropriate alternative educational opportunities for the student and to inform the parent(s)/guardian(s) and student of the right to apply for early readmission to school in accordance with Conn. Gen. Stat. Section 10-233d(j).
  2. Consult with relevant school personnel from the school from which the student was expelled, who are knowledgeable about the student, to obtain information regarding the student’s academic, social, and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. Such information may be gathered by written reports.
  3. After placement options have been shared with the parent(s)/guardian(s), convene a placement meeting at which all alternative educational opportunities are explored and a placement decision is made.

- B. The educational programming and placement for expelled students who are eligible to receive special education and related services under the Individuals with Disabilities Education Act (“IDEA”) shall be determined by the student’s Planning and Placement Team (“PPT”). In such case, Subsection A above shall not apply.

IV. Individualized Learning Plan

A. Development of the Individualized Learning Plan

After the student has been accepted into an alternative educational placement, the responsible administrator, or designee, will develop an Individualized Learning Plan (“ILP”) that will govern the programming for the student for the period of expulsion. To develop the ILP, the responsible administrator, or designee, will collaborate with school personnel from the school or program from which the student was expelled, the student and the parent/guardian, and will review all relevant student records.

B. Contents of the Individualized Learning Plan

1. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:
  - a. Student success plan (for students who have a student success plan as mandated by state law, the student success plan may inform the ILP but does not replace the ILP);
  - b. Individualized education program (“IEP”);
  - c. Section 504 Plan;
  - d. Individualized health care plan or emergency care plan; and/or
  - e. Other relevant academic and behavioral data.
2. The ILP will address the following:
  - a. The student’s academic and behavioral needs and appropriate academic and behavioral goals and interventions, including the student’s core classes at the time of expulsion and the student’s current placement or progress in the curriculum for those classes so that the student has an opportunity to continue to progress in the

Board's academic program and earn graduation credits, if applicable;

- b. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
- c. Provision for the timing and method for reviewing the student's progress in the alternative educational opportunity and for communicating that progress to the parent/guardian or student. For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable. The student's progress and grades will be communicated to the parents/guardians or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students. The student's progress and grades will also be reported to the school or program from which the student was expelled;
- d. Provision for the timely transfer of the student's records both from the student's school or program to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school or program; and
- e. The possibility of early readmission to the school or program from which the student was expelled and the early readmission criteria, if any, established by the Board or Superintendent, as applicable.

V. Review of Student's Placement in Alternative Educational Opportunity and Individualized Learning Plan

- A. A review of the appropriateness of the placement must occur at least once per marking period.
- B. The placement review must include:
  - 1. Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable; and

2. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board or Superintendent, as applicable.

#### VI. Transition Plan for Readmission

- A. Before a student is readmitted to the school or program from which the student was expelled, relevant staff should provide an opportunity to meet with the parents/guardians and student to discuss the student's readmission. As part of the readmission process and the student's ILP, the responsible administrator, or designee, should consider:
  1. Efforts to readmit the student at a semester starting point (at the high school level);
  2. A plan to transfer the student's credits and records back to the school or program from which the student was expelled:
    - a. The District will award an expelled high school student appropriate high school credit for work satisfactorily completed during the period the student participates in the alternative educational opportunity and will transfer relevant records back to the school or program from which the student was expelled;
    - b. The District will provide an expelled student transferring to a new school district a progress summary of all work completed during the course of the student's expulsion, and will indicate the course credit earned by the student for that work.
  3. The student's need for academic and other supports upon returning to school; and
  4. Efforts to connect the returning student with opportunities to participate in extracurricular activities.
- B. In the event the responsible administrator, or designee, determines that a student's alternative educational opportunity is no longer beneficial to the student, but it remains inappropriate to return the student to the school or program from which the student was expelled, a plan for a different alternative educational opportunity may be developed in accordance with the procedures outlines in these Administrative Regulations.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233d

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

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

Connecticut State Department of Education, *Standards for Educational Opportunities for Students Who Have Been Expelled* (January 3, 2018).

Regulation approved: June 20, 2023  
Regulation revised: February 18, 2025

**[BOE LETTERHEAD]**  
**NEW MILFORD PUBLIC SCHOOLS**  
25 Sunny Valley Road, Suite A  
New Milford, Connecticut

*(Date)*

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED & U.S. MAIL**

*(Parent) (If the Student is aged 18 or older, this notice should be sent directly to the student, with copies to the parent(s)).*

*(Parent's/Student's Address)*

*(Non-custodial Parent, if applicable)*

*(Parent's Address)*

***Re: Expulsion Hearing Concerning Student Name; D.O.B.; State-Assigned Student Identifier (SASID)***

Dear *(Parent/Guardian)*:

In accordance with the *(name of district)* Board of Education Policy (*policy # & title*), I am writing to advise you that the *(name of district)* Board of Education (the "Board") will hold a formal hearing concerning your child, *(name of student)* to consider the recommendation of *(name of administrator)* that your child be expelled from school. *[In cases where the district uses an impartial hearing board, add the following: Please be advised that the Board has appointed Attorney [Name(s)], to serve as an impartial hearing board in this matter.]* This hearing is being held pursuant to Section 10-233d *[In cases where a preschool student is recommended for expulsion, add the following: and Section 10-233I]* and Sections 4-176e to 4-180a, inclusive, and Section 4-181a of the Connecticut General Statutes and the *(name of district)* Board Policy (*policy # & title*), a copy of which is enclosed. The Board (***OR the impartial hearing board***) intends to conduct the hearing in executive session, due to the confidential nature of this hearing.

The hearing will address the allegations that your child (***for on or off-campus conduct***: violated Board Policy *cite Student Discipline Policy number and any other specific policy number on date* and seriously disrupted the educational process) (***and/or, for on-campus conduct***: endangered persons or property) by engaging in the following conduct:

***(The law governing these hearings requires a short, plain statement of the facts to be included within this notice letter, and should be inserted here.***

*Example: carrying a knife on the school bus on a specified date and brandishing it at other students on the bus).*

*(If the student has admitted to this conduct, note the admission here).*

The hearing has been scheduled for *(date, time, place [note: unless an emergency exists, ~~the~~ this notice must be given to the student/parent/guardian at least five (5) business days before the hearing, not including the day of such hearing])*. *(If a manifestation determination must be held prior to the expulsion hearing, add the following language: Prior to the expulsion hearing, your child's [planning and placement (PPT) team OR Section 504 team] will determine if your child's conduct constitutes a manifestation of the child's disability. The expulsion hearing will be canceled if the [PPT OR Section 504 team] determines that the conduct was a manifestation of your child's disability; otherwise, the hearing will proceed as scheduled.* You and your child are asked to attend this hearing. Your child has the right to be represented by an attorney or other advocate at your expense, has the right to cross-examine administration witnesses, and may present relevant evidence, both documentary and testimonial, concerning the allegations. The hearing will be the parties' sole opportunity to present such evidence. The Board *(OR the impartial hearing board)* may also question witnesses. An opportunity will also be given for the administration and your child or your child's representatives to present argument concerning the evidence presented at the hearing. If you need the services of a translator or an interpreter for this hearing, please let me know as soon as possible.

Unless the administration has determined that an emergency exists, you have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation. If you would like to request a postponement, please let me know as soon as possible.

The administration may recommend expulsion from school for up to one calendar year. The Board *(OR the impartial hearing board)* has discretion to adopt any period of expulsion up to one calendar year.

As mentioned above, your child has a right to be represented, at your own expense, by an attorney or other advocate at the expulsion hearing. Obtaining an attorney or other advocate is the responsibility of the family. Very low income families may be able to obtain free or reduced rate advice or legal representation through Statewide Legal Services, Inc. ("SLS"). To apply for such assistance, those families should contact SLS immediately at 1-800-453-3320.

In the event your child is expelled as a result of the scheduled hearing, and your child is under sixteen (16) years of age, the Board will offer your child an alternative educational opportunity during any period of exclusion from school as determined by the Administration in accordance with applicable law and Board policy. If your child is between sixteen (16) and eighteen (18) and has not been expelled before, the Board

shall also offer to your child an alternative educational opportunity if your child wishes to continue their education. Please know however, that the Board is not required to offer an alternative educational opportunity to any student between sixteen (16) and eighteen (18) years of age who have previously been expelled or to students who are eighteen (18) years of age or older.

If you have any questions, please call my office at *(number)*.

Sincerely,

*(Name of Superintendent)*

*(Name of District)* Public Schools

Cc: *(Name of District)*, Chairman, *(Name of District)* Board of Education  
*(Name of Special Education Director, where applicable)*  
*(Name of Responsible Administrator at school that student attends)*  
*(Name of Board of Education Attorney, where applicable)*  
*(Name of Administration's Attorney, where applicable)*

## SAMPLE AGREEMENT

NAME OF SUPERINTENDENT, (Superintendent of Schools for NAME OF DISTRICT), NAME OF STUDENT and NAME(S) OF PARENT(S)/GUARDIAN(S) (the parent(s)/guardian(s) of NAME OF STUDENT) agree as follows with respect to the Superintendent's request that NAME OF STUDENT be expelled from \_\_\_\_\_ School:

1. NAME OF STUDENT (D.O.B. \_\_\_\_\_; SASID \_\_\_\_\_) is currently enrolled as a \_\_\_\_\_ grade student at \_\_\_\_\_ School.
2. NAME OF STUDENT admits having engaged in the following conduct (*insert a short, plain statement of the conduct*) on or about \_\_\_\_\_, 20\_\_.
3. NAME OF STUDENT's conduct, as described above, violates \_\_\_\_\_ Board of Education Policy \_\_\_\_\_ (Student Discipline) (*Cite other policies here as appropriate*), and is considered by the district administration to be seriously disruptive of the educational process. (*For conduct that occurs on school grounds, on school transportation, or at a school-sponsored activity, you may alternatively or additionally state whether such conduct is considered to endanger persons or property*). (*If the student has admitted to this conduct, note the admission here*).
4. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
5. (*Optional Section for students with disabilities*): A manifestation determination was made on (*date*) concerning this conduct and it was determined that the conduct was not a manifestation of the student's disability.
6. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
7. Subject to the approval of the \_\_\_\_\_ Board of Education (the "Board"), NAME OF STUDENT shall be expelled, effective \_\_\_\_\_, 20\_\_ and continuing through \_\_\_\_\_, 20\_\_, under the following conditions:
  - a) During the period of expulsion, the Board will provide NAME OF STUDENT with an alternative ~~education~~educational opportunity deemed appropriate by the Administration in accordance with applicable law and Board policy.

**(Optional alternative language if the parties agree to an alternative educational opportunity other than that required by the state standards:**

**The NAME OF PARENT(S) and NAME OF STUDENT understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes, NAME OF STUDENT is entitled to an alternative educational opportunity during the Expulsion Period which shall be (1) alternative education, as defined by Section 10-74j of the Connecticut General Statutes, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the standards adopted by**

the State Board of Education, pursuant to section 3 of public act 17-220 (a “Statutory Alternative Educational Opportunity”). The NAME OF PARENT(S) and NAME OF STUDENT hereby waive NAME OF STUDENT’s right to a Statutory Alternative Educational Opportunity and accordingly waive the application of the *Standards of Educational Opportunities for Students Who ave Been Expelled*, adopted by the Connecticut State Board of Education, and the Board’s Administrative Regulations concerning the implementation of said standards. In lieu of a Statutory Alternative Educational Opportunity, the NAME OF PARENT(S) and NAME OF STUDENT agree that during the Expulsion Period, the Board will provide NAME OF STUDENT with an alternative educational opportunity as follows:

*[Describe alternative educational opportunity agreed to by parties.]*

If NAME OF STUDENT becomes ineligible to attend the \_\_\_\_\_ Public Schools pursuant to Board Policy and/or if the Parents withdraw NAME OF STUDENT from enrollment as a student at [name of school], the Board will have no obligation to provide NAME OF STUDENT with the alternative educational opportunity described herein.

- b) During the period of expulsion, NAME OF STUDENT will not be permitted to be on school grounds or school transportation, and will not be permitted to attend or participate in any school-sponsored activities, except as authorized in writing in advance by the Superintendent of Schools.

*(Optional Sections regarding early readmission):*

- c) Prior to \_\_\_\_\_, the Superintendent will review NAME OF STUDENT’s conduct, attendance and effort level in the alternative educational opportunity [list other conditions as applicable], for the purpose of determining, in the Superintendent’s sole discretion, whether NAME OF STUDENT should be readmitted to school on or about \_\_\_\_\_.
- d) If the Superintendent determines that NAME OF STUDENT should be readmitted to school early in accordance with the preceding section, and if NAME OF STUDENT subsequently commits any offense that would warrant suspension and/or expulsion under the policies of the Board, the Superintendent may reinstate NAME OF STUDENT’s expulsion for the remainder of the expulsion period, through (*date*), without the need for any further proceedings before the Board.

*(Optional Section for expungement if the expulsion is the student’s first expulsion):*

- e) Prior to (*date*), the Superintendent will review NAME OF STUDENT’s conduct, attendance and effort level since the expulsion, for the purpose of determining, in the Superintendent’s sole discretion, whether the expulsion hearing record of NAME OF STUDENT should be expunged from NAME OF STUDENT’s educational record as of (*date*).

*(Optional Section for Homeless Child or Youth)*

e) The Board has developed the following plan of interventions and supports to mitigate the impact of homelessness on NAME OF STUDENT's behavior \_\_\_\_\_.

8. All parties to this Agreement request that this Agreement be presented to the Board for the Board's consideration, in lieu of the submission of any other evidence by the Superintendent and/or NAME OF STUDENT or NAME OF STUDENT's parents, and they agree that this Agreement is sufficient for the Board to expel NAME OF STUDENT from school.
9. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes and Board Policy, NAME OF STUDENT is entitled to an expulsion hearing before the \_\_\_\_\_ Board of Education to contest NAME OF STUDENT's proposed expulsion from the \_\_\_\_\_ Public Schools. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) further understands and acknowledges that at such hearing NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) would have the right to call witnesses and to introduce documentary evidence, to cross examine witnesses called by the Administration, and to be represented by an attorney or other advocate at their own expense. Accordingly, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) waive NAME OF STUDENT's right to an expulsion hearing pursuant to Section 10-233d of the Connecticut General Statutes.
10. The Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand that this Agreement is subject to the approval of the Board. In the event that the Board does not approve this Agreement, the Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that the expulsion hearing concerning NAME OF STUDENT shall be rescheduled to a mutually agreeable date for the purposes of conducting an evidentiary hearing before the Board concerning the Superintendent's expulsion request. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that NAME OF STUDENT will remain out of school until the evidentiary hearing has been completed. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) also agree that the Board's consideration of this proposed Agreement will not disqualify any member of the Board from serving as a Board member in the evidentiary hearing, and they hereby waive any right to make such a claim in any proceeding in any forum.
11. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) enter into this Agreement voluntarily and with a full understanding of the provisions of this Agreement.

\_\_\_\_\_  
NAME OF SUPERINTENDENT  
Superintendent of Schools

Date: \_\_\_\_\_

\_\_\_\_\_  
NAME OF STUDENT  
Student

Date: \_\_\_\_\_

\_\_\_\_\_  
NAME OF PARENT/GUARDIAN  
OF STUDENT

Date: \_\_\_\_\_

\_\_\_\_\_  
NAME OF PARENT/GUARDIAN  
OF STUDENT

Date: \_\_\_\_\_

**Note: This is a sample Individualized Learning Plan drafted in accordance with the Standards for Educational Opportunities for Students Who Have Been Expelled, which was approved by the State Board of Education on January 3, 2018. The specific goals and benchmarks can be customized to meet the needs of individual students.**

**New Milford Public Schools  
Individualized Learning Plan**

**Student Name:** \_\_\_\_\_ **Date of Birth:** \_\_\_\_\_ **Gr.** \_\_\_\_\_

**School/Program Prior to Expulsion:** \_\_\_\_\_ **SASID:** \_\_\_\_\_

\_\_\_\_\_

Does the student have an Individualized Education Program?     Yes     No

Does the student have a Section 504 Plan?     Yes     No

**Records Reviewed with Relevant Information  
for the Provision of an Alternative Educational Opportunity**

<input type="checkbox"/> Student Success Plan <input type="checkbox"/> Individualized Education Program (IEP) <input type="checkbox"/> Behavioral Intervention Plan (BIP) <input type="checkbox"/> Section 504 Plan <input type="checkbox"/> Individualized Health Care Plan/Emergency Care Plan	<input type="checkbox"/> Report Cards and Current Grades <input type="checkbox"/> Attendance Records <input type="checkbox"/> Disciplinary/Behavioral Records <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____
--	---

**ILP Developed Through Collaboration With (check all that apply):**

<input type="checkbox"/> Parent/Guardian: _____ <input type="checkbox"/> Parent/Guardian: _____ <input type="checkbox"/> Student: _____ <input type="checkbox"/> Administrator: _____ <input type="checkbox"/> School Counselor: _____	<input type="checkbox"/> Teacher: _____ <input type="checkbox"/> Teacher: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Other (specify): _____
--	---

**Records Transferred**

Date of transfer of relevant student records from the student's school/program to provider of alternative educational opportunity: _____	Date of transfer of records from provider of alternative educational opportunity to the student's school/program: _____
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**Records Distribution and Storage**

Copies of the Individualized Learning Plan will be distributed to the following locations and/or individuals and stored in accordance with the District's student records policy:

- Student's cumulative file
- The Student's receiving school or alternative educational placement
- Student's parent/guardian

*[Note: Districts should insert or delete locations where this record may be kept in accordance with their student records policies and practices]*

**Student's Classes Prior to Expulsion**

Core Class	Placement/Progress in Class at Time of Expulsion <i>(e.g. current grade, current unit, etc.)</i>

*Note: If the student receives special education and related services, the alternative educational opportunity provider must also refer to the student's IEP.*

**NEEDS**

**Academic Needs**

- See IEP *(if applicable)*
- Other:

**Behavioral Needs**

- See IEP *(if applicable)*
- Other:

**GOALS**

**Academic Goals**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> See IEP <i>(if applicable)</i> | <input type="checkbox"/> Satisfactory work completion | <input type="checkbox"/> Satisfactory progress in coursework and toward meeting relevant academic standards |
|---|---|---|

<input type="checkbox"/> Other:
---------------------------------

Benchmarks to Measure Progress Toward Academic Goals		
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> Passing grades on midterm progress reports	<input type="checkbox"/> Passing grades on report card
<input type="checkbox"/> Other:		
Progress monitoring <i>mm/dd/yy</i> :		

Behavioral Goals		
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> Satisfactory attendance	<input type="checkbox"/> Satisfactory compliance with behavioral expectations and disciplinary policies
<input type="checkbox"/> Other:		

Benchmarks to Measure Progress Toward Behavioral Goals		
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> Fewer than _____ teacher referrals to administration for disciplinary matters	<input type="checkbox"/> Fewer than _____ contacts to parents/guardians for disciplinary matters
<input type="checkbox"/> Attends alternative program _____% or more of scheduled days/sessions.	<input type="checkbox"/> Other:	
Progress monitoring <i>mm/dd/yy</i> :		

## INTERVENTIONS

### Academic Interventions

See IEP (*if applicable*)

See Section 504 Plan (*if applicable*)

Tier 1 \_\_\_\_\_

Tier 2 \_\_\_\_\_

Tier 3 \_\_\_\_\_

Other:

### Behavioral Interventions

See IEP (*if applicable*)

See Section 504 Plan (*if applicable*)

Tier 1 \_\_\_\_\_

Tier 2 \_\_\_\_\_

Tier 3 \_\_\_\_\_

Other:

## Review and Communication of Progress to Parents/Guardians or Student

**Method of monitoring and review:** *(for most students, monitoring and reviewing progress will include monitoring the student's attendance, work completion, and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable)*

- Monitoring attendance
- Monitoring work completion
- Monitor progress toward meeting relevant academic standards
- Review and monitor progress in accordance with IEP and/or BIP (if applicable)
- Other: \_\_\_\_\_

**Timing for communication of progress to parents/guardians or student:** *(Progress must be communicated to the parent/guardian or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students)*

- Each marking period
- Other: \_\_\_\_\_

## Early Readmission

The expulsion decision contains the following early readmission criteria:

- The student may apply to the Board of Education for early readmission and such readmission shall be at the discretion of the Board of Education.
  - The student applied to the Board of Education for early readmission on \_\_\_\_\_ and the Board of Education granted the request and has conditioned such early readmission on the following criteria:
  - The student applied to the Board of Education for early readmission on \_\_\_\_\_ and early readmission was not granted.
- The student may apply to the Superintendent for early readmission and such readmission shall be at the discretion of the Superintendent.
  - The student applied to the Superintendent for early readmission on \_\_\_\_\_ and the Superintendent granted the request and has conditioned such early readmission on the following criteria:

- The student applied to the Superintendent for early readmission on \_\_\_\_\_ and early readmission was not granted.

### **Review of Placement and ILP:**

A review of the appropriateness of the placement must occur at least once per marking period. Such review must include:

- Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable.
- Consideration of opportunities for early readmission as set forth in the ILP (see Early Readmission section)

### **Transition Plan for Readmission:**

The following has been considered and, where appropriate, addressed:

- Efforts to readmit the student at a semester starting point (at the high school level)
- A plan to transfer the student's credits and record back to the student's school/program
- The student's need for academic and other supports upon returning to school/program
- Efforts to connect the student with opportunities to participate in extracurricular activities

**Note: Technical edits were made to this policy to update the contact information for national and statewide community resources available to victims of child sexual abuse and sexual assault and their families. Also, references to the “Safe School Climate Specialist” were updated to reflect the revised statutory title, “School Climate Specialist.” There are no substantive changes to the policy.**

**Series 5000  
Students**

**5146**

## **CHILD SEXUAL ABUSE AND ASSAULT RESPONSE POLICY AND REPORTING PROCEDURE**

The New Milford Board of Education (the “Board”) has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of its sexual assault and abuse prevention and awareness program within the New Milford Public Schools (the “District”).

### **I. Procedures for Reporting of Child Sexual Abuse and Sexual Assault**

- A. Students, or any individuals, may make written or verbal reports of suspected child sexual abuse and/or sexual assault to any school employee. For purposes of this policy, a “child” shall be considered any student enrolled in the District, except for those enrolled only in an adult education program who are over the age of eighteen (18). The School Climate Specialist or designee for the school in which the student is enrolled shall be notified of the report and shall cause such reports to be reviewed and actions taken consistent with this policy.
- B. School employees who receive a report of child sexual assault and/or abuse and have reasonable cause to suspect or believe that a child has been sexually abused and/or assaulted shall report such suspicion to the appropriate authority in accordance with Board Policy 4118.25/4218.25, pertaining to **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR REPORTS OF SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES.**

### **II. Procedures for Review of Reports of Child Sexual Abuse and/or Assault**

- A. The School Climate Specialist or designee for the school in which the student is enrolled shall be responsible for reviewing any reports of suspected child sexual abuse and/or sexual assault. In the event that the suspected child sexual abuse and/or sexual assault has not yet been reported to the appropriate authority in accordance with Board Policy 4118.25/4218.25, pertaining to **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN BY ANYONE OR SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES,** the School Climate Specialist or designee shall promptly cause such a report to be made.

- B. If/when such report alleges that a school employee, as defined by Conn. Gen. Stat § 53a-65, is the perpetrator of child sexual abuse and/or sexual assault, the School Climate Specialist or designee shall immediately notify the Superintendent of Schools or designee, who shall immediately notify the child's parent or guardian that a report has been made to the appropriate authorities in accordance with Board Policy 4118.25/4218.25, pertaining to **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR REPORTS OF SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**. The notification requirement shall not apply if a parent or guardian is the individual suspected of perpetrating the child sexual abuse and/or sexual assault. If either a Department of Children and Families (“DCF”) investigation or a police investigation is pending pertaining to the report of suspected child sexual abuse and/or sexual assault, the School Climate Specialist or designee shall obtain the permission of DCF and/or the police department conducting the investigation prior to informing the parents/guardians of the report.
- C. The School Climate Specialist or designee shall offer to meet with the student and the parents or guardians of the student about whom a report of suspected child sexual abuse and/or sexual assault has been made, in order to discuss the District’s support procedures, including but not limited to: 1) actions that child victims of sexual abuse and/or sexual assault and their families may take to obtain assistance, 2) intervention and counseling options for child victims of sexual abuse and/or assault, and 3) access to educational resources to enable child victims of sexual abuse and/or sexual assault to succeed in school.
- D. In the event that the report of suspected child sexual abuse and/or sexual assault alleges that another student enrolled in the District is the perpetrator of the sexual abuse and/or sexual assault, the School Climate Specialist or designee shall also take appropriate action to investigate or cause such a report to be investigated, and appropriate remedial actions taken, in accordance with Board Policy 4118.25/4218.25, pertaining to **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR REPORTS OF SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**, Board Policy 5131.91, pertaining to **Bullying Prevention and Intervention**, and Board Policy 5145.7, **Title IX/Sex Discrimination and Sexual Harassment**. In the event either a DCF investigation or a police investigation is pending pertaining to the report of suspected child sexual abuse and/or sexual assault, the School Climate Specialist shall coordinate investigatory activities with DCF and/or the police in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate and permitted by law.
- E. The School Climate Specialist or designee shall develop a student support plan for anyone who has been a victim of child sexual abuse and/or sexual assault. The report of suspected sexual abuse and/or assault need not be verified prior to the implementation of a support plan. The elements of the

support plan shall be determined in the discretion of the School Climate Specialist or designee, and shall be designed to support the student victim's ability to access the school environment.

### **III. Support Strategies**

- A. Child sexual abuse and/or sexual assault can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to child sexual abuse and/or sexual assault.
- B. The following sets forth possible interventions and supports which may be utilized to support individual student victims of child sexual abuse and/or sexual assault:
  - 1. Referral to a school counselor, psychologist or other appropriate social or mental health service.
  - 2. Encouragement of the student victim to seek help when feeling overwhelmed or anxious in the school environment.
  - 3. Facilitated peer support groups.
  - 4. Designation of a specific adult in the school setting for the student victim to seek out for assistance.
  - 5. Periodic follow-up by the School Climate Specialist and/or Title IX Coordinator with the victim of sexual abuse and/or assault.
- C. The following sets forth possible interventions and supports that may be utilized systemically as prevention and intervention strategies pertaining to child sexual abuse and/or sexual assault:
  - 1. School rules prohibiting sexual abuse and sexual assault and establishing appropriate consequences for those who engage in such acts.
  - 2. School-wide training related to prevention and identification of, and response to, child sexual abuse and/or sexual assault.
  - 3. Age-appropriate educational materials designed for children in grades kindergarten to twelve, inclusive, regarding child sexual abuse and sexual assault awareness and prevention that will include information pertaining to, and support for, disclosures of sexual abuse and sexual assault, including but not limited to:
    - (a) the skills to recognize child sexual abuse and sexual assault, boundary violations and unwanted forms of touching and

contact, and the ways offenders groom or desensitize victims; and

- (b) strategies to promote disclosure, reduce self-blame and mobilize bystanders.
- 4. Promotion of parent involvement in child sexual abuse and sexual assault prevention and awareness through individual or team participation in meetings, trainings and individual interventions.
- 5. Respectful and supportive responses to disclosures of child sexual abuse and/or sexual assault by students.
- 6. Use of peers to help ameliorate the plight of victims and include them in group activities.
- 7. Continuing awareness and involvement on the part of students, school employees and parents with regard to prevention and intervention strategies.

#### **IV. School Climate Specialists**

The School Climate Specialists for the District are:

**Gwen Gallagher, Principal**  
Northville Elementary School  
22 Hipp Road  
New Milford, CT 06776  
Telephone: 860-355-3713  
e-mail: [gallagherg@newmilfordps.org](mailto:gallagherg@newmilfordps.org)

**Catherine Calabrese, Principal**  
Hill and Plain Elementary School  
60 Old Town Park Road  
New Milford, CT 06776  
Telephone: 860-354-5430  
e-mail: [calabresec@newmilfordps.org](mailto:calabresec@newmilfordps.org)

**Jennifer Chmielewski, Assistant Principal**  
Sarah Noble Intermediate School  
25 Sunny Valley Road  
New Milford, CT 06776  
Telephone: 860-210-4020  
e-mail: [chmielewskij@newmilfordps.org](mailto:chmielewskij@newmilfordps.org)

**Linda Demeyer, Principal**  
Schaghticoke Middle School  
23 Hipp Road

New Milford, CT 06776  
Telephone: 860-354-2204  
e-mail: [scoralickl@newmilfordps.org](mailto:scoralickl@newmilfordps.org)

**Kevin Best, Assistant Principal**  
New Milford High School  
388 Danbury Road  
New Milford, CT 06776  
Telephone: 860-350-6647, Ext. 1168  
e-mail: [bestk@newmilfordps.org](mailto:bestk@newmilfordps.org)

## V. Community Resources

The Board recognizes that prevention of child sexual abuse and sexual assault requires a community approach. Support for victims and families will include both school and community sources. The national, state and local resources below may be accessed by families at any time, without the need to involve school personnel.

### A. National Resources:

#### National Center for Missing & Exploited Children Resource Center

<http://www.missingkids.com/Publications>

333 John Carlyle Street, Suite #125, Alexandria, Virginia 22314-5950

24-hour call center: 1-800-843-5678

- The online resource center contains publications on child safety and abuse prevention, child sexual exploitation, and missing children.

#### National Children's Advocacy Center

[www.nationalcac.org](http://www.nationalcac.org)

210 Pratt Ave., Huntsville, Alabama 35801

Telephone: (256) 533-5437

#### National Child Traumatic Stress Network

[www.nctsn.org](http://www.nctsn.org)

National Center for Child Traumatic Stress — Duke University

1121 West Chapel Hill Street Suite 201

Durham, NC 27701

Telephone: (919) 682-1552

- The National Child Traumatic Stress Network offers general information on childhood trauma, including information on child sexual abuse.

#### National Sexual Violence Resource Center

<https://www.nsvrc.org/find-help> 2101 N. Front Street

Governor's Plaza North, Building #2

Harrisburg, PA 17110

Toll Free Telephone: 877-739-3895

- The resource center includes multilingual access:  
<https://www.nsvrc.org/publications/nsvrc-publications/statements/centrality-multilingual-access-sexual-violence-prevention-and-intervention>.

### Darkness to Light

<http://www.d2l.org>

3022 S Morgans Point Road #118

Mt Pleasant, SC 29466

National Helpline: (866) 656-HOPE

Administrative Office: (843) 965-5444

- Darkness to Light is a grassroots national non-profit organization to educate adults to prevent, recognize and react responsibly to child sexual abuse.

### B. Statewide Resources:

#### Department of Children and Families

<http://www.ct.gov/dcf/site/default.asp>

505 Hudson Street

Hartford, Connecticut 06106

*Child Abuse and Neglect Careline: 1-800-842-2288*

Telephone, Central Office: (860) 550-6300

- DCF is the Connecticut agency responsible for protecting children who are abused or neglected.
- FAQs About Reporting Suspected Abuse and Neglect are available at:  
<https://portal.ct.gov/dcf/1-dcf/reporting-child-abuse-and-neglect>

#### The Connecticut Alliance to End Sexual Violence

<http://EndSexualViolenceCT.org/>

96 Pitkin Street

East Hartford, CT 06108

24-hour toll-free hotline: 1-888-999-5545 English/1-888-568-8332 Español

Telephone: (860) 282-9881

- The alliance is a statewide coalition of community-based sexual assault crisis service programs working to end sexual violence through victim assistance, public policy advocacy, and prevention education training. Each member center provides free and confidential 24/7 hotline services in English and Spanish, individual crisis counseling, support groups, accompaniment and support in hospitals, police stations, and courts, referral information, and other services to anyone in need.
- *To find a Connecticut Alliance to End Sexual Violence member program please visit:*  
<https://endsexualviolencect.org/member-centers/>

#### Connecticut Children's Alliance

[www.ctchildrensalliance.org](http://www.ctchildrensalliance.org)

75 Charter Oak Ave Suite 1-309

Hartford, Connecticut 06106

Phone: (860) 610-6041

- CCA is a statewide coalition of Child Advocacy Centers and Multidisciplinary Teams.

#### Connecticut Network of Care

<http://connecticut.networkofcare.org>

- Connecticut Network of Care is an online information portal listing programs and support groups for sexual assault and abuse in Connecticut.

C. Local Resources:

The Center for Empowerment & Education (formerly the Women's Center of Danbury)

<http://thecenterct.org>

2 West Street

Danbury, CT 06810

e-mail: [thecenter@thecenter.org](mailto:thecenter@thecenter.org)

- The center provides prevention, crisis intervention, and support services regarding domestic violence, sexual assault, and other major life transitions.

**Legal References:**

Conn. Gen. Stat § 17a-101b Report by mandated reporter. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when staff member suspected of abuse or neglect.

Conn. Gen. Stat § 17a-101q State-wide sexual abuse and assault awareness and prevention program.

Approved: June 20, 2023

Revised: August 6, 2025

*(contact information only)*

NEW MILFORD PUBLIC SCHOOLS

New Milford, Connecticut

**Note: Passed during the 2025 legislative session, Public Act 25-139 adds sexual assault victim and human trafficking victim as protected classes under Connecticut's non-discrimination laws. This policy has been revised to reflect these additions. S & G also updated the location and contact information for the U.S. Department of Education's Office for Civil Rights, as the Boston office has closed. In addition, the appeal timeline for complaints involving the Superintendent or a member of the Board has been aligned with the timeline applicable to other respondents. Finally, we have made technical revisions throughout.**

**Series 1000  
Community/Board Operation**

**1105**

**POLICY AND ADMINISTRATIVE REGULATIONS  
REGARDING NON-DISCRIMINATION (COMMUNITY)**

***Protected Class Discrimination Prohibited:***

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

***Retaliation Prohibited:***

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

***Discrimination on the Basis of Protected Class Association Prohibited:***

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

### ***Scope and Applicability:***

Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities) are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

### ***Definitions:***

The following definitions apply for purposes of this policy:

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

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

The following non-exhaustive list provides examples of the types of prohibited conduct that may be considered Protected Class harassment that can lead to a hostile environment:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- other words or phrases considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to involve intent to harm, be directed toward a specific person, or involve repeated incidents.

Sexual harassment is a form of harassment that is prohibited by law and Board policy. For more information regarding harassment based on sex, sexual orientation,

pregnancy, or gender identity or expression, contact the District's Title IX Coordinator at:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

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

D. Sexual orientation: Sexual orientation refers to a person's identity in relation to the gender or genders to which they are romantically, emotionally or sexually attracted, inclusive of any identity that a person (i) may have previously expressed, or (ii) is perceived by another person to hold.

E. Veteran: A veteran is any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from active service in the United States Army, Navy, Marine Corps, Coast Guard, Air Force, and Space Force and any reserve component thereof, including the Connecticut National Guard. "Qualifying condition" means (i) 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, (ii) 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 (iii) 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).

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

G. Domestic violence: Domestic violence means (1) a continuous threat of present physical pain or physical injury against a family or household member, as defined in Conn. Gen. Stat. § 46b-38a; (2) stalking, including but not limited to, stalking as described in Conn. Gen. Stat. § 53a-181d, of such family or household member; (3) a pattern of threatening, including but not limited to, a pattern of

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

***Alleged Discrimination/Harassment of Students or Employees:***

Complaints of alleged discrimination and/or harassment of students and/or employees will be investigated in accordance with the non-discrimination policies applicable to students and/or personnel respectively. Complaints pertaining to specific forms of discrimination and/or harassment, such as sexual harassment or disability-based harassment, have specific policies and procedures applicable to these forms of harassment and will be investigated in accordance with the specific procedures for such issues. If a complaint involves allegations of discrimination or harassment of an employee or of a student based on sex, such complaints will be handled in accordance with the procedures set forth in the applicable Board policy regarding sex discrimination and sexual harassment. Complaints involving allegations of discrimination or harassment of an employee or of a student based on disability will be addressed in accordance with the procedures set forth in the applicable Board policy regarding Section 504/ADA.

***Alleged Discrimination/Harassment of Community Members on the Basis of Sex:***

In the event the District receives a complaint alleging discrimination or harassment of a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) on the basis of sex, the complaint shall be referred to the District's Title IX Coordinator, who shall take steps designed to ensure that applicable state and federal law are followed.

***Alleged Discrimination/Harassment of Community Members on the Basis of Disability:***

In the event the District receives a complaint alleging discrimination or harassment of a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) based on disability, the complaint shall be referred to the District's Section 504/ADA Coordinator, who shall take steps designed to ensure that applicable state and federal law are followed.

***Reporting to District Officials:***

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment or retaliation.

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

***Reporting to State and Federal Agencies:***

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

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

Office for Civil Rights, Washington DC Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1475  
(202 453-6020)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Connecticut Commission on Human Rights and Opportunities:

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

Equal Employment Opportunity Commission (employees only):

Equal Employment Opportunity Commission, Boston Area Office  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203

(800-669-4000)

***Questions/Requests for Accommodation:***

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who:

1. has questions or concerns about this policy or its accompanying regulations;  
OR
2. wishes to request or discuss accommodations based on religion; OR
3. who would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment:

may contact any District administrator or the following District official:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of sex may contact the District's Title IX Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the District's Section 504/ADA Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**

Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.  
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905  
Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.  
Americans with Disabilities Act, 42 U.S.C. § 12101  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794  
Connecticut General Statutes § 1-1n, “Gender Identity or Expression”  
defined  
Connecticut General Statutes § 27-103  
Connecticut General Statutes § 46a-51, Definitions  
Connecticut General Statutes § 46a-58, Deprivation of rights  
Connecticut Fair Employment Practices Act, Connecticut General  
Statutes § 46a-60  
Connecticut General Statutes § 46a-81c, Sexual orientation  
discrimination: Employment  
Connecticut General Statutes § 46b-1, Family relations matters and  
domestic violence defined  
Public Act No. 25-139, “An Act Concerning Human Trafficking and  
Sexual Assault Victims”

Approved: December 19, 2023  
Revised:

NEWMILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

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

***Protected Class Discrimination Prohibited:***

It is the policy of the New Milford Board of Education (the “Board”) that any form of discrimination or harassment on the basis of race, religion, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, sexual assault, or human trafficking, or any other basis prohibited by state or federal law (“Protected Class”) is prohibited in the New Milford Public Schools (the “District”), whether by students, Board employees, Board members or third parties subject to the control of the Board, subject to the conditions and limitations established by law. When the Board has created a limited public forum, the Board shall provide equal access to the Boy Scouts and other groups as required by law.

***Retaliation Prohibited:***

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

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

***Discrimination on the Basis of Protected Class Association Prohibited:***

Discrimination and/or harassment against any individual on the basis of that individual’s association with someone in a Protected Class may also be considered a form of Protected Class discrimination and/or harassment.

***Scope and Applicability:***

Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities) are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

The following non-exhaustive list provides examples of the types of prohibited conduct that may be considered Protected Class harassment that can lead to a hostile environment:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- other words or phrases considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to involve intent to harm, be directed toward a specific person, or involve repeated incidents.

***Alleged Discrimination/Harassment of Students or Employees:***

Complaints of alleged discrimination and/or harassment of students and/or personnel will be investigated in accordance with the non-discrimination policies applicable to students and/or personnel respectively. Complaints pertaining to specific forms of discrimination and/or harassment, such as sexual harassment or disability-based harassment, have specific policies and procedures applicable to these forms of harassment and will be investigated in accordance with the specific procedures for such issues. If a complaint involves allegations of discrimination or harassment of a student or an employee based on sex, such complaints will be handled in accordance with the procedures set forth in the applicable Board policy regarding sex discrimination and sexual harassment. Complaints involving allegations of discrimination or harassment of an employee or of a student based on disability will be addressed in accordance with the procedures set forth in the applicable Board policy regarding Section 504/ADA.

***Alleged Discrimination/Harassment of Community Members on the Basis of Sex:***

In the event the District receives a complaint alleging discrimination or harassment of a community member (e.g. an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) on the basis of sex, the complaint shall be referred to the District's Title IX Coordinator, who shall take steps designed to ensure that applicable state and federal law are followed.

***Alleged Discrimination/Harassment of Community Members on the Basis of Disability:***

In the event the District receives a complaint alleging discrimination or harassment of a community member (e.g., an individual affiliated with the District, accessing or

seeking access to District facilities who is not a student or an employee) based on disability, the complaint shall be referred to the District's Section 504/ADA Coordinator, who shall take steps designed to ensure that applicable state and federal law are followed.

***Reporting to District Officials:***

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment, or retaliation.

Any individual who believes that they, or another individual, has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of Board policy should report such concern in writing to Holly Hollander, Assistant Superintendent, in accordance with the Board's complaint procedures included in these Administrative Regulations Regarding Non-Discrimination/Community.

***Complaint Procedure:***

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

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

The individual who is alleged have experienced Protected Class discrimination/harassment (the "complainant") and any individual accused of Protected Class discrimination/harassment (the "respondent") (if applicable) will be provided a copy of the Board's policy and regulation and made aware of the individual's rights under this policy and regulation. In the event reported conduct allegedly violates more than one policy, the Board will coordinate an investigation in compliance with the applicable policies, laws and regulations.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the alleged harasser(s) or discriminator(s),
- E. Location where such alleged harassment/discrimination occurred,

- F. Names of any witness(es) to the alleged harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any individual who makes an oral complaint of discrimination or harassment of a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the employee receiving the oral complaint will either reduce the complaint to writing, assist the individual with completing the written complaint form, or request the assistance of a District administrator to do so.

All complaints received by employees are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging discrimination or harassment of a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) under this complaint procedure, the Superintendent shall promptly investigate the complaint, or designate a District administrator or other trained individual to do so. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the reporter (if different from the complainant), the respondent and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

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

1. Offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) to discuss the nature of the complaint, discuss the availability of interim measures, identify individuals the complainant or respondent believes has relevant information, and obtain any relevant documents the complainant or respondent may have;
2. Provide the complainant and respondent (if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;

3. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with the parties to the complaint and any relevant witnesses or other individuals deemed relevant to the complaint;
4. Review any records, notes, statements, or other documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Complete a final investigation report that includes: (i) a findings of fact based on the evidence gathered; (ii) for each allegation, the conclusion(s) and reasoning(s) as to whether the discrimination or harassment occurred; and (iii) for any individual(s) found to have engaged in discrimination or harassment, a broad statement of consequences imposed (to the extent permitted by state and federal confidentiality requirements) (e.g., "Consequences were imposed.").
7. Communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will take steps designed to remedy the discrimination or harassment, adhering to the requirements of state and federal law;
8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of employees and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary;
9. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps designed to avoid continuing discrimination or harassment;
10. After receiving the written notice of the outcome, parties shall have ten (10) school days to submit a formal written statement of appeal, if they so choose, to the Superintendent challenging the outcome of the investigation and explaining the basis for appeal. Upon receipt of an appeal, the Superintendent shall appoint a decisionmaker(s) for the appeal, who may be the Superintendent or designee. The decisionmaker(s) for the appeal will provide

the appealing party's written statement to the non-appealing party. The non-appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the investigation. The decisionmaker(s) for the appeal shall review the evidence and the information presented by the parties and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator(s) and the parties, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the written outcome. Generally, a party's disagreement with the outcome of the investigation, alone, will not be basis for further action. The decisionmaker(s) for the appeal will attempt to issue written notice of the outcome of the appeal to the parties within thirty (30) school days of receipt of all written statements from the parties.

***Complaint Procedure for Superintendent/Board Member Complaints:***

Any District administrator or Board member who receives a complaint of discrimination, harassment or retaliation of a community member by a Board Member and/or the Superintendent shall forward the complaint promptly to Holly Hollander, Assistant Superintendent. Complaints pertaining to the Superintendent or Board of Education members will be forwarded to the Chair of the Board of Education. Complaints pertaining to the Board Chair will be forwarded to the Board Vice Chair. In all cases, the individual receiving the complaint shall take appropriate steps to cause the matter to be investigated in a manner consistent with the procedures described above.

If a complainant or a respondent is not satisfied with the findings and conclusions of an investigation in which the Superintendent or a member of the Board is the respondent, within ten (10) school days of receiving the findings such party may present the complaint and written outcome to the Board Chair (or, if initially presented by the Board Chair, the Board Vice Chair), who will take appropriate steps to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation. Such steps may include retention of an investigator different from the investigator who investigated the complaint.

***Remedial Action:***

If the District makes a finding of discrimination, harassment or retaliation of a community member, the District will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,
- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational

- interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;
- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
  - C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;
  - D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
  - E. Supports for the complainant; and
  - F. Training or other interventions for the larger school community designed to ensure that students, staff, parents, Board members and other individuals within the school community understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

***Staff Development:***

The District will periodically provide staff development for District administrators and periodically distribute the Board's Non-Discrimination policies and the implementing administrative regulations to staff, students and parents in an effort to maintain an environment free of discrimination and harassment.

***Reporting to State and Federal Agencies:***

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

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

Office for Civil Rights, Washington DC Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1475  
(202 453-6020)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office  
John F. Kennedy Federal Building  
475 Government Center

Boston, MA 02203  
(800-669-4000)

Connecticut Commission on Human Rights and Opportunities:

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

***Questions/Requests for Accommodation:***

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who:

1. has questions or concerns about this policy or its accompanying regulations;  
OR
2. wishes to request or discuss accommodations based on religion; OR
3. who would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment:

may contact any building administrator or the following District official:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of sex may contact the District's Title IX Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss

accommodations for a disability, may contact the District's Section 504/ADA Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Regulation approved: December 19, 2023  
Regulation revised:

**DISCRIMINATION/HARASSMENT COMPLAINT FORM**

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

Name of the reporter \_\_\_\_\_

Relationship of reporter to the District \_\_\_\_\_

Name of the complainant/victim \_\_\_\_\_

Relationship of complainant/victim to the District \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the alleged discriminator(s) or harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location where such alleged discrimination/harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the alleged discrimination/harassment \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed remedy: \_\_\_\_\_

**Note: Passed during the 2025 legislative session, Public Act 25-139 adds sexual assault victim and human trafficking victim as protected classes under Connecticut’s non-discrimination laws. This policy has been revised to reflect these additions. Also, the location and contact information for the U.S. Department of Education’s Office for Civil Rights has been updated, as the Boston office has closed. In addition, the appeal timeline for complaints involving the Superintendent or a member of the Board has been aligned with the timeline applicable to other respondents.**

**Series 4000  
Personnel**

**4111.1  
4211.1**

**POLICY AND ADMINISTRATIVE REGULATIONS  
REGARDING NON-DISCRIMINATION (PERSONNEL)**

***Protected Class Discrimination Prohibited:***

The New Milford 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, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability, pregnancy, genetic information, veteran status, gender identity or expression, status as a victim of domestic violence, sexual assault, or human trafficking, or any other basis prohibited by state or federal law (“Protected Class”), 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 an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the New Milford Public Schools (the “District”). The Board’s prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics.

***Discrimination on the Basis of Erased Criminal History Prohibited:***

The Board will not discriminate against any employee or applicant for employment solely on the basis of the individual’s erased criminal history record information, as defined in Conn. Gen. Stat. § 46a-80a.

***Retaliation Prohibited:***

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

***Discrimination on the Basis of Protected Class Association Prohibited:***

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

***Scope and Applicability:***

Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities) are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

***Definitions:***

The following definitions apply for purposes of this policy:

A. Discrimination

It is illegal for employers to treat employees differently in relation to hiring, discharging, compensating, or providing the terms, conditions, and privileges of employment because of such employee's actual or perceived membership in a Protected Class.

B. Harassment

Harassment is a form of Protected Class discrimination that is prohibited by law and by this policy. Harassment is unwelcome conduct that is based on an employee's actual or perceived membership in a Protected Class. Harassment constitutes unlawful discrimination when 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

The following non-exhaustive list provides examples of the types of prohibited conduct that may be considered Protected Class harassment that can lead to an intimidating, hostile, or abusive environment, and are therefore prohibited by this policy:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;

- graphic, written or electronic communications that are harmful or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to involve intent to harm, be directed toward a specific person, or involve repeated incidents.

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

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

C. Genetic information

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.

D. Veteran

A veteran is any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from active service in the United States Army, Navy, Marine Corps, Coast Guard, Air Force, and Space Force and any reserve component thereof, including the Connecticut National Guard. "Qualifying condition" means (i) 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, (ii) 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 (iii) a determination that sexual orientation, gender identity, or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c),(d).

E. Gender identity or expression

Gender identity or expression refers to a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or

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

#### F. Sexual orientation

Sexual orientation refers to a person's identity in relation to the gender or genders to which they are romantically, emotionally or sexually attracted, inclusive of any identity that a person (i) may have previously expressed, or (ii) is perceived by another person to hold.

#### G. Race

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

#### H. Domestic violence

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

#### ***Reporting to District Officials:***

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment or retaliation.

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

Employees are encouraged to report incidents of alleged Protected Class discrimination, harassment, or retaliation immediately.

If a complaint involves allegations of discrimination or harassment based on sex, such complaints will be handled in accordance with the procedures set forth in the applicable Board policy regarding sex discrimination and sexual harassment.

If a complaint involves allegations of discrimination or harassment based on disability, such complaints will be addressed in accordance with the procedures set forth in the applicable Board policy regarding Section 504/ADA.

In the event conduct reported as Protected Class discrimination and/or harassment allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

***Mandatory Staff Reporting for Student Incidents:***

Board employees are required to report incidents of alleged student-to-student and employee-to-student discrimination, harassment or retaliation that may be based on a Protected Class when Board employees witness such incidents or when Board employees receive reports or information about such incidents, whether such incidents are verbal or physical or amount to discrimination, harassment or retaliation in other forms. **Reports should be made to any District administrator or to:**

**Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

***Remedial Action:***

If the District makes a finding of discrimination, harassment or retaliation, the District will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,

- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;
- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
- C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;
- D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
- E. Supports for the complainant; and
- F. Training or other interventions for the larger school community designed to ensure that students, staff, parents, Board members and other individuals within the school community understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

***Reporting to State and Federal Agencies:***

In addition to reporting to the Board, any employee also may file a complaint with the following agencies:

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

Office for Civil Rights, Washington DC Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1475  
(202 453-6020)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Equal Employment Opportunity Commission:

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

Connecticut Commission on Human Rights and Opportunities:

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

***Questions/Requests for Accommodation:***

Any employee who:

1. has questions or concerns about this policy or its accompanying regulations;
2. wishes to request or discuss accommodations based on religion; OR
3. would like a copy the Board's complaint procedures or complaint forms related to claims of discrimination or harassment

should contact the following District official:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any employee who has questions or concerns about the Board's policies regarding discrimination on the basis of sex applicable to employees should contact the District's Title IX Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any employee who:

1. has specific questions or concerns about the Board's policies regarding discrimination on the basis of disability applicable to employees; OR
2. wishes to request an accommodation on the basis of disability

should contact the District's Section 504/ADA Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**

**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.  
Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.  
Americans with Disabilities Act, 42 U.S.C. § 12101  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794  
Title II of the Genetic Information Nondiscrimination Act of 2008,  
Pub.L.110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.  
Connecticut General Statutes § 1-1n, “Gender Identity or Expression”  
defined  
Connecticut General Statutes § 10-153, Discrimination on the basis of  
sex, gender or expression or marital status prohibited  
Connecticut General Statutes § 27-103  
Connecticut General Statutes § 31-51i  
Connecticut General Statutes § 46a-51, Definitions  
Connecticut General Statutes § 46a-58, Deprivation of rights  
Connecticut Fair Employment Practices Act, Connecticut General  
Statutes § 46a-60  
Connecticut General Statutes § 46a-80a  
Connecticut General Statutes § 46a-81c, Sexual orientation  
discrimination: Employment  
Connecticut General Statutes § 46b-1, Family relations matters and  
domestic violence defined  
  
Public Act No. 25-139, “An Act Concerning Human Trafficking and  
Sexual Assault Victims”

Approved: December 19, 2023  
SCHOOLS Revised:

NEWMILFORD PUBLIC  
New Milford, Connecticut

**Series 4000**  
**Personnel**

**4111.1 R**  
**4211.1 R**

**ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION  
COMPLAINTS (PERSONNEL)**

***Protected Class Discrimination Prohibited:***

The New Milford 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, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability, pregnancy, genetic information, veteran status, gender identity or expression, status as a victim of domestic violence, sexual assault, or human trafficking, or any other basis prohibited by state or federal law (“Protected Class”), 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 an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the New Milford Public Schools (the “District”). Students, Board employees, Board members and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

***Discrimination on the Basis of Erased Criminal History Prohibited:***

The Board will not discriminate against any employee or applicant for employment solely on the basis of the individual’s erased criminal history record information, as defined in Conn. Gen. Stat. § 46a-80a.

***Retaliation Prohibited:***

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

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

***Discrimination on the Basis of Protected Class Association Prohibited:***

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

***Scope and Applicability:***

Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities) are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

The following non-exhaustive list provides examples of the types of prohibited conduct that may be considered Protected Class harassment that can lead to a hostile environment, and are therefore prohibited:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful or humiliating based on Protected Class membership;
- bigoted conduct or communications; OR
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to involve intent to harm, be directed toward a specific person, or involve repeated incidents.

***Reporting to District Officials:***

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment or retaliation.

Employees are encouraged to report incidents of alleged Protected Class discrimination, harassment, or retaliation immediately.

Any employee who believes they or another employee has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of Board policy should report such concern in writing to Holly Hollander, Assistant Superintendent, in accordance with the Board's complaint procedures included in these Administrative Regulations Regarding Non-Discrimination/Personnel.

If a complaint involves allegations of discrimination or harassment based on sex, such complaints will be handled in accordance with the procedures set forth the applicable Board policy regarding sex discrimination and sexual harassment.

If a complaint involves allegations of discrimination or harassment based on disability, such complaints will be addressed in accordance with the procedures set forth in the applicable Board policy regarding Section 504/ADA.

In the event conduct reported as Protected Class discrimination and/or harassment allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

***Mandatory Staff Reporting for Student Incidents:***

Board employees are required to report incidents of alleged student-to-student and employee-to-student discrimination, harassment or retaliation that may be based on a Protected Class when Board employees witness such incidents or when Board employees receive reports or information about such incidents, whether such incidents are verbal or physical or amount to discrimination, harassment or retaliation in other forms. **Reports should be made to any District administrator or to:**

**Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

***Complaint Procedure:***

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

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

The individual who is alleged to have experienced Protected Class discrimination/harassment (the “complainant”) and any individual accused of Protected Class discrimination/harassment (the “respondent”) (if applicable) will be provided a copy of the Board’s policy and regulation and made aware of the individual’s rights under this policy and regulation. In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on sex, the Superintendent or designee shall follow the procedures set forth in the applicable Board policy regarding sex discrimination and sexual harassment. In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on disability, the Superintendent or designee shall follow the procedures set forth the applicable Board policy regarding Section 504/ADA.

The complaint should state the:

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

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

All complaints received by employees are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging discrimination or harassment of an employee under this complaint procedure, the Superintendent shall promptly investigate the complaint, or designate a District administrator or other trained individual to do so.

During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the reporter (if different from the complainant), the respondent, and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, to the extent consistent with due process, as determined by the investigator.

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

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

any) shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will take steps designed to remedy the discrimination or harassment, adhering to the requirements of state and federal law;

8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of employees and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary;
9. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps designed to avoid continuing discrimination or harassment;
10. After receiving the written notice of the outcome, parties shall have ten (10) school days to submit a formal written statement of appeal, if they so choose, to the Superintendent challenging the outcome of the investigation and explaining the basis for appeal. Upon receipt of an appeal, the Superintendent shall appoint a decisionmaker(s) for the appeal, who may be the Superintendent or designee. The decisionmaker(s) for the appeal will provide the appealing party's written statement to the non-appealing party. The non-appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the investigation. The decisionmaker(s) for the appeal shall review the evidence and the information presented by the parties and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator(s) and the parties, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the written outcome. Generally, a party's disagreement with the outcome of the investigation, alone, will not be basis for further action. The decisionmaker(s) for the appeal will attempt to issue written notice of the outcome of the appeal to the parties within thirty (30) school days of receipt of all written statements from the parties.

***Complaint Procedure for Superintendent/Board Members Complaints:***

Any District administrator or Board member who receives a complaint of discrimination, harassment or retaliation of any employee by a Board Member or by the Superintendent shall forward the complaint promptly to Holly Hollander, Assistant Superintendent. Complaints pertaining to the Superintendent or Board of Education members will be forwarded to the Chair of the Board of Education. Complaints pertaining to the Board Chair will be forwarded to the Board Vice Chair. In all cases, the individual receiving the complaint shall take appropriate steps to cause the matter to be investigated in a manner consistent with the procedures described above.

If a complainant or a respondent is not satisfied with the findings and conclusions of an investigation in which the Superintendent or a member of the Board is the respondent,

within ten (10) school days of receiving the findings such party may present the complaint and written outcome to the Board Chair (or, if initially presented by the Board Chair, the Board Vice Chair), who will take appropriate steps to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation. Such steps may include retention of an investigator different from the investigator who investigated the complaint.

***Remedial Action:***

If the District makes a finding of discrimination, harassment or retaliation of an employee, the District will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,
- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;
- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
- C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;
- D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
- E. Supports for the complainant; and
- F. Training or other interventions for the larger school community designed to ensure that students, staff, parents, Board members and other individuals within the school community understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

***Staff Development:***

The District will periodically provide staff development for District administrators and periodically distribute the Board's Non-Discrimination policies and the implementing administrative regulations to staff and students in an effort to maintain an environment free of discrimination and harassment.

***Reporting to State and Federal Agencies:***

In addition to reporting to the Board, any employee also may file a complaint with the following agencies:

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

Office for Civil Rights, Washington DC Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1475  
(202 453-6020)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Equal Employment Opportunity Commission:

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

Connecticut Commission on Human Rights and Opportunities:

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

***Questions/Requests for Accommodation:***

Any employee who:

1. has questions or concerns about this policy or its accompanying regulations;
2. wishes to request or discuss accommodations based on religion; OR
3. would like a copy the Board’s complaint procedures or complaint forms related to claims of discrimination or harassment

should contact the following District official:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any employee who has questions or concerns about the Board's policies regarding discrimination on the basis of sex applicable to employees should contact the District's Title IX Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any employee who:

1. has specific questions or concerns about the Board's policies regarding discrimination on the basis of disability applicable to employees; OR
2. wishes to request an accommodation on the basis of disability

should contact the District's Section 504/ADA Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Regulation approved: December 19, 2023  
Regulation revised:

**DISCRIMINATION/HARASSMENT COMPLAINT FORM**  
**(For complaints based on race, color, religion, age, marital status, national origin, alienage, ancestry, genetic information, veteran status, or status as a victim of domestic violence, sexual assault, or human trafficking)**

Name of the reporter \_\_\_\_\_

Name of the complainant/victim \_\_\_\_\_

Reporter's relationship complainant/victim \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the alleged discriminator(s) or harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location where such alleged discrimination/harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the alleged discrimination/harassment \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed remedy \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note: On January 9, 2025, a federal district court in Kentucky ruled that the 2024 Title IX Regulations, which had taken effect on August 1, 2024, “are invalid and must be set aside.” On January 31, 2025, the U.S. Department of Education’s Office for Civil Rights confirmed that, effective immediately, it would enforce the 2020 Title IX Regulations. Accordingly, boards of education should discontinue use of policies and regulations that follow the 2024 Title IX Regulations and resume using those that were in place under the 2020 Title IX Regulations. S & G has revised the model policy that complies with 2020 Title IX regulations to: (1) update the location of and contact information for the U.S. Department of Education, Office for Civil Rights Office where individuals may file complaints, given that the Boston office has been closed; (2) add reference to potential use of a third-party contractor to conduct investigations (please note that the regulations already reference the possible use of a third-party contractor to serve as a decision-maker); (3) remove the definition of “fondling” within the definition of “sexual assault” and replace it with “criminal sexual contact” and update the definition of “rape” pursuant to changes to the National Incident-Based Reporting System (“NIBRS”) manual; and (4) clarify certain distinctions between federal law and Connecticut law.**

**Series 4000  
Personnel**

**4118.113  
4218.113**

**POLICY AND ADMINISTRATIVE REGULATIONS  
REGARDING PROHIBITION OF SEX DISCRIMINATION  
AND SEXUAL HARASSMENT IN THE WORKPLACE (PERSONNEL)**

It is the policy of the New Milford Board of Education (the “Board”) for the Public New Milford 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. It is the policy of the Board to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex.

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”), Title VII of the Civil Rights Act of 1964 (“Title VII”), and Connecticut law not to discriminate in such a manner. Students, Board employees and third parties are required to adhere to a standard of conduct that is respectful of the rights of all parties. Any employee or student who engages in conduct prohibited by this Policy shall be subject to disciplinary action, up to and including termination or expulsion, respectively. Third parties who engage in conduct prohibited by this Policy shall be subject to other sanctions, which may include exclusion from Board property and/or activities. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

For conduct to violate 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 Title VII, Connecticut law, and/or another Board policy.

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

**Sex discrimination** occurs when an employer refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to the individual’s compensation, terms, conditions, or privileges of employment on the basis of the individual’s sex. Sex discrimination also 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:

- (1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct (*i.e.*, *quid pro quo*);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board’s education programs or activities; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

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

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

Under Connecticut law, discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of sexual orientation or gender identity and expression.

### Reporting Sex Discrimination or Sexual Harassment

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

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

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 District 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), which training shall include, but need not be limited to, the definition of sex discrimination and sexual harassment, the scope of the Board's education program and activity, how to conduct an investigation and implement the 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, Title VII, 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 employees, union representatives, students, 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

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any individual may make a report of sex discrimination and/or sexual harassment to any Board employee or directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

Gwen Gallagher, Principal  
Northville Elementary School  
22 Hipp Road New Milford, CT 06776  
Telephone: 860-355-3713  
e-mail: [gallagherg@newmilfordps.org](mailto:gallagherg@newmilfordps.org)

Cathy Calabrese, Principal  
Hill and Plain Elementary School 6  
0 Old Town Park Road  
New Milford, CT 06776  
Telephone: 860-354-5430  
e-mail: [calabresec@newmilfordps.org](mailto:calabresec@newmilfordps.org)

Jennifer Chmielewski, Assistant Principal  
Sarah Noble Intermediate School  
25 Sunny Valley Road  
New Milford, CT 06776  
Telephone: 860-210-4020  
e-mail: [chmielewskij@newmilfordps.org](mailto:chmielewskij@newmilfordps.org)

Jennifer Powers, Assistant Principal  
Schaghticoke Middle School  
23 Hipp Road  
New Milford, CT 06776  
Telephone: 860-354-2204  
e-mail: [powersj@newmilfordps.org](mailto:powersj@newmilfordps.org)

Keith Lipinsky, Athletic Director  
New Milford High School  
388 Danbury Road  
New Milford, CT 06776  
Telephone: 860-350-6647, ext. 1411  
e-mail: [lipinskyk@newmilfordps.org](mailto:lipinskyk@newmilfordps.org)

Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)

**Any 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 the Title IX Coordinator. Board employees may also make a report of sexual harassment and/or sex discrimination under Title IX to the U.S. Department of Education: Office for Civil Rights, Washington DC Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-1475 (Telephone (202) 453-6020).**

Employees 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:

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

Conn. Gen. Stat. § 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

**ADMINISTRATIVE REGULATIONS REGARDING  
THE PROHIBITION OF SEX DISCRIMINATION AND  
SEXUAL HARASSMENT (PERSONNEL)**

It is the policy of the New Milford Board of Education (the “Board”) for the New Milford 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. Students, District employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students, District employees, and third parties. It is the policy of the Board to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex that has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.

Any employee or student who engages in conduct prohibited by the Board’s Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) shall be subject to disciplinary action. Any third party who engages in conduct prohibited by the Board’s Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) shall be subject to remedial measures, which may include exclusion from school property.

**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:

- (1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct (i.e., *quid pro quo*);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education programs or activities; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). These definitions can be found in Appendix A of these Administrative Regulations.

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

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

Under Connecticut law, discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of sexual orientation or gender identity and expression.

Although not an exhaustive list, the following are other examples of conduct prohibited by the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel):

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

### **NOTICE OF THE TITLE IX COORDINATOR**

The District's Title IX Coordinator is

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any individual may make a report of sex discrimination and/or sexual harassment to any District employee or directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

Gwen Gallagher, Principal  
Northville Elementary School  
22 Hipp Road New Milford, CT 06776  
Telephone: 860-355-3713  
e-mail: [gallagherg@newmilfordps.org](mailto:gallagherg@newmilfordps.org)

Cathy Calabrese, Principal  
Hill and Plain Elementary School 6  
0 Old Town Park Road  
New Milford, CT 06776  
Telephone: 860-354-5430  
e-mail: [calabresec@newmilfordps.org](mailto:calabresec@newmilfordps.org)

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Sarah Noble Intermediate School  
25 Sunny Valley Road  
New Milford, CT 06776  
Telephone: 860-210-4020  
e-mail: [chmielewskij@newmilfordps.org](mailto:chmielewskij@newmilfordps.org)

Jennifer Powers, Assistant Principal  
Schaghticoke Middle School  
23 Hipp Road  
New Milford, CT 06776  
Telephone: 860-354-2204  
e-mail: [powersj@newmilfordps.org](mailto:powersj@newmilfordps.org)

Keith Lipinsky, Athletic Director  
New Milford High School  
388 Danbury Road  
New Milford, CT 06776  
Telephone: 860-350-6647, ext. 1411  
e-mail: [lipinskyk@newmilfordps.org](mailto:lipinskyk@newmilfordps.org)

Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)

Any District employee in receipt of allegations of sex discrimination or sexual harassment, or in receipt of a formal complaint, shall immediately forward such information to the Title IX Coordinator. The Title IX Coordinator manages the District's compliance with Title IX, Title VII and Connecticut law with respect to sexual harassment and/or sex discrimination and is an available resource to anyone seeking information or wishing to file a formal complaint of same. When a student, District employee, or other participant in the District's programs and activities feels that such person has been subjected to discrimination on the basis of sex in any District program or activity, including without limitation being subjected to sexual harassment, such person may contact the Title IX Coordinator or utilize the Title IX, Title VII and Connecticut law grievance systems set forth herein to bring concerns forward for the purpose of obtaining a prompt and equitable resolution.

## **EXPLANATION OF COMPLAINT PROCESS AND PROCEDURE**

The federal regulations implementing Title IX require the adoption and publication of two separate grievance systems: a grievance process for complaints of sex discrimination involving allegations of sexual harassment under Title IX and grievance procedures for complaints of sex discrimination that are not sexual harassment. Accordingly, the Administration will process any complaints of sex discrimination involving allegations of sexual harassment under Title IX, as defined above, pursuant to the **grievance process** set forth in Section I of these regulations. The Administration will process any complaints of sex discrimination (including allegations of sexual harassment under Title VII and/or Connecticut law only) pursuant to the **grievance procedures** set forth in Section II of these regulations.

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (“FERPA”), or as required by law, or to carry out the purposes of these Administrative Regulations, including the conduct of any investigation, hearing, or judicial proceeding arising from these Administrative Regulations.

The obligation to comply with Title IX is not obviated or alleviated by the FERPA.

## **SECTION I. GRIEVANCE PROCESS FOR COMPLAINTS OF SEXUAL HARASSMENT UNDER TITLE IX**

### **A. Definitions**

- **Bias** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) demonstrate actual bias, rather than the appearance of bias. Actual bias includes, but is not limited to, demonstrated personal animus against the respondent or the complainant and/or prejudgment of the facts at issue in the investigation.
- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- A **conflict of interest** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) have personal, financial and/or familial interests that affected the outcome of the investigation.
- **Consent** means an active, clear and voluntary agreement by a person to engage in sexual activity with another person (also referred to hereafter as “affirmative consent”).

For the purposes of an investigation conducted pursuant to these Administrative Regulations, the following principles shall be applied in determining whether consent for sexual activity was given and/or sustained:

- A. Affirmative consent is the standard used in determining whether consent to engage in sexual activity was given by all persons who engaged in the sexual activity.
- B. Affirmative consent may be revoked at any time during the sexual activity by any person engaged in the sexual activity.

C. It is the responsibility of each person engaging in sexual activity to ensure that the person has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity.

D. It shall not be a valid excuse to an alleged lack of affirmative consent that the respondent to the alleged violation believed that the complainant consented to the sexual activity:

(i) because the respondent was intoxicated or reckless or failed to take reasonable steps to ascertain whether the complainant affirmatively consented, or

(ii) if the respondent knew or should have known that the complainant was unable to consent because such individual was unconscious, asleep, unable to communicate due to a mental or physical condition, unable to consent due to the age of the individual or the age difference between the individual and the respondent, or incapacitated due to the influence of drugs, alcohol or medication.

E. The existence of a past or current dating or sexual relationship between the complainant and the respondent, in and of itself, shall not be determinative of a finding of consent.

- For purposes of investigations and complaints of sexual harassment, **education program or activity** includes locations, events, or circumstances over which the Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.
- **Employee** means (A) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in a public elementary, middle or high school; or (B) any other individual who, in the performance of the individual's duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.
- **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment (as defined under Title IX) against a respondent and requesting that the Administration investigate the allegation of sexual harassment. A "document filed by a complainant" means a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.
- **Respondent** means an individual who has been alleged to be the perpetrator of conduct that could constitute sexual harassment.
- **School days** means the days that school is in session as designated on the calendar posted on the Board's website. In its discretion, and when equitably applied and with proper notice to the parties, the District may consider business days during the summer recess as "school days" if such designation facilitates the prompt resolution of the grievance process.

- **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent, before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, increased security and monitoring, and other similar measures.

## B. Reporting Sexual Harassment

1. It is the express policy of the Board to encourage victims of sexual harassment to report such claims. Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sexual harassment or alleged sexual harassment against a person in the District's education program or activity, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, whether or not the complainant files a formal complaint, and will consider the complainant's wishes with respect to such measures. If the complainant has yet to file a formal complaint, the Title IX Coordinator will explain to the complainant the process for doing so.
2. The District will treat complainants and respondents equitably. A respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility will be made at the conclusion of the grievance process if a formal complaint is filed. Nothing in these Administrative Regulations shall preclude the District from placing an employee respondent on administrative leave during the pendency of the grievance process. Further, nothing in these Administrative Regulations shall limit or preclude the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. If a respondent is removed on an emergency basis, the District shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

## C. Formal Complaint and Grievance Process

1. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education programs or activity. A formal complaint may be signed by the Title IX Coordinator. If the formal complaint being filed is against the Title IX Coordinator, the formal complaint should be filed with the Superintendent. If the formal complaint being filed is against the Superintendent, the formal complaint should be filed with the Board Chair, who will then retain an independent investigator to investigate the matter.

2. The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. If possible, formal complaints should be filed within ten (10) school days of the alleged occurrence in order to facilitate the prompt and equitable resolution of such claims. The District will attempt to complete the formal grievance process within ninety (90) school days of receiving a formal complaint. This timeframe may be temporarily delayed or extended in accordance with Subsection G of this Section.
3. Upon receipt of a formal complaint, if the Title IX Coordinator has not already discussed the availability of supportive measures with the complainant, the Title IX Coordinator will promptly contact the complainant to discuss the availability of such measures and consider the complainant's wishes with respect to them. The Title IX Coordinator or designee may also contact the respondent, separately from the complainant, to discuss the availability of supportive measures for the respondent. The District will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide such supportive measures.
4. Within ten (10) school days of receiving a formal complaint, the District will provide the known parties with written notice of the allegations potentially constituting sexual harassment under Title IX and a copy of this grievance process. The written notice must also include the following:
  - i. The identities of the parties involved in the incident, if known;
  - ii. The conduct allegedly constituting sexual harassment as defined above;
  - iii. The date and the location of the alleged incident, if known;
  - iv. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
  - v. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
  - vi. A statement of any provision in the District's policies that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the written notice, the District must provide notice of the additional allegations to the parties whose identities are known.

5. The parties may have an advisor of their choice accompany them during any grievance proceeding at which the party's attendance is required. The District may, in its discretion, establish certain restrictions regarding the extent to which an advisor may participate in the proceedings. If any such restrictions are established, they will be applied equally to all parties.

6. The Title IX Coordinator will, as applicable, promptly commence an investigation of the formal complaint, designate a school administrator or third-party contractor to promptly investigate the formal complaint, or dismiss the formal complaint in accordance with Subsection F of this Section. The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard (i.e., more likely than not). The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties.
7. The parties will be given an equal opportunity to discuss the allegations under investigation with the investigator(s) and are permitted to gather and present relevant evidence. This opportunity includes presenting witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The District will provide to a party whose participation is invited or expected (including a witness) written notice of the date, time, location, participants, and purpose of all hearings (if applicable), investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
8. Both parties will be given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) school days to submit a written response, which the investigator(s) will consider prior to completion of the investigative report, as described in Paragraph 9 of this Subsection.
9. The investigator(s) will create an investigative report that fairly summarizes relevant evidence. The investigator(s) will send the investigative report, in an electronic format or hard copy, to each party and to each party's advisor for their review and written response at least ten (10) school days prior to the time a determination regarding responsibility is made.
10. The Superintendent will appoint a decision-maker(s), who shall be a District employee or third-party contractor and who shall be someone other than the Title IX Coordinator or investigator(s). If the formal complaint filed is against the Superintendent, the Board Chair shall appoint the decision-maker, who shall be someone other than the Title IX Coordinator or investigator(s). The investigator(s) and the decision-maker(s) shall not discuss the investigation's facts and/or determination while the formal complaint is pending. The decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence

concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decisions to exclude a question as not relevant.

11. The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker must apply the preponderance of the evidence standard. The written determination will include: (1) identification of the allegations potentially constituting sexual harassment; (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (3) findings of fact supporting the determination; (4) conclusions regarding the application of the District's code of conduct to the facts; (5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District will impose on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and (6) the District's procedures and permissible bases for the complainant and respondent to appeal. If the respondent is found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel), the written determination shall indicate whether the respondent engaged in sexual harassment as defined by the Board's Policy and these Administrative Regulations. The written determination will be provided to both parties simultaneously.
12. Student respondents found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) may be subject to discipline up to and including expulsion. Employee respondents found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) may be subject to discipline up to and including termination of employment. Other respondents may be subject to exclusion from the District's programs, activities and/or property. In appropriate circumstances, the District may make a criminal referral. Remedies will be designed to restore or preserve equal access to the District's education programs or activities.
13. After receiving notification of the decision-maker(s)' decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent may avail themselves of the appeal process set forth in Section E of this Section.

#### D. Informal Resolution

At any time prior to reaching a determination regarding responsibility, but only after the filing of a formal complaint, the District may suggest to the parties the possibility of facilitating an informal resolution process, such as mediation, to resolve the formal complaint without the need for a full investigation and adjudication. If it is determined that an informal resolution may be appropriate, the Title IX Coordinator or designee will consult with the parties.

Prior to facilitating an informal resolution to a formal complaint, the Title IX Coordinator or designee will provide the parties with written notice disclosing the sexual harassment allegations, the requirements of an informal resolution process, and any consequences from participating in the informal resolution process. Upon receipt of this document, complainants

and respondents have five (5) school days to determine whether they consent to participation in the informal resolution. The District must obtain voluntary, written consent to the informal resolution process from both parties.

Prior to agreeing to any resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. If a satisfactory resolution is reached through this informal process, the matter will be considered resolved. If these efforts are unsuccessful, the formal grievance process will continue.

Nothing in this section precludes an employee from filing a complaint of retaliation for matters related to an informal resolution, nor does it preclude either party from filing complaints based on conduct that is alleged to occur following the District's facilitation of the informal resolution.

An informal resolution is not permitted to resolve allegations that an employee sexually harassed a student.

#### E. Appeal Process

After receiving notification of the decision-maker(s)' decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent have five (5) school days to submit a formal letter of appeal to the Title IX Coordinator specifying the grounds upon which the appeal is based. Upon receipt of an appeal, the Superintendent shall appoint a decision-maker(s) for the appeal, who shall be someone other than the Title IX Coordinator, investigator(s) or initial decision-maker(s).

Appeals will be appropriate only in the following circumstances:

- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- procedural irregularity that affected the outcome of the matter;
- the Title IX Coordinator, investigator(s), and/or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. A conflict of interest or bias does not exist solely because the Title IX Coordinator, investigators(s), and/or decision-maker(s) previously worked with or disciplined the complainant or respondent.

The District will provide the other party with written notice of such appeal. The appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the grievance process. The decision-maker(s) for the appeal will provide the appealing party's written statement to the other party. The other party will then have ten (10) school days to submit to the decision-maker for the appeal a written statement in support of, or challenging, the outcome of the grievance process. The decision-maker(s) for the appeal, in their discretion, will determine any additional necessary and appropriate procedures for the appeal.

After considering the parties' written statements, the decision-maker(s) for the appeal will provide a written decision. The decision-maker(s) for the appeal will attempt to issue the written decision within thirty (30) school days of receipt of all written statements from the parties. If it is found that one of the bases for appeal exists, the decision-maker(s) for the appeal will issue an appropriate remedy.

Supportive measures for either or both parties may be continued throughout the appeal process.

#### F. Dismissal of a Formal Complaint

The Title IX Coordinator shall dismiss any formal complaint that, under Title IX, 1) would not constitute sexual harassment as defined under Title IX even if proved, 2) did not occur in the District's education program or activity, or 3) did not occur against a person in the United States. Such dismissal does not preclude action under another Board policy.

The District may dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing: 1) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; 2) the respondent is no longer enrolled or employed in the District; or 3) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the District will promptly and simultaneously send written notice of the dismissal and reason(s) therefor to each party. Either party can appeal from the District's dismissal of a formal complaint or any allegations therein using the appeals procedure.

In the event a formal complaint is dismissed prior to the issuance of a decision under Title IX, the Title IX Coordinator shall determine if the allegations of sexual harassment shall proceed through the grievance procedures identified in Section II of these Administrative Regulations for claims of sex discrimination for consideration as to whether the allegations constitute sexual harassment under Title VII or Connecticut law.

A dismissal pursuant to this section does not preclude action by the District under the Student Discipline policy, Code of Conduct for students/or and employees, or any other applicable rule, policy, and/or collective bargaining agreement.

#### G. Miscellaneous

1. Any timeframe set forth in these Administrative Regulations may be temporarily delayed or extended for good cause. Good cause may include, but is not limited to, considerations such as the absence or illness of a party, a party's advisor, or a witness; concurrent law enforcement activity; concurrent activity by the Department of Children and Families; or the need for language assistance or accommodation of disabilities. If any timeframe is altered on a showing of good cause, written notice will be provided to each party with the reasons for the action.
2. If a sexual harassment complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification, the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.
3. If the sexual harassment complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of

serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.

4. Retaliation against any individual who complains pursuant to the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) and these Administrative Regulations is strictly prohibited. Neither the District nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by applicable law or these Administrative Regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Administrative Regulations. The District will take actions designed to prevent retaliation. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.
5. The District will maintain for a period of seven (7) years records of:
  - i. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the Board's education program or activity;
  - ii. Any appeal and the result therefrom;
  - iii. Any informal resolution and the result therefrom; and
  - iv. All material used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The Board will make these training materials publicly available on its website.

If the District has actual knowledge of sexual harassment under Title IX in an education program or activity of the Board, and for any report or formal complaint of sexual harassment, the District will create and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. The District will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Board's education program or activity. If the District does not provide a complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

## **SECTION II. GRIEVANCE PROCEDURES FOR CLAIMS OF SEX DISCRIMINATION (OTHER THAN SEXUAL HARASSMENT UNDER TITLE IX)**

### **A. Definitions**

- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sex discrimination.
- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination.

### **B. Reporting Sex Discrimination Other than Sexual Harassment under Title IX**

It is the express policy of the Board to encourage victims of sex discrimination to report such claims. Any person may report sex discrimination or sexual harassment under Title VII or Connecticut law (whether or not the person reporting is the person alleged to be the victim of such conduct), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sex discrimination or alleged sex discrimination against a person in the District's education program or activity, the Title IX Coordinator or designee will promptly notify the complainant of the grievance process. The District will treat complainants and respondents equitably during the grievance process. Sexual harassment is a form of sex discrimination, and any incident of sexual harassment under Title IX, as defined above, shall be handled pursuant to Section I of these Administrative Regulations. Any allegations of sexual harassment under Title VII or Connecticut law, as defined above, shall be handled pursuant to this Section II of these Administrative Regulations.

### C. Grievance Procedures

1. As soon as an employee feels that the employee has been subjected to sex discrimination other than sexual harassment as defined under Title IX (including, without limitation, sexual harassment under Title VII or Connecticut law), the employee should make a written complaint to the Title IX Coordinator or to the building principal, or designee. The employee will be provided a copy of the Board's Policy and Administrative Regulations and made aware of the employee's rights under this Policy and Administrative Regulations. Preferably, complaints should be filed within ten (10) school days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.
2. The complaint should state the:
  - i. Name of the complainant;
  - ii. Date of the complaint;
  - iii. Date(s) of the alleged discrimination;
  - iv. Name(s) of the alleged discriminator(s);
  - v. Location where such alleged discrimination occurred;
  - vi. Names of any witness(es) to the alleged discrimination;
  - vii. Detailed statement of the circumstances constituting the alleged discrimination; and
  - viii. Remedy requested.
3. Any employee who makes an oral complaint of alleged sex discrimination to any of the above-mentioned personnel will be provided a copy of these Administrative Regulations and will be requested to make a written complaint pursuant to the above procedure.
4. All complaints are to be forwarded immediately to the building principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent of Schools or designee. In addition, a copy of any complaint filed under this Policy shall be forwarded to the Title IX Coordinator. If the complaint being filed is against the Title IX Coordinator, the complaint should be filed with the Superintendent. If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will then retain a third-party contractor to investigate the matter.

5. The Title IX Coordinator or designee shall investigate all complaints of sex discrimination against an employee, regardless of whether the conduct occurred on or off-school grounds. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information, and other extenuating circumstances. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
6. Any employee who makes a complaint shall be notified of the District's intent to investigate the complaint. In the event the employee requests confidentiality or that an investigation not be conducted, the District will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the District not investigate the complaint. If the employee insists that this information not be shared with the alleged discriminator(s), the employee will be informed that the District's ability to investigate and/or take corrective action may be limited.
7. Upon receipt of a sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator or third-party contractor to promptly investigate the complaint. The Title IX Coordinator or designee shall:
  - i. offer to meet with the complainant and respondent (if applicable) separately within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent (if applicable) believe have relevant information, and obtain any relevant documents the complainant and respondent may have;
  - ii. provide the complainant and respondent (if applicable) with a copy of the Board's sex discrimination policy and accompanying regulations;
  - iii. consider whether any interim measures may be appropriate to protect the complainant or respondent (if applicable), pending the outcome of the investigation;
  - iv. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
  - v. consider whether alleged sex discrimination has created a hostile work environment, including consideration of the effects of off-campus conduct on the school;
  - vi. communicate the outcome of the investigation in writing to the complainant, to the respondent, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within ninety (90) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant and respondent (if applicable) shall be notified of such extension. The written notice shall include a finding

whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will remedy the discrimination, adhering to the requirements of state and federal law; and

- vii. when sex discrimination has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the discrimination, as deemed appropriate by the Superintendent or designee, and take steps designed to remedy the effects of the sex discrimination.
8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent will receive notice and interim measures may be implemented as necessary.
  9. If the complainant or respondent (if applicable) is dissatisfied with the findings of the investigation, the complainant or respondent may file a written appeal within five (5) school days to the Title IX Coordinator, or, if the Title IX Coordinator conducted the investigation, to the Superintendent of Schools. The Title IX Coordinator or Superintendent shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sex discrimination. The Title IX Coordinator or Superintendent of Schools may determine if further action and/or investigation is warranted. After completing this review, the Title IX Coordinator or Superintendent of Schools shall respond to the complainant and respondent (if applicable), in writing, within fifteen (15) school days following the receipt of the written request for review.

#### D. Miscellaneous

1. If a sex discrimination complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification, the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.
2. If the sex discrimination complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.
3. Retaliation against any individual who complains pursuant to the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) and these Administrative Regulations is strictly prohibited. Neither the District nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the

purpose of interfering with any right or privilege secured by applicable law or these Administrative Regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Administrative Regulations. The District will take actions designed to prevent retaliation as a result of filing a complaint. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.

### **Section III. Further Reporting**

At any time, a complainant alleging sex discrimination or sexual harassment under Title IX may also file a complaint with the Office for Civil Rights, Washington DC Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-1475 (Telephone (202) 453-6020).

Employees 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).

Regulation approved:

## Appendix A

**Sexual Assault:** An offense classified as forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Rape (Except Statutory Rape)—Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

Sodomy—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Sexual Assault With An Object—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Criminal Sexual Contact—The intentional touching of the clothed or unclothed body parts, without consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

Incest—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

**Series 4000  
Personnel**

**COMPLAINT FORM REGARDING SEXUAL HARASSMENT UNDER TITLE IX  
(PERSONNEL)**

*This complaint form should be used for complaints of sexual harassment under Title IX as defined on page 1 of the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel)*

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged sexual harassment \_\_\_\_\_

Name or names of the respondent(s) \_\_\_\_\_

\_\_\_\_\_

Location where such alleged sexual harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the alleged sexual harassment

\_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged sexual harassment

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

Signature of Complainant or Title IX Coordinator: \_\_\_\_\_

**Series 4000  
Personnel**

**COMPLAINT FORM REGARDING SEX DISCRIMINATION (OTHER THAN SEXUAL  
HARASSMENT UNDER TITLE IX) (PERSONNEL)**

*This complaint form should be used for complaints of sex discrimination and/or sexual harassment under Title VII/Connecticut law, as defined on page 1 of the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel)*

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged sex discrimination \_\_\_\_\_

Name or names of the respondent(s) \_\_\_\_\_

\_\_\_\_\_

Location where such alleged sex discrimination occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the alleged sex discrimination \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged sex discrimination

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

Signature: \_\_\_\_\_

SAMPLE WRITTEN NOTICE FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT  
UNDER TITLE IX

[LETTERHEAD]

NOTICE OF SEXUAL HARASSMENT ALLEGATIONS UNDER TITLE IX

[DATE]

In accordance with the Board's Policy and Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel), a formal complaint of sexual harassment has been filed with the Title IX Coordinator.

Identities of the parties involved, if known:

\_\_\_\_\_ (Complainant(s))  
\_\_\_\_\_ (Respondent(s))

The conduct allegedly constituting sexual harassment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The date and the location of the alleged incident, if known: \_\_\_\_\_  
\_\_\_\_\_

The Title IX Coordinator or designee will contact the parties regarding the next step in the grievance process. Questions can be directed to the Title IX Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

The respondent is presumed not responsible for the alleged conduct. A determination regarding responsibility is made at the conclusion of the grievance process.

All parties involved may have an advisor of their choice who may be, but it not required to be, an attorney. This advisor may inspect and review evidence as permitted by the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel).

Any employee who knowingly makes false statements or knowingly submits false information during this grievance process is subject to discipline, up to and including termination. Additionally, it is a violation of the Board's Student Discipline Policy to lie to school officials or otherwise engage in dishonest behavior, which includes knowingly making false statements or knowingly submitting false information during the grievance process. Any student who knowingly makes false statements or knowingly submits false information during this grievance process will be subject to sanctions pursuant to the Board's Student Discipline Policy.

**A copy of the Board's Policy and Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) is included with this notice.**

SAMPLE WRITTEN NOTICE FOR THE INFORMAL RESOLUTION PROCESS FOR  
SEXUAL HARASSMENT COMPLAINTS

[LETTERHEAD]

NOTICE OF INFORMAL RESOLUTION PROCESS FOR SEXUAL HARASSMENT  
COMPLAINTS UNDER TITLE IX

In accordance with the Board's Policy and Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel), a formal complaint of sexual harassment has been filed with the Title IX Coordinator. The Board has an informal resolution process to promptly and equitably resolve such complaints using mediation *[alternatively, could be restorative justice]*. This informal resolution process will only be utilized if both the Complainant and Respondent agree to do so.

The conduct allegedly constituting sexual harassment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If both parties agree to the informal resolution process, it shall preclude the parties from resuming a formal complaint arising out of the same allegations. However, either party may withdraw from the informal resolution process at any time before agreeing to a resolution and resume the grievance process for formal complaints of sexual harassment.

If both parties agree to a resolution, that resolution is binding upon both parties and cannot be changed or appealed.

The District will maintain for a period of seven (7) years records of the informal resolution process and results therefrom.

\_\_\_\_\_

I voluntarily consent to the informal resolution process:

\_\_\_\_\_  
Complainant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Respondent  
10/21/2025

\_\_\_\_\_  
Date

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

**[To be posted in a conspicuous place readily available  
for viewing by employees and emailed to employees within three months of hire with the  
subject line “Sexual Harassment Policy” or words of similar import]**

**SEXUAL HARASSMENT IS ILLEGAL  
AND IS PROHIBITED  
BY  
THE CONNECTICUT DISCRIMINATION EMPLOYMENT PRACTICES ACT  
(Section 46a-60(a)(8) of the Connecticut General Statutes)  
AND  
TITLE VII OF THE CIVIL RIGHTS ACT OF 1964  
(42 United States Code Section 2000e et seq.)**

SEXUAL HARASSMENT MEANS ANY UNWELCOME SEXUAL ADVANCES OR REQUESTS FOR SEXUAL FAVORS OR ANY CONDUCT OF A SEXUAL NATURE WHEN:

1. SUBMISSION TO SUCH CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF AN INDIVIDUAL'S EMPLOYMENT;
2. SUBMISSION TO OR REJECTION OF SUCH CONDUCT BY AN INDIVIDUAL IS USED AS THE BASIS FOR EMPLOYMENT DECISIONS AFFECTING SUCH INDIVIDUAL; OR
3. SUCH CONDUCT HAS THE PURPOSE OR EFFECT OF SUBSTANTIALLY INTERFERING WITH AN INDIVIDUAL'S WORK PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORKING ENVIRONMENT.

**EXAMPLES OF SEXUAL HARASSMENT INCLUDE:**

UNWELCOME SEXUAL ADVANCES  
SUGGESTIVE OR LEWD REMARKS  
UNWANTED HUGS, TOUCHES, KISSES  
REQUESTS FOR SEXUAL FAVORS  
RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT  
DEROGATORY OR PORNOGRAPHIC POSTERS, CARTOONS, OR DRAWINGS.

**REMEDIES FOR SEXUAL HARASSMENT MAY INCLUDE:**

CEASE AND DESIST ORDERS  
BACK PAY  
COMPENSATORY DAMAGES  
PUNITIVE DAMAGES  
HIRING, PROMOTION, OR REINSTATEMENT

RETALIATION AGAINST ANY EMPLOYEE FOR COMPLAINING ABOUT SEXUAL HARASSMENT IS PROHIBITED UNDER THIS POLICY AND ILLEGAL.

VIOLATION OF THIS POLICY IS GROUNDS FOR DISCIPLINE, INCLUDING DISCHARGE.

INDIVIDUALS WHO ENGAGE IN ACTS OF SEXUAL HARASSMENT MAY ALSO BE SUBJECT TO CIVIL AND CRIMINAL PENALTIES.

AN INFRACTION OF THIS POLICY BY SUPERVISORS OR CO-WORKERS SHOULD BE REPORTED IMMEDIATELY TO HOLLY HOLLANDER, ASSISTANT SUPERINTENDENT, **TITLE IX COORDINATOR, OR SUPERINTENDENT IF THE TITLE IX COORDINATOR IS THE SUBJECT OF THE COMPLAINT**. CONFIDENTIALITY WILL BE MAINTAINED TO THE EXTENT POSSIBLE.

ANY EMPLOYEE WHO BELIEVES THAT HE OR SHE HAS BEEN HARASSED OR DISCRIMINATED AGAINST IN THE WORKPLACE IN VIOLATION OF THIS POLICY MAY ALSO CONTACT:

THE CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES  
WEST CENTRAL REGION OFFICE  
55 WEST MAIN STREET, SUITE 210  
WATERBURY, CT 06702-2004  
TELEPHONE 1 (203) 805-6530

AND/ OR:

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
BOSTON AREA OFFICE  
JOHN F. KENNEDY FEDERAL BUILDING  
475 GOVERNMENT CENTER  
BOSTON, MA 02203  
PHONE (800) 669-4000

CONNECTICUT LAW REQUIRES THAT A FORMAL WRITTEN COMPLAINT BE FILED WITH THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES WITHIN THREE HUNDRED (300) DAYS OF THE DATE WHEN THE ALLEGED HARASSMENT/ DISCRIMINATION OCCURRED.

**Note: Passed during the 2025 legislative session, Public Act 25-139 adds sexual assault victim and human trafficking victim as protected classes under Connecticut's non-discrimination laws. This policy has been revised to reflect these additions. S & G also updated the location and contact information for the U.S. Department of Education's Office for Civil Rights, as the Boston office has closed.**

**Series 5000**

**5000**

**Students**

**POLICY AND ADMINISTRATIVE REGULATIONS  
REGARDING NON-DISCRIMINATION (STUDENTS)**

***Protected Class Discrimination Prohibited:***

The New Milford Board of Education (the "Board") complies with all 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, including all academic, extra-curricular, and school-sponsored activities, on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, sexual assault, or human trafficking or any other basis prohibited by state or federal law ("Protected Class"), subject to the conditions and limitations established by law. When the Board has created a limited public forum, the Board shall provide equal access to the Boy Scouts and other groups as required by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of an individual's actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the New Milford Public Schools (the "District"). The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics.

***Retaliation Prohibited:***

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

***Discrimination on the Basis of Protected Class Association Prohibited:***

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

***Scope and Applicability:***

Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities) are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

***Definitions:***

The following definitions apply for purposes of this policy:

A. Discrimination:

With respect to students, unlawful discrimination occurs when a student is denied participation in, or the benefits of, a program or activity of the Board because of such student's actual or perceived membership in a Protected Class.

B. Harassment:

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

The following non-exhaustive list provides examples of the types of prohibited conduct that may be considered Protected Class harassment that can lead to a hostile environment, and are therefore prohibited by this policy:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful, or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to involve intent to harm, be directed toward a specific person, or involve repeated incidents.

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

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

C. Veteran:

A veteran is any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from active service in the United States Army, Navy, Marine Corps, Coast Guard, Air Force and Space Force and any reserve component thereof, including the Connecticut National Guard. "Qualifying condition" means (i) 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, (ii) 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 (iii) 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).

D. Gender identity or expression:

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

E. Sexual orientation:

Sexual orientation refers to a person's identity in relation to the gender or genders to which they are romantically, emotionally or sexually attracted, inclusive of any identity that a person (i) may have previously expressed, or (ii) is perceived by another person to hold.

F. Race:

The term race is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. "Protective

hairstyles” includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

**G. Domestic violence:**

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

***Biased Conduct:***

The Board recognizes that certain student conduct or communications may be considered indicative of bias towards individuals who are members of a Protected Class, even when such conduct or communications do not rise to the level of discrimination and/or harassment. The Board directs the District administration to address any such biased conduct or communications in a manner consistent with the Board’s legal obligations under state and federal law and Board policy, including free speech considerations, in order to promote a school environment that is welcoming and safe for all individuals.

***Reporting to District Officials:***

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment, or retaliation.

Any student, staff member and/or parent/guardian who believes a student has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of this policy should report such concern in writing to Holly Hollander, Assistant Superintendent in accordance with the Board’s complaint procedures included in the Board’s Administrative Regulations Regarding

Non-Discrimination/Students, which accompany this policy and are available online at [New Milford Board of Education Policies](#) or upon request from the main office of any District school. Students are encouraged to immediately report concerns about Protected Class discrimination, harassment, or retaliation.

**Students may make verbal or written reports about Protected Class discrimination, harassment, or retaliation to any Board employee.**

If a complaint involves allegations of discrimination or harassment of a student based on sex, such complaints will be handled in accordance with the procedures set forth in the applicable Board policy regarding sex discrimination and sexual harassment. Complaints involving allegations of discrimination or harassment of a student based on disability will be addressed in accordance with the procedures set forth in the applicable Board policy regarding Section 504/ADA. In the event reported conducted allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

***Mandatory Staff Reporting for Student Incidents:***

Board employees are required to report incidents of alleged student-to-student and employee-to-student discrimination, harassment or retaliation that may be based on a Protected Class when Board employees witness such incidents or when Board employees receive reports or information about such incidents, whether such incidents are verbal or physical or amount to discrimination, harassment or retaliation in other forms. **Reports should be made to any District administrator or to:**

**Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

***Remedial Action:***

If the District makes a finding of discrimination, harassment or retaliation of a student, the District will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,
- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;

- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
- C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;
- D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
- E. Supports for the complainant; and
- F. Training or other interventions for the larger school community designed to ensure that students, staff, parents, Board members and other individuals within the school community understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

District staff members and administrators will work with students and parents/guardians to take steps designed to prevent acts of discrimination, harassment and retaliation.

***Reporting to State and Federal Agencies:***

In addition to reporting to the Board, any student and/or parent/guardian also may file a complaint with the following agencies:

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

Office for Civil Rights, Washington DC Office  
 U.S. Department of Education  
 400 Maryland Avenue, SW  
 Washington, DC 20202-1475  
 (202 453-6020)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Connecticut Commission on Human Rights and Opportunities:

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

***Questions/Requests for Accommodation:***

Any parent, student, staff member, Board member or community member who:

- 1. has questions or concerns about this policy or its accompanying regulations;
- 2. wishes to request or discuss accommodations for a student based on religion;

may contact:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any parent, student, staff member, Board member or community member who has questions or concerns about the Board's policies regarding discrimination or harassment of students on the basis of sex may contact the District's Title IX Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any parent, student, staff member, Board member or community member who:

1. has specific questions or concerns about the Board's policies regarding discrimination on the basis of disability applicable to students; OR
2. wishes to request an accommodation for a student on the basis of disability

may contact the District's Section 504/ADA Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.  
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905  
Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.  
Connecticut General Statutes § 1-1n, "Gender Identity or Expression"  
defined  
Connecticut General Statutes § 10-15c  
Connecticut General Statutes § 27-103  
Connecticut General Statutes § 46a-51, Definitions

Connecticut General Statutes § 46a-58, Deprivation of rights  
Connecticut General Statutes § 46b-1, Family relations matters and  
domestic violence defined  
Public Act No. 25-139, “An Act Concerning Human Trafficking and  
Sexual Assault Victims”

Approved: February 18, 2025  
Revised:

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

**ADMINISTRATIVE REGULATIONS REGARDING  
DISCRIMINATION COMPLAINTS (STUDENTS)**

***Protected Class Discrimination Prohibited:***

The New Milford Board of Education (the “Board”) complies with all 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, on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, sexual assault, or human trafficking, or any other basis prohibited by state or federal law (“Protected Class”), subject to the conditions and limitations established by law. When the Board has created a limited public forum, the Board shall provide equal access to the Boy Scouts and other groups as required by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the New Milford Public Schools (the “District”). The Board’s prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics.

***Retaliation Prohibited:***

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

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

***Discrimination on the Basis of Protected Class Association Prohibited:***

Discrimination and/or harassment against any individual on the basis of that individual’s association with someone in a Protected Class may also be considered a form of Protected Class discrimination and/or harassment.

***Scope and Applicability:***

Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities)

are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

The following non-exhaustive list provides examples of the type of prohibited conduct that may be considered Protected Class harassment that can lead to a hostile environment, and are therefore prohibited:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful, or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to involve intent to harm, be directed toward a specific person, or involve repeated incidents.

***Reporting to District Officials:***

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment, or retaliation.

Any student, staff member and/or parent/guardian who believes a student has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of Board policy should report such concern in writing to

Gwen Gallagher, Principal  
Northville Elementary School  
22 Hipp Road New Milford, CT 06776  
Telephone: 860-355-3713  
e-mail: [gallagherg@newmilfordps.org](mailto:gallagherg@newmilfordps.org)

Cathy Calabrese, Principal  
Hill and Plain Elementary School 6  
0 Old Town Park Road  
New Milford, CT 06776  
Telephone: 860-354-5430  
e-mail: [calabresec@newmilfordps.org](mailto:calabresec@newmilfordps.org)

Jennifer Chmielewski, Assistant Principal  
Sarah Noble Intermediate School  
25 Sunny Valley Road  
New Milford, CT 06776  
Telephone: 860-210-4020  
e-mail: [chmielewskij@newmilfordps.org](mailto:chmielewskij@newmilfordps.org)

Jennifer Powers, Assistant Principal  
Schaghticoke Middle School  
23 Hipp Road  
New Milford, CT 06776  
Telephone: 860-354-2204  
e-mail: [powersj@newmilfordps.org](mailto:powersj@newmilfordps.org)

Keith Lipinsky, Athletic Director  
New Milford High School  
388 Danbury Road  
New Milford, CT 06776  
Telephone: 860-350-6647, ext. 1411  
e-mail: [lipinskyk@newmilfordps.org](mailto:lipinskyk@newmilfordps.org)

Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)

in accordance with the Board's complaint procedures included in these Administrative Regulations Regarding Non-Discrimination/Students.

If a complaint involves allegations of discrimination or harassment of a student based on sex, such complaints will be handled in accordance with the procedures set forth in the applicable Board policy regarding sex discrimination and sexual harassment. Complaints involving allegations of discrimination or harassment of student based on disability will be addressed in accordance with the procedures set forth in the applicable Board policy regarding Section 504/ADA. In the event reported conducted allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

Students are encouraged to immediately report any concerns about Protected Class discrimination, harassment, or retaliation.

***Mandatory Staff Reporting for Student Incidents:***

Board employees are required to report incidents of alleged student-to-student and employee-to-student discrimination, harassment or retaliation that may be based on a Protected Class when Board employees witness such incidents or when Board employees receive reports or information about such incidents, whether such incidents

are verbal or physical or amount to discrimination, harassment or retaliation in other forms. **Reports should be made to any District administrator or to:**

**Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

### ***Complaint Procedure***

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

As soon as a student feels that they, or another student has been subjected to Protected Class discrimination, harassment or retaliation, the individual should make a written complaint to Principal Gallagher, Northville Elementary School, or Cathy Calabrese, Principal, Hill and Plain School, or Jennifer Chmielewski, Assistant Principal, Sarah Noble Intermediate School or Jennifer Powers, Assistant Principal, Schaghticoke Middle School, or Keith Lipinsky, Athletic Director, New Milford High School, or Holly Hollander, Assistant Superintendent, Central Office. These individuals are referenced below as “above named individuals.”

**Students may make verbal or written reports about Protected Class discrimination, harassment, or retaliation to any Board employee. Board employees receiving such reports shall promptly forward them to any District administrator or to Holly Hollander, Assistant Superintendent.**

The student and/or parent/guardian or other individual will be provided a copy of the Board’s policy and regulation and made aware of the student’s rights under this policy and regulation. In the event the **above named individuals** receive a complaint alleging discrimination or harassment of a student based on sex, the **above named individuals** shall follow the procedures set forth in the applicable Board policy regarding sex discrimination and sexual harassment. In the event the **above named individuals** receive a complaint alleging discrimination or harassment of a student based on disability, the **above named individuals** shall follow the procedures set forth in the applicable Board policy regarding Section 504/ADA.

The complaint should state the:

- A. Name of the complainant/victim,
- B. Date of the complaint,

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

Any student and/or parent/guardian or other individual who makes an oral complaint of alleged discrimination or harassment of a student to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If a student (or individual acting on behalf of the student) is unable to make a written complaint, the Board employee receiving the oral complaint will either reduce the complaint to writing or assist the student (individual acting on behalf of the student) in completing the written complaint form or ask a District administrator for assistance in doing so.

All complaints are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging discrimination or harassment of a student under this complaint procedure, the Superintendent shall designate a District administrator (or other trained individual) to promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the individual alleged to have experienced Protected Class discrimination and/or harassment (the “complainant”), the reporter (if different from the complainant) the alleged discriminator/harasser (“respondent”) and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible to the extent consistent with principles of due process, as determined by the investigator.

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

1. Offer to meet with the complainant (and respondent, if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) to discuss the nature of the complaint, discuss the availability of interim measures, identify individuals the complainant or respondent believes has relevant information, and obtain any relevant documents the complainant or respondent may have;

2. Provide the complainant (and respondent, if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with the parties to the complaint and any relevant witnesses or other individuals deemed relevant to the complaint;
4. Review any records, notes, statements, or other documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Complete a final investigation report that includes: (i) a findings of fact based on the evidence gathered; (ii) for each allegation, the conclusion(s) and reasoning(s) as to whether the discrimination or harassment occurred; and (iii) for any individual(s) found to have engaged in discrimination or harassment, a broad statement of consequences imposed (to the extent permitted by state and federal confidentiality requirements) (e.g., "Consequences were imposed.").
7. Communicate the outcome of the investigation in writing to the complainant (and respondent, if applicable) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant (and respondent, if applicable) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will take steps designed to remedy the discrimination or harassment, adhering to the requirements of state and federal law;
8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of employees and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant (and respondent, if applicable) will receive notice and interim measures may be implemented as necessary;
9. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps designed to avoid continuing discrimination or harassment;
10. After receiving the written notice of the outcome, parties shall have ten (10) school days to submit a formal written statement of appeal, if they so choose,

to the Superintendent challenging the outcome of the investigation and explaining the basis for appeal. Upon receipt of an appeal, the Superintendent shall appoint a decisionmaker(s) for the appeal, who may be the Superintendent or designee. The decisionmaker(s) for the appeal will provide the appealing party's written statement to the non-appealing party. The non-appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the investigation. The decisionmaker(s) for the appeal shall review the evidence and the information presented by the parties and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator(s) and the parties, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the written outcome. Generally, a party's disagreement with the outcome of the investigation, alone, will not be basis for further action. The decisionmaker(s) for the appeal will attempt to issue written notice of the outcome of the appeal to the parties within thirty (30) school days of receipt of all written statements from the parties.

***Remedial Action:***

If the District makes a finding of discrimination, harassment or retaliation of a student, the District will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,
- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;
- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
- C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;
- D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
- E. Supports for the complainant; and
- F. Training or other interventions for the larger school community designed to ensure that students, staff, parents, Board members and other individuals within

the school community understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

District staff members and administrators will work with students and parents/guardians to take steps designed to prevent acts of discrimination, harassment and retaliation.

***Staff Development:***

The District will periodically provide staff development for District administrators and periodically distribute the Board's Non-Discrimination policies and the implementing administrative regulations to staff, students and parents in an effort to maintain an environment free of discrimination, harassment and retaliation.

***Reporting to State and Federal Agencies:***

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):  
Office for Civil Rights, Washington DC Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1475  
(202 453-6020)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

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

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

***Questions/Requests for Accommodation:***

Any parent, student, staff member, Board member or community member who:

1. has questions or concerns about this policy or its accompanying regulations;
2. wishes to request or discuss accommodations for a student based on religion;

may contact:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any parent, student, staff member, Board member or community member who has questions or concerns about the Board's policies regarding discrimination or harassment of students on the basis of sex may contact the District's Title IX Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any parent, student, staff member, Board member or community member who:

1. has specific questions or concerns about the Board's policies regarding discrimination on the basis of disability applicable to students; OR
2. wishes to request an accommodation for a student on the basis of disability

may contact the District's Section 504/ADA Coordinator:

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Regulation approved: December 19, 2023  
Regulation revised: February 18, 2025

**DISCRIMINATION/HARASSMENT COMPLAINT FORM**

**(For complaints based on race, color, religion, age, marital status, national origin, alienage, ancestry, veteran status, or status as a victim of domestic violence, sexual assault, or human trafficking)**

Name of the reporter \_\_\_\_\_

Name of the complainant/victim \_\_\_\_\_

School/program and grade of the complainant/victim \_\_\_\_\_

Reporter's relationship to the complainant/victim \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the alleged discriminator(s) or harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location where such alleged discrimination/harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the alleged discrimination/harassment \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed remedy \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note: On January 9, 2025, a federal district court in Kentucky ruled that the 2024 Title IX Regulations, which had taken effect on August 1, 2024, “are invalid and must be set aside.” On January 31, 2025, the U.S. Department of Education’s Office for Civil Rights confirmed that, effective immediately, it would enforce the 2020 Title IX Regulations. Accordingly, boards of education should discontinue use of policies and regulations that follow the 2024 Title IX Regulations and resume using those that were in place under the 2020 Title IX Regulations. S & G has revised the model policy that complies with 2020 Title IX regulations to: (1) remove reference to Title IX from the titles of the policies and regulations, given that these policies and regulations cover Connecticut law as well as Title IX; (2) update the location of and contact information for the U.S. Department of Education, Office for Civil Rights Office where individuals may file complaints, given that the Boston office has been closed; (3) add reference to potential use of a third-party contractor to conduct investigations (please note that the regulations already reference the possible use of a third-party contractor to serve as a decision-maker); (4) remove the definition of “fondling” within the definition of “sexual assault” and replace it with “criminal sexual contact” and update the definition of “rape” pursuant to changes to the NIBRS manual; and (5) clarify certain distinctions between federal law and Connecticut law.**

**Series 5000  
Students**

**5145.7**

### **POLICY AND ADMINISTRATIVE REGULATIONS REGARDING PROHIBITION OF SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)**

It is the policy of the New Milford Board of Education (the “Board”) for the New Milford 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. 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 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 Connecticut law or 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:

- (1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct (*i.e., quid pro quo*);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education programs or activities; or
- (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

**Sexual harassment under Connecticut law** means conduct in a school setting that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Under Connecticut law, discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of sexual orientation or gender identity and expression.

#### Reporting Sex Discrimination or Sexual Harassment

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

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 District 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), which training shall include but need not be limited to, 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

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any individual may make a report of sex discrimination and/or sexual harassment of any Board employee or directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

Gwen Gallagher, Principal  
Northville Elementary School  
22 Hipp Road New Milford, CT 06776  
Telephone: 860-355-3713  
e-mail: [gallagherg@newmilfordps.org](mailto:gallagherg@newmilfordps.org)

Cathy Calabrese, Principal  
Hill and Plain Elementary School 6  
0 Old Town Park Road  
New Milford, CT 06776  
Telephone: 860-354-5430  
e-mail: [calabresec@newmilfordps.org](mailto:calabresec@newmilfordps.org)

Jennifer Chmielewski, Assistant Principal  
Sarah Noble Intermediate School  
25 Sunny Valley Road  
New Milford, CT 06776  
Telephone: 860-210-4020  
e-mail: [chmielewskij@newmilfordps.org](mailto:chmielewskij@newmilfordps.org)

Jennifer Powers, Assistant Principal  
Schaghticoke Middle School  
23 Hipp Road  
New Milford, CT 06776  
Telephone: 860-354-2204  
e-mail: [powersj@newmilfordps.org](mailto:powersj@newmilfordps.org)

Keith Lipinsky, Athletic Director

New Milford High School  
388 Danbury Road  
New Milford, CT 06776  
Telephone: 860-350-6647, ext. 1411  
e-mail: [lipinskyk@newmilfordps.org](mailto:lipinskyk@newmilfordps.org)

Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)

Any 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 the Title IX Coordinator. Students may also make a report of sexual harassment and/or sex discrimination under Title IX to the U.S. Department of Education: Office for Civil Rights, Washington DC Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-1475 (Telephone (202) 453-6020).

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.

Approved: August 20, 2024  
Revised: October 16, 2023  
June 20, 2023

NEWMILFORDPUBLICSCHOOLS  
New Milford, Connecticut

**ADMINISTRATIVE REGULATIONS REGARDING  
PROHIBITION OF SEX DISCRIMINATION AND SEXUAL HARASSMENT  
(STUDENTS)**

It is the policy of the New Milford Board of Education (the “Board”) for the New Milford Public Schools (“the District”) that any form of sex discrimination or sexual harassment is prohibited, whether by students, District employees or third parties subject to substantial control by the Board. Students, District employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students, District employees, and third parties. Any student or employee who engages in conduct prohibited by the Board’s Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students) shall be subject to disciplinary action. Any third party who engages in conduct prohibited by the Board’s Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students) shall be subject to remedial measures, which may include exclusion from school property.

**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:

- (1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct (i.e., *quid pro quo*);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education programs or activities; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). These definitions can be found in Appendix A of these Administrative Regulations.

**Sexual harassment under Connecticut law** means conduct in a school setting that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student’s ability to participate in or benefit from a school’s educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Under Connecticut law, discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of sexual orientation or gender identity and expression.

Although not an exhaustive list, the following are other examples of conduct prohibited by the Board’s Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students):

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by the Board's Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students).

### **NOTICE OF THE TITLE IX COORDINATOR**

The District's Title IX Coordinator is

**Holly Hollander, Assistant Superintendent**  
**New Milford Public Schools**  
**25 Sunny Valley Road, Suite A**  
**New Milford, CT 06776**  
**Telephone: 860-354-3235**  
**e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)**

Any individual may make a report of sex discrimination and/or sexual harassment to any District employee or directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

Gwen Gallagher, Principal  
Northville Elementary School  
22 Hipp Road New Milford, CT 06776  
Telephone: 860-355-3713  
e-mail: [gallagherg@newmilfordps.org](mailto:gallagherg@newmilfordps.org)

Cathy Calabrese, Principal  
Hill and Plain Elementary School 6  
0 Old Town Park Road  
New Milford, CT 06776  
Telephone: 860-354-5430  
e-mail: [calabresec@newmilfordps.org](mailto:calabresec@newmilfordps.org)

Jennifer Chmielewski, Assistant Principal  
Sarah Noble Intermediate School  
25 Sunny Valley Road  
New Milford, CT 06776  
Telephone: 860-210-4020  
e-mail: [chmielewskij@newmilfordps.org](mailto:chmielewskij@newmilfordps.org)

Jennifer Powers, Assistant Principal  
Schaghticoke Middle School  
23 Hipp Road  
New Milford, CT 06776  
Telephone: 860-354-2204  
e-mail: [powersj@newmilfordps.org](mailto:powersj@newmilfordps.org)

Keith Lipinsky, Athletic Director  
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388 Danbury Road  
New Milford, CT 06776  
Telephone: 860-350-6647, ext. 1411  
e-mail: [lipinskyk@newmilfordps.org](mailto:lipinskyk@newmilfordps.org)

Holly Hollander, Assistant Superintendent  
New Milford Public Schools  
25 Sunny Valley Road, Suite A  
New Milford, CT 06776  
Telephone: 860-354-3235  
e-mail: [hollanderh@newmilfordps.org](mailto:hollanderh@newmilfordps.org)

Any District employee in receipt of allegations of sex discrimination or sexual harassment, or in receipt of a formal complaint, shall immediately forward such information to the Title IX Coordinator. The Title IX Coordinator manages the District's compliance with Title IX and Connecticut law regarding sexual harassment and sex discrimination and is an available resource to anyone seeking information or wishing to file a formal complaint of same. When a student, District employee, or other participant in the District's programs and activities feels that such person has been subjected to discrimination on the basis of sex in any District program or activity, including without limitation being subjected to sexual harassment, such person may contact the Title IX Coordinator or utilize the Title IX grievance systems set forth herein to bring concerns forward for the purpose of obtaining a prompt and equitable resolution.

## **EXPLANATION OF COMPLAINT PROCESS AND PROCEDURE**

The federal regulations implementing Title IX require the adoption and publication of two separate grievance systems: a grievance process for complaints of sex discrimination involving allegations of sexual harassment under Title IX and grievance procedures for complaints of sex discrimination that are not sexual harassment under Title IX. Accordingly, the Administration will process any complaints of sex discrimination involving allegations of sexual harassment

under Title IX, as defined above, pursuant to the **grievance process** set forth in Section I of these regulations. The Administration will process any complaints of sex discrimination (including allegations of sexual harassment under Connecticut law only) pursuant to the **grievance procedures** set forth in Section II of these regulations.

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (“FERPA”), or as required by law, or to carry out the purposes of these Administrative Regulations, including the conduct of any investigation, hearing, or judicial proceeding arising from these Administrative Regulations.

The obligation to comply with Title IX is not obviated or alleviated by the FERPA.

## **SECTION I. GRIEVANCE PROCESS FOR COMPLAINTS OF SEXUAL HARASSMENT UNDER TITLE IX**

### **A. Definitions**

- **Bias** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) demonstrate actual bias, rather than the appearance of bias. Actual bias includes, but is not limited to, demonstrated personal animus against the respondent or the complainant and/or prejudgment of the facts at issue in the investigation.
- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- A **conflict of interest** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) have personal, financial and/or familial interests that affected the outcome of the investigation.
- **Consent** means an active, clear and voluntary agreement by a person to engage in sexual activity with another person (also referred to hereafter as “affirmative consent”).

For the purposes of an investigation conducted pursuant to these Administrative Regulations, the following principles shall be applied in determining whether consent for sexual activity was given and/or sustained:

- A. Affirmative consent is the standard used in determining whether consent to engage in sexual activity was given by all persons who engaged in the sexual activity.
- B. Affirmative consent may be revoked at any time during the sexual activity by any person engaged in the sexual activity.
- C. It is the responsibility of each person engaging in a sexual activity to ensure that the person has the affirmative consent of all persons engaged in the sexual

activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity.

D. It shall not be a valid excuse to an alleged lack of affirmative consent that the respondent to the alleged violation believed that the complainant consented to the sexual activity:

(i) because the respondent was intoxicated or reckless or failed to take reasonable steps to ascertain whether the complainant consented, or

(ii) if the respondent knew or should have known that the complainant was unable to consent because such individual was unconscious, asleep, unable to communicate due to a mental or physical condition, unable to consent due to the age of the individual or the age difference between the individual and the respondent, or incapacitated due to the influence of drugs, alcohol or medication.

E. The existence of a past or current dating or sexual relationship between the complainant and the respondent, in and of itself, shall not be determinative of a finding of consent.

- For purposes of investigations and complaints of sexual harassment, **education program or activity** includes locations, events, or circumstances over which the Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.
- **Employee** means (A) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in a public elementary, middle or high school; or (B) any other individual who, in the performance of the individual's duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.
- **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment (as defined under Title IX) against a respondent and requesting that the Administration investigate the allegation of sexual harassment. A "document filed by a complainant" means a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.
- **Respondent** means an individual who has been alleged to be the perpetrator of conduct that could constitute sexual harassment.
- **School days** means the days that school is in session as designated on the calendar posted on the Board's website. In its discretion, and when equitably applied and with proper notice to the parties, the District may consider business days during the summer recess as "school days" if such designation facilitates the prompt resolution of the grievance process.

- **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, increased security and monitoring, and other similar measures.

## B. Reporting Sexual Harassment

1. It is the express policy of the Board to encourage victims of sexual harassment to report such claims. Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sexual harassment or alleged sexual harassment against a student in the District's education program or activity, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, whether or not the complainant files a formal complaint, and will consider the complainant's wishes with respect to such measures. If the complainant has yet to file a formal complaint, the Title IX Coordinator will explain to the complainant the process for doing so.
2. The District will treat complainants and respondents equitably. A respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility will be made at the conclusion of the grievance process if a formal complaint is filed. Nothing in this Regulation shall limit or preclude the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. If a respondent is removed on an emergency basis, the District shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

## C. Formal Complaint and Grievance Process

1. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education programs or activity. A formal complaint may be signed by the Title IX Coordinator. If the formal complaint being filed is against the Title IX Coordinator, the formal complaint should be filed with the Superintendent. If the formal complaint being filed is against the Superintendent, the formal complaint should be filed with the Board Chair, who will then retain a third-party contractor to investigate the matter.

2. The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. If possible, formal complaints should be filed within ten (10) school days of the alleged occurrence in order to facilitate the prompt and equitable resolution of such claims. The District will attempt to complete the formal grievance process within ninety (90) school days of receiving a formal complaint. This timeframe may be temporarily delayed or extended in accordance with Subsection G of this Section.
3. Upon receipt of a formal complaint, if the Title IX Coordinator has not already discussed the availability of supportive measures with the complainant, the Title IX Coordinator will promptly contact the complainant to discuss the availability of such measures and consider the complainant's wishes with respect to them. The Title IX Coordinator or designee may also contact the respondent, separately from the complainant, to discuss the availability of supportive measures for the respondent. The District will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide such supportive measures.
4. Within ten (10) school days of receiving a formal complaint, the District will provide the known parties with written notice of the allegations potentially constituting sexual harassment under Title IX and a copy of this grievance process. The written notice must also include the following:
  - i. The identities of the parties involved in the incident, if known;
  - ii. The conduct allegedly constituting sexual harassment as defined above;
  - iii. The date and the location of the alleged incident, if known;
  - iv. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
  - v. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
  - vi. A statement of any provision in the District's Student Discipline Policy or any other policy that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the written notice, the District must provide notice of the additional allegations to the parties whose identities are known.

5. The parties may have an advisor of their choice accompany them during any grievance proceeding at which the party's attendance is required. The District may, in its discretion, establish certain restrictions regarding the extent to which an advisor may participate in the proceedings. If any such restrictions are established, they will be applied equally to all parties.

6. The Title IX Coordinator will, as applicable, promptly commence an investigation of the formal complaint, designate a school administrator or third-party contractor to promptly investigate the formal complaint, or dismiss the formal complaint in accordance with Subsection F of this Section. The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard (i.e., more likely than not). The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties.
7. The parties will be given an equal opportunity to discuss the allegations under investigation with the investigator(s) and are permitted to gather and present relevant evidence. This opportunity includes presenting witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The District will provide to a party whose participation is invited or expected (including a witness), written notice of the date, time, location, participants, and purpose of all hearings (if applicable), investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
8. Both parties will be given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) school days to submit a written response, which the investigator(s) will consider prior to completion of the investigative report, as described in Paragraph 9 of this Subsection.
9. The investigator(s) will create an investigative report that fairly summarizes relevant evidence. The investigator(s) will send the investigative report, in an electronic format or hard copy, to each party and to each party's advisor for their review and written response at least ten (10) school days prior to the time a determination regarding responsibility is made.
10. The Superintendent will appoint a decision-maker(s), who shall be a District employee or third-party contractor and who shall be someone other than the Title IX Coordinator or investigator(s). If the formal complaint filed is against the Superintendent, the Board Chair shall appoint the decision-maker, who shall be a District employee or third-party contractor and who shall be someone other than the Title IX Coordinator or investigator(s). The investigator(s) and the decision-maker(s) shall not discuss the investigation's facts and/or determination while the formal complaint is pending. The decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are

not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decisions to exclude a question as not relevant.

11. The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker must apply the preponderance of the evidence standard. The written determination will include: (1) identification of the allegations potentially constituting sexual harassment; (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (3) findings of fact supporting the determination; (4) conclusions regarding the application of the District's code of conduct to the facts; (5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District will impose on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and (6) the District's procedures and permissible bases for the complainant and respondent to appeal. If the respondent is found responsible for violating the Board's Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students), the written determination shall indicate whether the respondent engaged in sexual harassment as defined by the Board's Policy and these Administrative Regulations. The written determination will be provided to both parties simultaneously.
12. Student respondents found responsible for violating the Board's Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students) may be subject to discipline up to and including expulsion. Employee respondents found responsible for violating the Board's Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students) may be subject to discipline up to and including termination of employment. Other respondents may be subject to exclusion from the District's programs, activities and/or property. In appropriate circumstances, the District may make a criminal referral. Remedies will be designed to restore or preserve equal access to the District's education programs or activities.
13. After receiving notification of the decision-maker's decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent may avail themselves of the appeal process set forth in Subsection E of this Section.

#### D. Informal Resolution

At any time prior to reaching a determination regarding responsibility, but only after the filing of a formal complaint, the District may suggest to the parties the possibility of facilitating an informal resolution process, such as mediation, to resolve the formal complaint without the need for a full investigation and adjudication. If it is determined that an informal resolution may be appropriate, the Title IX Coordinator or designee will consult with the parties.

Prior to facilitating an informal resolution to a formal complaint, the Title IX Coordinator or designee will provide the parties with written notice disclosing the sexual harassment allegations, the requirements of an informal resolution process, and any consequences from participating in the informal resolution process. Upon receipt of this document, complainants and respondents have five (5) school days to determine whether they consent to participation in the informal resolution. The District must obtain voluntary, written consent to the informal resolution process from both parties.

Prior to agreeing to any resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. If a satisfactory resolution is reached through this informal process, the matter will be considered resolved. If these efforts are unsuccessful, the formal grievance process will continue.

Nothing in this section precludes a student from filing a complaint of retaliation for matters related to an informal resolution, nor does it preclude either party from filing complaints based on conduct that is alleged to occur following the District's facilitation of the informal resolution.

An informal resolution is not permitted to resolve allegations that an employee sexually harassed a student.

#### E. Appeal Process

After receiving notification of the decision-maker's decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent have five (5) school days to submit a formal letter of appeal to the Title IX Coordinator specifying the grounds upon which the appeal is based. Upon receipt of an appeal, the Superintendent shall appoint a decision-maker(s) for the appeal, who shall be someone other than the Title IX Coordinator, investigator(s), or initial decision-maker(s).

Appeals will be appropriate only in the following circumstances:

- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- procedural irregularity that affected the outcome of the matter;
- the Title IX Coordinator, investigator(s), and/or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. A conflict of interest or bias does not exist solely because the Title IX Coordinator, investigators(s), and/or decision-maker(s) previously worked with or disciplined the complainant or respondent.

The District will provide the other party with written notice of such appeal. The appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the grievance process. The decision-maker(s) for the appeal will provide the appealing party's written statement to the other party. The other party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the grievance

process. The decision-maker(s) for the appeal, in their discretion, will determine any additional necessary and appropriate procedures for the appeal.

After considering the parties' written statements, the decision-maker(s) for the appeal will provide a written decision. The decision-maker(s) for the appeal will attempt to issue the written decision within thirty (30) school days of receipt of all written statements from the parties. If it is found that one of the bases for appeal exists, the decision-maker(s) for the appeal will issue an appropriate remedy.

Supportive measures for either or both parties may be continued throughout the appeal process.

#### F. Dismissal of a Formal Complaint

The Title IX Coordinator shall dismiss any formal complaint that, under Title IX 1) would not constitute sexual harassment as defined under Title IX even if proved, 2) did not occur in the District's education program or activity, or 3) did not occur against a person in the United States. Such dismissal does not preclude action under another Board policy.

The District may dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing: 1) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; 2) the respondent is no longer enrolled or employed in the District; or 3) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the District will promptly and simultaneously send written notice of the dismissal and reason(s) therefor to each party. Either party can appeal from the District's dismissal of a formal complaint or any allegations therein using the appeals procedure.

In the event a formal complaint is dismissed prior to the issuance of a decision under Title IX, the Title IX Coordinator shall determine if the allegations of sexual harassment shall proceed through the grievance procedures identified in Section II of these Administrative Regulations for claims of sex discrimination for consideration as to whether the allegations constitute sexual harassment under Connecticut law.

A dismissal pursuant to this section does not preclude action by the District under the Student Discipline policy, Code of Conduct for students/or and employees, or any other applicable rule, policy, and/or collective bargaining agreement.

#### G. Miscellaneous

1. Any timeframe set forth in these Administrative Regulations may be temporarily delayed or extended for good cause. Good cause may include, but is not limited to, considerations such as the absence or illness of a party, a party's advisor, or a witness; concurrent law enforcement activity; concurrent activity by the Department of Children and Families; or the need for language assistance or accommodation of disabilities. If any timeframe is altered on a showing of good cause, written notice will be provided to each party with the reasons for the action.

2. If a sexual harassment complaint raises a concern about challenging behavior (including bullying), the Title IX Coordinator shall notify the School Climate Specialist or designee who shall coordinate any challenging behavior assessment with the Title IX Coordinator to promote the alignment of any such challenging behavior assessment with the requirements of applicable Board policies and state law. Additionally, if a sexual harassment complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification, the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District (e.g. Section 504 Coordinator), so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.
3. If the sexual harassment complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.
4. Retaliation against any individual who complains pursuant to the Board's Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students) and these Administrative Regulations is strictly prohibited. Neither the District nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by applicable law or these Administrative Regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Administrative Regulations. The District will take actions designed to prevent retaliation. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.
5. The District will maintain for a period of seven (7) years records of:
  - i. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the Board's education program or activity;
  - ii. Any appeal and the result therefrom;
  - iii. Any informal resolution and the result therefrom; and
  - iv. All material used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The Board will make these training materials publicly available on its website.

If the District has actual knowledge of sexual harassment in an education program or activity of the Board, and for any report or formal complaint of sexual harassment, the District will create and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. The District will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures

designed to restore or preserve equal access to the Board's education program or activity. If the District does not provide a complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

## **SECTION II. GRIEVANCE PROCEDURES FOR CLAIMS OF SEX DISCRIMINATION (OTHER THAN SEXUAL HARASSMENT UNDER TITLE IX)**

### **A. Definitions**

- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sex discrimination.
- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination.

### **B. Reporting Sex Discrimination Other than Sexual Harassment under Title IX**

It is the express policy of the Board to encourage victims of sex discrimination to report such claims. Any person may report sex discrimination (including sexual harassment as defined by Connecticut law) (whether or not the person reporting is the person alleged to be the victim of the alleged conduct), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sex discrimination or alleged sex discrimination against a student in the District's education program or activity, the Title IX Coordinator or designee will promptly notify the complainant of the grievance process. The District will treat complainants and respondents equitably during the grievance process. Sexual harassment is a form of sex discrimination, and any incident of sexual harassment under Title IX, as defined above, shall be handled pursuant to Section I of these Administrative Regulations. Any allegations of sexual harassment under Connecticut law, as defined above, shall be handled pursuant to this Section II of these Administrative Regulations.

### **C. Grievance Procedures**

1. As soon as a student feels that the student has been subjected to sex discrimination other than sexual harassment as defined under Title IX (including, without limitation, sexual harassment under Connecticut law), the student or the student's parent/legal guardian should make a written complaint to the Title IX Coordinator or to the building principal, or designee. The student and/or the student's parent/legal guardian will be provided a copy of the Board's Policy and Administrative Regulations and made aware of the student's rights under this Policy and Administrative Regulations. Preferably, complaints should be filed within ten (10) school days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.
2. The complaint should state the:
  - i. Name of the complainant;
  - ii. Date of the complaint;
  - iii. Date(s) of the alleged discrimination;

- iv. Name(s) of the alleged discriminator(s);
  - v. Location where such alleged discrimination occurred;
  - vi. Names of any witness(es) to the alleged discrimination;
  - vii. Detailed statement of the circumstances constituting the alleged discrimination; and
  - viii. Remedy requested.
3. Any student who makes an oral complaint of alleged sex discrimination to any of the above-mentioned personnel will be provided a copy of these Administrative Regulations and will be requested to make a written complaint pursuant to the above procedure. In appropriate circumstances, such as due to the age or capacity of the student making the complaint, a parent or school administrator may be permitted to fill out the form on the student's behalf.
4. All complaints are to be forwarded immediately to the building principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent of Schools or designee. In addition, a copy of any complaint filed under this Policy shall be forwarded to the Title IX Coordinator. If the complaint being filed is against the Title IX Coordinator, the complaint should be filed with the Superintendent. If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will then retain a third-party contractor to investigate the matter.
5. The Title IX Coordinator or designee shall investigate all complaints of sex discrimination against a student, regardless of whether the conduct occurred on or off-school grounds. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information, and other extenuating circumstances. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
6. Any student who makes a complaint shall be notified of the District's intent to investigate the complaint. In the event the student or parent requests confidentiality or that an investigation not be conducted, the District will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the District not investigate the complaint. If the student or parent insists that the student's personally identifiable information not be shared with the alleged discriminator(s), the student and parent will be informed that the District's ability to investigate and/or take corrective action may be limited.
7. Upon receipt of a sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator or third-party contractor to promptly investigate the complaint. The Title IX Coordinator or designee shall:
  - i. offer to meet with the complainant and respondent (if applicable) separately within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent (if applicable) believe have relevant information, and obtain any relevant documents the complainant and respondent may have;

- ii. provide the complainant and respondent (if applicable) with a copy of the Board's sex discrimination policy and accompanying regulations;
  - iii. consider whether any interim measures may be appropriate to protect the complainant or respondent (if applicable), pending the outcome of the investigation;
  - iv. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
  - v. consider whether alleged sex discrimination has created a hostile school environment, including consideration of the effects of off-campus conduct on the school;
  - vi. communicate the outcome of the investigation in writing to the complainant, to the respondent, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within ninety (90) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant and respondent (if applicable) shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will remedy the discrimination, adhering to the requirements of state and federal law; and
  - vii. when sex discrimination has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the discrimination, as deemed appropriate by the Superintendent or designee, and take steps designed to remedy the effects of the sex discrimination.
8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent will receive notice and interim measures may be implemented as necessary.
9. If the complainant or respondent (if applicable) is dissatisfied with the findings of the investigation, the complainant or respondent may file a written appeal within five (5) school days to the Title IX Coordinator, or, if the Title IX Coordinator conducted the investigation, to the Superintendent of Schools. The Title IX Coordinator or Superintendent shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sex discrimination. The Title IX Coordinator or Superintendent of Schools may determine if further action and/or investigation is warranted. After completing this

review, the Title IX Coordinator or Superintendent of Schools shall respond to the complainant and respondent (if applicable), in writing, within fifteen (15) school days following the receipt of the written request for review.

#### D. Miscellaneous

1. If a sex discrimination complaint raises a concern about challenging behavior (including bullying), the Title IX Coordinator shall notify the School Climate Specialist or designee who shall coordinate any challenging behavior assessment with the Title IX Coordinator to promote the alignment of any such challenging behavior assessment with the requirements of applicable Board policies and state law. Additionally, if a sex discrimination complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification, the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District (e.g. Section 504 Coordinator), so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.
2. If the sex discrimination complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.
3. Retaliation against any individual who complains pursuant to the Board's Policy regarding Prohibition of Sex Discrimination and Sexual Harassment (Students) and these Administrative Regulations is strictly prohibited. Neither the District nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by applicable law or these Administrative Regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Administrative Regulations. The District will take actions designed to prevent retaliation as a result of filing a complaint. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.

### **Section III. Further Reporting**

At any time, a complainant alleging sex discrimination or sexual harassment under Title IX may also file a complaint with the Office for Civil Rights, Washington DC Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-1475 (Telephone (202) 453-6020).

Students may also make a report of sexual harassment and/or sex discrimination under state or federal law 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).

Regulation approved:

## Appendix A

**Sexual Assault:** An offense classified as forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Rape (Except Statutory Rape)—Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

Sodomy—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Sexual Assault With An Object—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Criminal Sexual Contact—The intentional touching of the clothed or unclothed body parts, without consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

Incest—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other

person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

**Series 5000  
Students**

**COMPLAINT FORM REGARDING SEXUAL HARASSMENT UNDER TITLE IX  
(STUDENTS)**

*This complaint form should be used for complaints of sexual harassment under Title IX, as defined on page 1 of the Board's Administrative Regulations Regarding Prohibition of Sex Discrimination and Sexual Harassment (Students)*

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged sexual harassment \_\_\_\_\_

Name or names of the respondent(s) \_\_\_\_\_

\_\_\_\_\_

Location where such alleged sexual harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the alleged sexual harassment

\_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged sexual harassment

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

Signature of Complainant or Title IX Coordinator: \_\_\_\_\_

**Series 5000  
Students**

**COMPLAINT FORM REGARDING SEX DISCRIMINATION (OTHER THAN SEXUAL  
HARASSMENT UNDER TITLE IX) (STUDENTS)**

*This complaint form should be used for complaints of sex discrimination and/or sexual harassment under Connecticut law, as defined on page 1 of the Board's Administrative Regulations Regarding Prohibition of Sex Discrimination and Sexual Harassment (Students)*

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged sex discrimination \_\_\_\_\_

Name or names of the respondent(s) \_\_\_\_\_

\_\_\_\_\_

Location where such alleged sex discrimination occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the alleged sex discrimination

\_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged sex discrimination

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

Signature: \_\_\_\_\_

SAMPLE WRITTEN NOTICE FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT  
UNDER TITLE IX

[LETTERHEAD]

NOTICE OF SEXUAL HARASSMENT ALLEGATIONS UNDER TITLE IX

[DATE]

In accordance with the Board's Policy and Administrative Regulations Regarding Prohibition of Sex Discrimination and Sexual Harassment (Students), a formal complaint of sexual harassment has been filed with or signed by the Title IX Coordinator.

Identities of the parties involved, if known:

\_\_\_\_\_ (Complainant(s))  
\_\_\_\_\_ (Respondent(s))

The conduct allegedly constituting sexual harassment under Title IX:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The date and the location of the alleged incident, if known:

\_\_\_\_\_

The Title IX Coordinator or designee will contact the parties regarding the next step in the grievance process. Questions can be directed to the Title IX Coordinator: Holly Hollander, Assistant Superintendent.

The respondent is presumed not responsible for the alleged conduct. A determination regarding responsibility is made at the conclusion of the grievance process.

All parties involved may have an advisor of their choice who may be, but it not required to be, an attorney. This advisor may inspect and review evidence as permitted by the Board's Administrative Regulations Regarding Prohibition of Sex Discrimination and Sexual Harassment (Students).

It is a violation of the Board's Student Discipline Policy to lie to school officials or otherwise engage in dishonest behavior, which includes knowingly making false statements or knowingly submitting false information during the grievance process. Any student who knowingly makes false statements or knowingly submits false information during this grievance process will be subject to sanctions pursuant to the Board's Student Discipline Policy. Any employee who knowingly makes false statements or knowing submits false information during this grievance process is subject to discipline, up to and including termination.

**A copy of the Board's Policy and Administrative Regulations Regarding Prohibition of Sex Discrimination and Sexual Harassment (Students) is included with this notice.**



Office of Fiscal Services & Operations  
25 Sunny Valley Road, Suite A  
New Milford, Connecticut 06776

**TO: Dr. Janet Parlato, Superintendent**  
**FROM: Anthony J. Giovannone, Director of Fiscal Services and Operations**  
**Date: February 1, 2026**  
**RE: Bid Award – RFP E-2526-002 NMHS Culinary A&E**

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The request for proposal packet for **NMHS Culinary A&E** was posted on our website and also ran as a legal notice in the newspaper with a closing date of December 12, 2025.

On that date 4 vendors submitted proposals for the complete project with pricing as follows:

<b>COMPANY</b>	<b>BID</b>
ID3A	\$157,705.00
Silver Petrucelli Associates	\$74,900.00
Antinozzi Associates	\$69,100.00
Lothrop Associates Architects	\$88,800.00

It is recommended that the Board of Education award, for Phase 1 of the Programming and Schematic Design work only, to Antinozzi Associates in the amount of \$13,500.

The result of this work will be different design options along with pricing for the eventual space and equipment needed for a culinary program for our district.

*Sincerely,*  
*Anthony J. Giovannone*  
*Director of Fiscal Services and Operations*



SANDRA SULLIVAN  
Director of Food Services of New Milford Public Schools

**To:** Anthony Giovannone, Director of Fiscal Services and Operations  
Dr. Janet Parlato, Superintendent of Schools

**From:** Sandra Sullivan, Director of Food and Nutrition Services

**Date:** February 2, 2026

**Subject:** Conclusion of the Community Eligibility Provision (CEP) and Meal Price Increase

After further financial evaluation of the Community Eligibility Provision (CEP), the Food Service Department has determined that it is unable to continue participation in the program which provides free meals to all students. In accordance with program requirements, the Connecticut State Department of Education (CSDE) will be notified prior to the program's conclusion. CEP will officially end on the last day of February. Beginning March 1, 2026, the Food Service Department will begin accepting applications from families for free and reduced-price meals.

All students will continue to receive meals at no cost for 38 operating days following the end of CEP. This grace period is intended to provide families with adequate time to complete and submit meal applications. After this period, **students who are not approved for free or reduced-price meals, or who are not directly certified through the state, will transition to paid meal status as of May 1, 2026.**

The Food Service Department has been proud to provide free meals to New Milford students over the past several years and appreciates the continued support of our school community. **Discontinuing participation in the CEP as outlined above does not require Board approval and is already in process.**

Additionally, as discussed at the December Board of Education meeting, a \$0.50 increase in meal prices is recommended, effective March 1, 2026.

The updated meal prices will be as follows:

Elementary Schools NES/HPS/SNIS

- Breakfast: \$1.90
- Lunch: \$2.85

Secondary Schools SMS/NMHS

- Breakfast: \$2.25
- Lunch: \$3.10 / \$3.60

The last increase in meal prices was in 2011. These adjustments are necessary to support the continued operation of the Food Service Program. **Changing meal prices effective March 1, 2026 as outlined above does require Board approval ahead of implementation.**



**New Milford Public Schools**  
**Technology Department**

To: Dr. Janet Parlato, Superintendent  
From: Jeff Turner, Technology Director  
Date: 1/30/2026  
Re: 25-26 CEN Wi-Fi Grant Update Rounds #1 and #2

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Dr. Parlato,

This memo is an update to our 9/2/2025 memo on CEN Community Wi-Fi Grant for Schaghticoke Middle School and New Milford High School for \$145,961.00. We have completed the majority of the work at both SMS and NMHS regarding putting up access points, setting up their connectivity and testing Wi-Fi outside of both buildings. Once the weather allows, the final two major items to be completed are the solar access points (one at SMS next to the field hockey field and one at NMHS in between the baseball fields).

I will update you on the progress of round one of the grant above and the work to begin shortly for round 2 at Northville, Hill & Plain, and Sarah Noble Intermediate as we have received notification of the release of funds for \$69,000 for this grant as well.

We expect all work to be completed by July 1, 2026.

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For compliance we are asking that the Board formally recognize participation in the CEN Community Wi-Fi Grant as this is the first time this grant has included pieces that both the Town and the Board are both participating in. The Town has fronted the money for all pieces (including BOE) of this "one off" version of the grant and thus will be getting all of the subsequent reimbursement. The Board did not expend any funding to engage in this. The amounts are as follows:

- for Schaghticoke Middle School and New Milford High School - Round #1 in the amount of \$145,961
  - for Northville, Hill & Plain, and Sarah Noble Intermediate - Round #2 in the amount of \$69,000
- 

Jeff Turner, New Milford Public Schools IT Director

# NEW MILFORD PUBLIC SCHOOLS



## Facilities Subcommittee Report

February 10, 2026

### Items for Information and Discussion

**A .RFP NMHS Tennis Courts** - The team met virtually with the three lowest bidders to review and discuss their respective proposals. During these discussions, several inconsistencies within the bids, as well as discrepancies in the bidders' proposed approaches, were identified. As a result, it was determined that cancellation of the solicitation is the most appropriate course of action at this time. We are recommending proceeding in the near future with the engagement of a landscape architect to develop District owned project specifications, followed by reissuing the solicitation as a construction only bid rather than utilizing a design-build RFP approach..

**B. RFP Central Offices A&E-** This bid was awarded to Silver Petruccelli and Associates at the January BOE meeting. I have a launch meeting scheduled this week to start the process for developing specifications and drawings for permitted construction this summer.

**C. RFP NES Hydrants Engineering-**This bid has been reposted as there were no bidders during the last solicitation.

**D. RFP NMHS Culinary A&E-** We are looking to move forward with a Phase 1 to this project and award that to Antinozzi Architects. This Phase will consist of field verification of existing conditions, Programming and Schematic Design, and Cost Estimate.

**E. NES Roof-** The Superintendent and myself applied for a DAS Grant through the Core-CT system and are awaiting to hear back from the Office of Grants Administration on the next steps in the grant process.

**F. Security Grant-** New Milford Public Schools have been awarded a security grant from the CT Department of Emergency Services and Public Protection. This is a matching grant that will provide us \$122,000 for approved costs related to school security infrastructure improvement. We will need to match that based on our reimbursement rate for an amount of \$127,000 on our end.



NEW MILFORD PUBLIC SCHOOLS

**EMPLOYMENT REPORT**

Regular Meeting of the Board of Education

New Milford, Connecticut

February 10, 2026-Operations / February 17 BOE Meeting

**CERTIFIED STAFF APPOINTMENTS**

**Madeline Holmes**

- 1.0 Pre K-2 Inclusion Facilitator
- Effective Date: February 2, 2026
- Salary \$65,411 (MA/Step 7) with 4 years of experience
- Replacing J.Sheaffer who retired June 2025 but has been filling in as a long term substitute for this position

**NON CERTIFIED STAFF APPOINTMENTS**

<p><b>Tara-Rose Atherton</b>            -1.0 Special Education Paraeducator at HPS            -Effective Date: January 22, 2026            -Salary \$18.99 per hour            -Replacing N.Bagala (\$18.99 per hour).</p>	<p><b>Shari Duffy</b>            -1.0 Special Education Paraeducator at SMS            -Effective Date: January 5, 2026            -Salary \$18.99 per hour            -Replacing M.Aros-Truehe who transferred to NMHS (\$19.18 per hour).</p>	<p><b>Trang Duong</b>            -.5 General Worker at NMHS -Effective Date: January 5, 2026            -Salary \$16.94 per hour            -Replacing M.Pulgarin who resigned (\$16.35 per hour).</p>
<p><b>Deborah Hollrah</b>            -1.0 Special Education Paraeducator at SMS            -Effective Date: January 5, 2026            -Salary \$19.18 per hour            -Replacing Maari Lang who transferred to a custodian at HPS (\$18.35 per hour)</p>	<p><b>Michele Ladd</b>            -.5 General Worker at SNIS -Effective Date: February 4, 2026            -Salary \$17.50 per hour            -Replacing A.Fadul who transferred to a different position as a General Worker at SNIS (\$16.94 per hour)</p>	<p><b>Erin Shaughnessy</b>            -1.0 Special Education Paraeducator at HPS            -Effective Date: January 28, 2026            -Salary \$19.18 per hour            -Position was added and approved for the 25-26SY.</p>

**Sarah Worley**

- 1.0 Special Education Paraeducator at NMHS
- Effective Date: January 20, 2026
- Salary \$18.99 per hour
- Replacing S.Woodage who resigned (\$18.99 per hour)

**CERTIFIED STAFF RESIGNATIONS**

**Steven Culbertson**

-1.0 Career Pathways Coordinator at NMHS

-Effective Date: January 5, 2026

-Salary \$102,380. Resigned due to personal reasons

**NON CERTIFIED STAFF RESIGNATIONS**

<p><b>Anthony Carpanzano</b> -1.0 Night Custodian at SNIS -Effective Date: January 29, 2026 -Salary \$27.80 per hour</p>	<p><b>Carolyn Marma</b> -.5 General Worker at SNIS -Effective Date: January 14, 2026 -Salary \$16.94 per hour. Resigned due to personal reasons</p>	<p><b>Walker Merritt</b> -1.0 Computer Tech II at CO -Effective Date: January 21, 2026 -Salary \$28.33 per hour. Resigned due to personal reasons</p>
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**NON CERTIFIED STAFF RETIREMENTS**

<p><b>Donna Osborne</b> -1.0 General Worker at NES -Effective Date: January 15, 2026 -Salary \$19.32 per hour. Retiring after almost 22 years in the district</p>
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**INTERNAL TRANSFERS**

<p><b>Andrea Fadul</b> -.5 General Worker at SNIS transferring to a new .5 General Worker at SNIS -Effective Date: January 15, 2026. Replacing C.Marma who resigned</p>	<p><b>Wendy Hurlburt</b> -1.0 General Worker/Cashier at SNIS transferring to 1.0 General Worker at NES -Effective Date: January 26 2026. Replacing D.Osborne who retired</p>	<p><b>Agnes Jakus</b> -.5 General Worker/Cashier at SMS transferring to 1.0 General Worker/Cashier at SNIS -Effective Date: February 3, 2026. Replacing W.Hurlburt who transferred to NES.</p>
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# New Milford Enrollment Matrix By School

February 2, 2026

NES	Actual 06/03/24	Proj 25-26	Actual 02/02/26	Variance from the Projection
PK	53	58	64	6
K	134	112	97	-15
1	136	106	106	0
2	136	131	139	8
<b>TOTALS</b>	<b>459</b>	<b>407</b>	<b>406</b>	<b>-1</b>

HPS	Actual 06/03/24	Proj 25-26	Actual 02/02/26	Variance from the Projection
PK	40	45	70	25
K	124	98	90	-8
1	120	92	91	-1
2	117	116	124	8
<b>TOTALS</b>	<b>401</b>	<b>351</b>	<b>375</b>	<b>24</b>

PK - 2	Actual 06/03/24	Total Proj 25-26	Actual 02/02/26	Variance from the Projection
<b>TOTAL</b>	<b>860</b>	<b>758</b>	<b>781</b>	<b>23</b>
PK	93	103	134	31
K	258	210	187	-23
1	256	198	197	-1
2	253	247	263	16

SNIS	Actual 06/03/24	Proj 25-26	Actual 02/02/26	Variance from the Projection
3	234	247	266	19
4	260	259	259	0
5	263	235	241	6
<b>TOTALS</b>	<b>757</b>	<b>741</b>	<b>766</b>	<b>25</b>

SMS	Actual 06/03/24	Proj 25-26	Actual 02/02/26	Variance from the Projection
6	241	269	265	-4
7	278	269	265	-4
8	255	246	246	0
<b>TOTALS</b>	<b>774</b>	<b>784</b>	<b>776</b>	<b>-8</b>

NMHS	Actual 06/03/24	Proj 25-26	Actual 02/02/26	Variance from the Projection
9	306	288	265	-23
10	299	248	252	4
11	310	301	295	-6
12	291	284	279	-5
<b>TOTALS</b>	<b>1206</b>	<b>1121</b>	<b>1091</b>	<b>-30</b>

	Actual 06/03/24	Actual 02/03/2025	Proj 25-26	Actual 02/02/2026	25-26 Variance from the Projection	Comparison of 1/2025 to 1/2026
PK-2	860	823	758	781	23	-42
SNIS	757	746	741	766	25	20
SMS	774	800	784	776	-8	-24
NMHS	1206	1150	1121	1091	-30	-59
<b>TOTALS</b>	<b>3597</b>	<b>3519</b>	<b>3404</b>	<b>3414</b>	<b>10</b>	<b>-105</b>

LHTC total = 19

Office of Fiscal Services & Operations  
25 Sunny Valley Road, Suite A  
New Milford, Connecticut 06776

**TO: Dr. Janet Parlato, Superintendent**  
**FROM: Anthony J. Giovannone, Director of Fiscal Services and Operations**  
**Date: February 1, 2026**  
**RE: 2023 Supplemental School Security Competitive Grant Program Round #6**

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The 3 pages attached to this memo confirms that New Milford Public Schools (NMPS) was approved for participation in Round #6 of the School Security Competitive Grant Program (SSGP).

The School Security Grant Program (SSGP) provides funding to schools to implement security infrastructure improvements. Eligible projects under SSGP include, but are not limited to, replacement or enhancements to doors and windows, access control systems, perimeter security (such as fencing, lighting, bollards, etc.), interior and/or exterior camera systems and panic alarm systems.

NMPS has continued to invest in security infrastructure improvements throughout the district despite not being awarded funding in the last few rounds of the SSGP.

Now that we have approval for Round #6, in the amount of \$122,471.19, we will be able to retroactively capture expenses incurred by the district in order to obtain reimbursement.

*Sincerely,*  
*Anthony J. Giovannone*  
*Director of Fiscal Services and Operations*



STATE OF CONNECTICUT  
DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION  
**DIVISION OF EMERGENCY MANAGEMENT & HOMELAND SECURITY**



Dear School Security Partner:

I am pleased to forward for your signature the attached **2023 Supplemental School Security Competitive Grant Program** (Round 6) subgrant award. The attached award lists your entity's information, the location funded, the total project cost, state share, and local share.

Please take the time to review the information included in the award, initial, sign, and return the grant award to [SchoolSecurityGrant@ct.gov](mailto:SchoolSecurityGrant@ct.gov) within **45 days of your award date** to indicate your intent to accept funding under this program. Failure to do so may result in de-obligation of funding.

The related reporting compliance documents are available on our [website](#), and include the following:

- Quarterly Monitoring Form
- Reimbursement Data Sheet
- Reimbursement Verification Tool
- Emergency Plan Certification Form

Please take the time to familiarize yourself with the quarterly reporting requirements and reimbursement process.

In accordance with Conn. Gen. Statutes 10-222m and 10-222n, each local and regional board of education shall annually submit the school security and safety plan for each school under its jurisdiction to the Department of Emergency Services and Public Protection. Compliance with this requirement by the grantee will be confirmed prior to final reimbursement. Final payment will be withheld until a plan is submitted or the grantee is actively working on updating the plan.

Please feel free to contact us at [SchoolSecurityGrant@ct.gov](mailto:SchoolSecurityGrant@ct.gov) if you have any questions or need to make budgetary adjustments.

The Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security is pleased to work with you to enhance the security and protection of Connecticut's schools and citizens.

Sincerely,

Brenda M. Bergeron  
Deputy Commissioner  
Department of Emergency Services and Public Protection  
Division of Emergency Management and Homeland Security



**STATE OF CONNECTICUT**  
**DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION**  
 DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY



**NOTICE OF GRANT AWARD**

**Purpose:** This document is the obligating contract between the Grantor and Grantee.

**Signatory:** DESPP/DEMHS Deputy Commissioner Brenda M. Bergeron or designee.

**Authorizing Legislation:** The Department of Emergency Services and Public Protection hereby makes the following grant award in accordance with Public Act 21-111 AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITOL IMPROVEMENTS, TRANSPORTATION AND OTHER PURPOSE... and in accordance with the grant solicitation and the attached grant conditions or budgets if applicable.

GRANTEE INFORMATION		GRANT INFORMATION		GRANTOR INFORMATION	
<b>Grantee:</b>	New Milford Public Schools	<b>DEMHS Grant #:</b>	02350965	<b>Grantor:</b>	DESPP/DEMHS
<b>Address:</b>	25 Sunny Valley Road, Suite A, New Milford, CT 06776	<b>Funding Type:</b>	State Bond Funds	<b>Unit:</b>	School Safety and Security
<b>FEIN:</b>	06-6001642	<b>Date of Award:</b>	12/10/2025	<b>Address:</b>	1111 Country Club Road, Middletown, CT 06457
<b>POC:</b>	Matt Cunningham	<b>Start Date:</b>	January 1, 2013	<b>Email:</b>	<a href="mailto:schoolsecuritygrant@ct.gov">schoolsecuritygrant@ct.gov</a>
		<b>End Date:</b>	December 31, 2028		

**FUNDING BREAKDOWN (Summary of Attached Budget)**

<b>Total Budget:</b>	\$ 250,300.00	<b>State Match:</b>	\$ 0.00
<b>Total State Funding:</b>	\$ 122,471.79	<b>Grantee Match:</b>	\$ 127,828.21
<b>Total Federal Funding:</b>	\$ 0.00	<b>Reimb %:</b>	% 48.93%

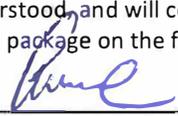
**SUMMARY DESCRIPTION OF FUNDING**

Through this accord, the **New Milford Public Schools** shall use grant funding in the amount of **\$ 122,471.79** from the **2023 Public School Security Competitive Grant Program - Supplemental** for approved costs related to school security infrastructure improvement. The purpose of this grant is to better protect Connecticut's students, teachers, faculty members and administrators from possible threats and hazards.

**AUTHORIZATION OF AGREEMENT**

**For the Grantee:**

My signature below, for, and on behalf of the above named grantee, indicates acceptance of the above referenced award and further certifies that I have the authority to execute this agreement on behalf of the grantee. Additionally, the grantee acknowledges that they have read, understood, and will comply with the attached budgets as well as all special and general Grant Conditions contained within this grant award package on the following pages.

By:  1/16/26  
 (Signature of Authorized Signatory) (Date)  
 Anthony J. Giovannone  
 (Typed Name of Authorized Official)

**The Department of Emergency Services and Public Protection:**

By: \_\_\_\_\_ (Date)  
 (Signature of Authorized Officials)  
DEPUTY COMMISSIONER, Brenda M. Bergeron  
 (Typed Name of Authorized Official)

**CORE CT INFORMATION (FOR DESPP OFFICE USE)**

Core Contract #:		PO #:		Date Received:					
Amount	Fund	Dept.	SID	Program	Account	CH 1	CH 2	Bud Ref	Proj.



Office of Fiscal Services & Operations  
25 Sunny Valley Road, Suite A  
New Milford, Connecticut 06776

**TO: Dr. Janet Parlato, Superintendent**  
**FROM: Anthony J. Giovannone, Director of Fiscal Services and Operations**  
**Date: February 1, 2026**  
**RE: ESG / NV5 - Year 1 Energy Performance Results**

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The 4 page report attached to this memo summarizes the the Town of New Milford's Energy Performance Contract (EPC) operations from July 2024 through June 2025.

Questions from Board members will be gathered and submitted to ESG / NV5 for response.

*Sincerely,*  
*Anthony J. Giovannone*  
*Director of Fiscal Services and Operations*

# Town of New Milford

## Year 1 Energy Performance Results – Summary for Stakeholders

Performance Period: July 2024 – June 2025

Energy Performance Contract Term: 20 Years (2024–2043)

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### Executive Summary

The Town of New Milford’s Energy Performance Contract (EPC) successfully met and exceeded its guaranteed savings in the first year of operation. Following Final Acceptance in June 2024, all installed energy conservation measures (ECMs) were fully operational throughout the Year 1 performance period.

- **Key Outcome: - Guaranteed Savings (Year 1):** \$623,603
- **Verified Savings (Year 1):** \$639,846
- **Performance vs. Guarantee:** Exceeded guarantee by **\$16,243**

These results – which were audited, reviewed and approved by the Town’s retained owner’s representative, NV5 – confirm that the project is performing as intended while delivering reduced utility costs, improved building comfort, and modernized infrastructure across Town and School facilities.

As a result of this project, the New Milford community received **\$4.16 million of rebates, grants and incentives**, representing 28% of the project value.

- \$1,040,000 in ITC Direct Pay Grant funds from the US Federal Treasury
- \$970,000 in Utility Incentives from Eversource Energy
- \$910,000 in LREC/ZREC Program Revenue, enabled by the State of CT
- \$160,000 in Demand Response Program Revenue through ISO New England
- \$490,000 in REC Revenue brokered through the voluntary REC market
- \$590,000 in Interest Rate Buydown through CT PURA

## Project Overview

The EPC was initiated in August 2021 to address aging infrastructure, reduce energy and operating costs, and improve indoor environments for students, staff, and the public. Construction began in September 2021 and reached Final Acceptance in June 2024.

The project spans **20+ Town and School facilities**, including: - New Milford High School - Multiple elementary and middle schools - Town Hall and administrative buildings - Police, Fire, Senior Center, and Community Facilities

## Major Improvements Implemented

- High-efficiency HVAC equipment and controls
- LED interior and exterior lighting upgrades
- Solar photovoltaic (PV) systems
- Building envelope improvements
- Water conservation measures
- Cogeneration (CHP) at New Milford High School

## How Performance Was Verified

Savings were verified using nationally recognized measurement and verification (M&V) practices. In simple terms:

- **Whole-building comparisons** were used where multiple upgrades interact (e.g., HVAC, CHP, and solar at schools).
- **Equipment-level checks** were used where savings can be directly measured (e.g., lighting and water fixtures).
- Utility usage was adjusted for weather and operating conditions to ensure a fair “apples-to-apples” comparison.

This approach confirms how buildings would have performed **without the project**, then compares that baseline to actual post-project performance.

## Year 1 Results – At a Glance

### Verified Savings by Category

- **Whole-Facility Energy Savings (includes School Solar PV):** \$447,125
- **Lighting, Controls, Envelope, and Water Measures:** \$97,751
- **Town Solar PV Production:** \$29,852
- **Operations & Maintenance Savings:** \$56,465

**Total Verified Savings:** \$639,846

### Project Performance to Date

Since construction, cumulative verified savings exceed **\$1.2 million**, substantially surpassing the guaranteed level through Year 1.

## Notable Findings & Operational Insights

While overall performance exceeded expectations, Year 1 monitoring identified several items important for long-term success:

### Solar PV Systems

- Reduced production was identified at two school arrays due to underperforming strings.
- Early detection allowed savings to be accurately adjusted, and maintenance needs to be clearly defined.

### Cogeneration (CHP)

- CHP delivered strong value but experienced downtime due to equipment repairs and temporary monitoring outages.
- Adjustments were applied transparently to reflect actual operating conditions.

## HVAC Scheduling

- Extended operating hours at one school increased energy use beyond original assumptions.
- These impacts were captured in Year 1 results and provide clear guidance for future optimization.

## Key Recommendations

To protect savings and improve future performance, the following actions are recommended:

- **Solar:** Restore full string functionality, verify inverter performance, and maintain active monitoring.
- **HVAC:** Re-optimize schedules to eliminate unnecessary runtime while maintaining comfort.
- **CHP:** Maintain consistent monitoring and preventative maintenance to minimize downtime.
- **Ongoing Oversight:** Continue standardized maintenance and periodic performance reviews.

These steps will help ensure that savings remain durable over the full 20-year contract term.

## Looking Ahead

Year 1 results demonstrate that the Town's investment is delivering measurable financial and operational benefits. With continued monitoring, routine maintenance, and targeted operational adjustments, the project is well positioned to sustain and potentially improve performance in future years.

**Bottom Line:** The EPC is meeting its commitments, exceeding guaranteed savings, and providing long-term value to the Town of New Milford and its residents.

February 2026



## New Milford Public Schools Technology Department

To: Dr. Janet Parlato, Superintendent  
From: Jeff Turner, Technology Director  
Date: 1/30/2026  
Re: E-Rate Funding for 26-27 School Year

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Dr. Parlato,

I am pleased to inform you that our 26-27 470 application for E-Rate funding has been completed and we are now in the discovery process to accept bids on our technology needs as a district for Category 2 items. These include access points and licenses for our buildings, cabling and power backup devices. The E-rate discount is at 60 percent for the 26-27 school year.

As a reminder, E-Rate funding is divided into two categories:

- **Category 1** covers services that provide Internet access (CEN) and data transmission (Crown Castle). This includes broadband connections to schools and libraries, such as fiber optic lines and leased lit fiber services.
- **Category 2** supports internal connections necessary to distribute high-speed broadband within buildings. This includes switches, wireless access points, routers, cabling, and basic maintenance of these internal connections. New Milford Public Schools will be moving our access points to a cloud controller. We will also continue to use these funds for the use of a CEN managed firewall.

Our acceptance into the program ensures that we can move forward with both external connectivity improvements and internal infrastructure upgrades. An update is forthcoming in a future operations/BOE meeting once bids are received and the E-rate worksheets completed.

Jeff Turner, New Milford Public Schools IT Director

## FEBRUARY 2026 FUNDRAISING REPORT

DEPT	EVENT	FUNDS USE
<b><u>NMHS</u></b>		
GHS	Sale of Hot Chocolate & Popcorn	GHS Scholarship
SADD	Chipotle Fundraiser	Fund Blood Drive Swag
DECA	Sale of Hot Beverages	Fund State & National Competitions
Class of 2028	Panera Fundraiser	Fund Prom, Senior Events
Class of 2028	Holiday Movie Night	Fund Prom, Senior Events
Class of 2028	Bake Sale @ Basketball Game	Fund Prom, Senior Events
Dance Team	Dance Clinic	Team Uniforms & Costumes
Asian Students Assoc.	Sales of Concessions @ Movie Showing	Purchase Items for Future Community Events
Dance Team	Pasta Night	Fund Costumes & Competition Needs
NHS/GSA	Sale of Valentines Day Roses	Senior Scholarships & Field Trips
FHS	Flower Sale during Band Competition	Senior Scholarship
SADD	Temporary Tattoo Sale	Fund SADD Sponsored Health Fair
Girls Basketball	SnapRaise	Fund Team Gear, Banquet, Senior Night
Winterguard/Percussion	SnapRaise	Reduce cost of 2026 Winter Season
DECA	Texas Roadhouse "Dine 4 Donations"	Raise Funds for State Competition
Boys Basketball	SnapRaise	Offset Cost of Apparel, Senior Night, Banquet
Class of 2028	Care Basket/Movie Night Basket	Offset Cost of Prom & Senior Trips
Math Honor Society	Pie-A-Peer	Fund Scholarship & Member Apparel
Class of 2028	Sale of Baked Goods @ Hockey Game	Fund Prom, Senior Trip & Banquet
DECA	Ping Pong Tournament	Raise Funds for State Competition
NMHS Theater	SnapRaise	Fund Future Productions/Recover Expenses
Class of 2028	Chipotle Fundraiser	Fund Prom, Senior Trip & Banquet
Math Honor Society	Pi-Day Carnival	Fund Scholarships for MHS
FBLA	Basketball Game-Police vs. Teachers	Offset Cost of State/National Competitions
Class of 2029	Bottle/Can Drive	Offset Cost of Senior Activities
Key Club	Sale of Double Good Popcorn	Offset Costs of Field Trips/Conferences
French Honor Society	Sale of Cotton Candy	Fund Senior Scholarships
Key Club	Panera Fundraiser	Fund Senior Scholarships/Field Trips/Conferences

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Approved Field Trips February 2026

<u>School</u>	<u>Grade/Dept.</u>	<u>Trip Date</u>	<u>Day(s) of the Week</u>	<u># of Students</u>	<u># of Adults</u>	<u>Destination</u>	<u>Subs</u>	<u>Student Cost</u>
NMHS	9-12	2/21/26	Saturday	13	2	Naugatuck HS	No	\$0.00
NMHS	9-12	2/28/26	Saturday	13	2	Newtown HS	No	\$0.00
NMHS	9-12	3/27/26-3/29/26	Friday-Sunday	10	1	Key Club District	No	n/a
NMHS	9-12	2/22/26	Sunday	45	2	The Fredrick Gur	No	\$0.00
NMHS	9-12	4/11/26	Saturday	30	4	Westhill HS	No	\$0.00
NMHS	9-12	3/14/26	Saturday	30	4	Shelton HS	No	\$0.00
NMHS	9-12	3/7/26	Saturday	13	2	Trumbull HS	No	\$0.00
NMHS	9-12	3/28/26	Saturday	13	2	Masuk HS	No	\$0.00
NMHS	9-12	3/28/26	Saturday	30	4	Naugatuck HS	No	\$0.00
NMHS	12	2/18/26	Wednesday	18	3	SNIS	3	\$0.00
NMHS	11-12	3/24/26	Tuesday	23	1	Litchfield Superic	1	\$20.00
NMHS	11-12	4/7/26	Tuesday	23	1	Litchfield Superic	1	\$20.00
NMHS	9-12	5/9/26	Saturday	50	3	Shubert Theater	No	n/a
NMHS	9-12	5/27/26	Wednesday	70	8	Palace Theater -	No	n/a