

**BRANFORD BOARD OF EDUCATION
POLICY COMMITTEE**

WEDNESDAY	Walsh Intermediate School
7:30 PM	Collaboration & Innovation Center (Room 112)
April 9, 2025	85 Damascus Road, Branford, CT 06405

To locate agendas and to access/view meetings please go to <https://www.branfordschools.org/>

Community Agreement

The Board of Education is committed to supporting the mission, vision, core values and global learning competencies of the Branford Public Schools. We are here to provide access for all students in close collaboration with the Superintendent and in partnership with the larger community.

A G E N D A

- I. Call to Order
- II. Public Comments
- III. Approval of Minutes
- IV. Discussion/Action Items
 - A. 1800 Use of School Facilities
 - B. 2200 Retention of Electronic Records and Information
 - C. 4300 Employment and Student Teacher Checks
 - D. 4475 Increasing Educator Diversity Plan
 - E. 5975 Transportation
- V. Adjourn

**TO PARTICIPATE IN PUBLIC COMMENTS REMOTELY PLEASE CALL:
(646) 558-8656 Meeting ID: 815 6405 4671 Passcode: 812124**

When participating by telephone please mute your phone when joining the meeting and unmute your phone when you are ready to speak. This can be done by pressing *6 on your phone's keypad.

Rules Governing Public Comments

Guests attending meetings in person or virtually are invited to make public comment. Speakers must identify themselves by name and address. While the Board does not respond to public comment during the meeting, the Chair and Superintendent will work collaboratively to make sure your comments are thoughtfully considered. Disruptive conduct may result in termination of participation privileges or removal from meetings. Three minutes will be allotted to each speaker.



Community/Board Operation

1800P

USE OF SCHOOL FACILITIES

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

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

A. Application Procedures

Applications for use of facilities shall be submitted in accordance with the Administrative Regulations.

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

Approval of school facilities by the principal or other responsible party may be revoked at any time by the Superintendent or designee.

B. Eligible Organizations and Priority of Use

Requests for use of school district facilities will be made according to the following guidelines regarding priority of usage of such facilities:

Order of priority:

1. School-sponsored programs and activities.
2. Activities of school-related organizations (*e.g.*, PTA, Booster Clubs, After Graduation Committees and similar organizations).
3. Town department or agency activities.
4. Activities of nonprofit and volunteer organizations operating within the Town, other than school-related organizations covered by category #2 above.
5. Activities of for-profit organizations operating within the Town.
6. Out-of-town organizations.

C. Restrictions on Use of School Facilities

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

1. Illegal activities will not be tolerated.
2. Use or possession of tobacco, vapor products, alcoholic beverages or unauthorized controlled substances shall not be permitted on school property.
3. Refreshments may not be prepared, served or consumed without the prior approval of the responsible administrator. Notwithstanding, only those beverages permitted by state law may be sold during the school day. The responsible administrator may permit other beverages to be sold at the location of events occurring after the end of the regular school day or on the weekend as long as they are not sold from a vending machine or at a school store. Upon approval by the administrator, refreshments may be prepared, served and consumed only in areas designated by the responsible administrator. All groups will be required to pay for food service personnel if using school kitchen equipment and spaces.
4. Obscene advertising, decorations or materials shall not be permitted on school property.

5. Advertising, decorations or other materials that promote the use of illegal drugs, tobacco products, vapor products, or alcoholic beverages shall not be permitted.
6. Activities that are disruptive of the school environment are not permitted.
7. Subletting rented time to other organizations shall not be permitted.

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

D. Fees and Other Costs

Users of school facilities shall be responsible for the fees and costs set out in a fee schedule established by the Superintendent. Rental fees, associated costs, and large event fees otherwise applicable may be waived by the Board Superintendent or his/her designee if such waiver is deemed by the Board Superintendent or his/her designee to be in the best interest of the school system and/or the Town. The following guidelines shall be incorporated into such fee schedule:

Category	Fee
1. School-sponsored programs and activities.	No fee or associated costs.*
2. Activities of school-related organizations (e.g., PTO, Booster Clubs, After Graduation Committees and similar organizations).	No fee or associated costs.*
3. Town department or agency activities.	No fee or associated costs.*
4. Activities of nonprofit and volunteer organizations operating within the Town, other than school-related organizations..	No fee or associated costs.*Additional associated costs will be applied when facilities are used outside of normal operating hours.
5. Activities of for-profit organizations operating within the Town.	Rental fee and associated costs.
6. Out-of-town organizations.	Rental fee and associated costs.

7. Large Events

Fees will be evaluated based on the needs of the event regardless of categorization above.

*See Large Events in Definitions

Use of the facility outside of building hours requires prior approval from the Director of Facilities or designee and is contingent upon available staffing and budget. This applies to all categories above.

Definitions

“Associated costs” shall include, but shall not be limited to, fees for the services of any custodial personnel, food service personnel, security personnel or other personnel deemed by the responsible administrator to be necessary in connection with the use of a school district facility.

“Rental fees” are in addition to the associated costs and are intended to partially offset wear and tear and equipment repair/replacement costs.

“Large events” are events where more than 400 attendees are expected. These events do not include regularly scheduled meetings, BPS practices or games, or approved school performances. Fundraisers or other large activities sponsored by any category will incur large event fees if more than 400 attendees are expected unless a fee waiver is granted by the Board.

E. Responsibility for Damage to Property or Loss of Property

In order to use school district facilities, any organization or individual requesting such use must agree to assume responsibility for any damage to and/or theft or loss of any school district property arising out of the use of the facilities. Organizations in categories 4-7 shall provide a Certificate of Insurance with the Town of Branford’s minimum requirements and the Branford Board of Education named as additional insured.

F. Health and Safety Protocols

In order to use school district facilities, any organization or individual requesting such use must agree to abide by all health and safety protocols in place by the school district at the time of use, including but not limited to protocols relating to cleaning of the facilities, signage, and health screenings of individuals requesting access to the facilities. Organizations and individuals are responsible for securing necessary permits required by state and town law and health and safety code.

Legal References:

Conn. Gen. Stat. § 10-239

Conn. Gen. Stat. § 10-215f

Conn. Gen. Stat. § 10-221q

Conn. Gen. Stat. Title 9

Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905
Patriotic and National Organizations, 36 U.S.C. § 1010 et seq.

ADOPTED: 10-19-2022

REVISED:

COMMITTEE APRIL 2025



USE OF SCHOOL FACILITIES

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

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

A. Application Procedures

Applications for use of facilities shall be submitted in accordance with the Administrative Regulations.

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

Approval of school facilities by the principal or other responsible party may be revoked at any time by the Superintendent or ~~his/her~~ designee.

B. Eligible Organizations and Priority of Use

Requests for use of school district facilities will be made according to the following guidelines regarding priority of usage of such facilities:

Order of priority:

1. School-sponsored programs and activities.
2. Activities of school-related organizations (*e.g.*, PTA, Booster Clubs, After Graduation Committees and similar organizations).
3. Town department or agency activities., ~~including Branford Youth Programs.~~
4. Activities of nonprofit **and volunteer** organizations operating within the Town, other than school-related organizations covered by category #2 above.
5. Activities of for-profit organizations operating within the Town.
6. Out-of-town organizations ~~and large events.~~

C. Restrictions on Use of School Facilities

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

1. Illegal activities will not be tolerated.
2. Use or possession of tobacco, vapor products, alcoholic beverages or unauthorized controlled substances shall not be permitted on school property.
3. Refreshments may not be prepared, served or consumed without the prior approval of the responsible administrator. Notwithstanding, only those beverages permitted by state law may be sold during the school day. The responsible administrator may permit other beverages to be sold at the location of events occurring after the end of the regular school day or on the weekend as long as they are not sold from a vending machine or at a school store. Upon approval by the administrator, refreshments may be prepared, served and consumed only in areas designated by the responsible administrator. **All groups will be required to pay for food service personnel if using school kitchen equipment and spaces.**
4. Obscene advertising, decorations or materials shall not be permitted on school property.

5. Advertising, decorations or other materials that promote the use of illegal drugs, tobacco products, vapor products, or alcoholic beverages shall not be permitted.
6. Activities that are disruptive of the school environment are not permitted.
7. Subletting rented time to other organizations shall not be permitted.

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

D. Fees and Other Costs

Users of school facilities shall be responsible for the fees and costs set out in a fee schedule established by the Superintendent. Rental fees, associated costs, and large event fees otherwise applicable may be waived by the Board Superintendent or his/her designee if such waiver is deemed by the Board Superintendent or his/her designee to be in the best interest of the school system and/or the Town. The following guidelines shall be incorporated into such fee schedule:

Category	Fee
1. School-sponsored programs and activities.	No fee or associated costs.*
2. Activities of school-related organizations (e.g., PTO, Booster Clubs, After Graduation Committees and similar organizations).	No fee or associated costs.*
3. Town department or agency activities. and Branford Youth Programs.	No fee or associated costs.* (In the event that a program imposes an admission fee, a gate or entrance fee may be levied by the District.)
4. Activities of nonprofit and volunteer organizations operating within the Town, other than school-related organizations. and those covered by category #3 above.	No fee or associated costs.* A fee per registrant will be applied. Additional associated costs will be applied when facilities are used outside of normal operating hours.
5. Activities of for-profit organizations operating within the Town.	Rental fee and associated costs.

6. Out-of-town organizations.

Rental fee and associated costs.

7. Large Events

Fees will be evaluated based on the needs of the event regardless of categorization above.

**See Large Events in Definitions*

Use of the facility outside of building hours requires prior approval from the Director of Facilities or designee and is contingent upon available staffing and budget. This applies to all categories above.

Definitions

~~“Branford Youth Programs” shall mean any program that is primarily instructed or coached by volunteers, is managed by volunteers, and where at least 90% of the organization’s participants are Branford Residents.~~

~~¶~~

~~“A fee per registrant” shall be a nominal amount paid per participant enrolled in the activity or event. These fees are intended to partially offset associated costs (described below).~~

~~¶~~

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

“Rental fees” are in addition to the associated costs and are intended to partially offset wear and tear and equipment repair/replacement costs.

“Large events” are events where more than 400 attendees are expected. These events do not include regularly scheduled meetings, BPS practices, or games, or approved school performances. ~~sponsored by Branford Youth Programs. However, Fundraisers or other large activities sponsored by any category Branford Youth Programs will incur large event fees if more than 400 attendees are expected unless a fee waiver is granted by the Board.~~

E. Responsibility for Damage to Property or Loss of Property

In order to use school district facilities, any organization or individual requesting such use must agree to assume responsibility for any damage to and/or theft or loss of any school district property arising out of the use of the facilities. Organizations in categories 4-7 shall provide a Certificate of Insurance with the Town of Branford’s

minimum requirements and the Branford Board of Education named as additional insured.

F. Health and Safety Protocols

In order to use school district facilities, any organization or individual requesting such use must agree to abide by all health and safety protocols in place by the school district at the time of use, including but not limited to protocols relating to cleaning of the facilities, signage, and health screenings of individuals requesting access to the facilities. Organizations and individuals are responsible for securing necessary permits required by state and town law and health and safety code.

Legal References:

Conn. Gen. Stat. § 10-239
Conn. Gen. Stat. § 10-215f
Conn. Gen. Stat. § 10-221q
Conn. Gen. Stat. Title 9

Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905
Patriotic and National Organizations, 36 U.S.C. § 1010 et seq.

ADOPTED: 10-19-2022

REVISED: ~~3-20-2024~~



RETENTION AND DISPOSITION OF RECORDS AND INFORMATION

I. INTRODUCTION

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

II. RETENTION OF RECORDS

The District shall comply with all minimum standards set forth in the Municipal Records Retention Schedules for public records, as issued by the Office of the Public Records Administrator for the State of Connecticut (“OPRA”). Retention requirements apply to the official record copy of a public record and are based on the content and function of the public record, not the media type. As such, the same record retention period that applies to paper records applies to electronically stored information. Therefore, like paper records, the content and function of an electronic record, including electronic messages, determine the retention period for that document.

If records are kept in both electronic and hard copy format, the District shall designate which record is the official record copy. The designated official copy shall be the legally recognized copy maintained for record retention purposes.

In addition to the retention guidelines established by the Board and used by District officials and employees, all District officials and employees have a duty to preserve all records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation. Record preservation under such circumstances shall only be required after receipt of formal written notice of such requirement by the Superintendent or designee.

III. USE OF ELECTRONIC MESSAGES AND ELECTRONIC COMMUNICATIONS

The Board has installed computers and a computer network(s), including Internet access and electronic messaging systems, on Board premises and may provide other electronic devices that can access the network(s) and/or have the ability to send and receive messages with an operating system or network communication framework. Devices include but are not limited to personal computing devices, cellular phones, Smartphones, network access devices, radios, personal cassette players, CD players, tablets, walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and other electronic signaling devices. Electronic messaging systems include mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content (such as Snapchat), and security focused platforms (such as Signal). The Board's computers, computer networks, electronic devices, Internet access and electronic messaging systems are referred to collectively as "the computer systems" and are provided in order to enhance both the educational opportunities for our students and the business operations of the District.

Electronic messages sent by Users as part of their work and/or by using the District's computer systems and/or network(s) are not private communications and are potentially subject to disclosure, regardless of whether the messages are sent using personal devices or the District's computer systems. Users must understand that the Board has reserved the right to conduct monitoring of the District's computer systems and may do so *despite* the assignment to individual Users of passwords for system security. Any password systems implemented by the District are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system User.

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

Any retained messages may be retrieved for a variety of purposes, including but not limited to as part of routine monitoring by the District, an employee investigation, a search for documents pursuant to a Freedom of Information Act request, a formal discovery process as part of litigation, or other legal processes such as a response to a subpoena. Users should bear in mind that electronic messages may be retained at different locations within the computer systems and/or devices and that these messages are subject to retrieval, regardless of whether the User has deleted such messages from the User's or the District's accounts. Consequently, Users should use discretion when using computers or other electronic technology to send, record or retain electronic messages and information.

IV. DISPOSITION OF RECORDS

The disposition of records, or the destruction or transfer of records to the custody of another entity, shall only occur in accordance with relevant state and federal laws and guidelines established by the OPRA. The District shall also follow the OPRA's specific protocols for the disposition of permanent, historical and archival records. If a record does not appear on a records retention schedule, the District shall contact the OPRA for further guidance before disposing of any such record.

Legal References:

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

Conn. Gen. Stat. § 7-109

Conn. Gen. Stat. § 11-8 et seq.

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

OPRA, Public Records Policy 04, *Electronic Records Management* (Dec. 2022)

OPRA, Public Records Policy 04-1, *Electronic Records* (Dec. 2022)

OPRA, Public Records Policy 04-2, *Digital Imaging* (Dec. 2022)

OPRA, Public Records Policy 05, Disposition of Public Records (Nov.. 2011)

OPRA, Public Records Memorandum 101: Disposition of Original Paper Records After Scanning (June 2024)

Connecticut State Library, State Archives ("State Archives"), State Archives Policy 01: Transfer of Historical Records to the State Archives of Other Approved Archival Repository (October 15, 2019)

Record Retention Schedules Towns, Municipalities and Boards of Education

OPRA, Records Disposition Authorization, Form RC-075 (revised 12/2021)

OPRA, Authorization for Disposal of Original Non-Permanent Records Stored as Digital Images, Form RC (revised 5/ 2024)

OPRA, Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (revised 5/2024)

OPRA, Certification for Disposition of Original Permanent/Life of Structure Records Stored as Digital Images, Form RC 245(revised 5/ 2025)

Frequently Asked Questions about E-mail, CT Public Records Administrator,
available at
<https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf> .

ADOPTED: 10-19-2022

REVISED:

11/26/2024

COMMITTEE APRIL 2025

ADMINISTRATIVE REGULATIONS REGARDING THE RETENTION AND DISPOSITION OF ELECTRONIC RECORDS AND INFORMATION

I. INTRODUCTION

The Branford Board of Education (the “Board”) complies with all state and federal laws and regulations regarding the retention, storage and disposition of records. These administrative regulations are designed to assist in implementation of the Board’s policy regarding the retention, storage, and disposition of public records. These regulations shall be disseminated and/or made available to all school officials, employees, and individuals granted access to the computer systems and/or networks of the Branford Public Schools (the “District”) and/or who send electronic messages as part of their work for the District. Collectively, all individuals granted access to the District’s computer systems are referred to as the “Users.”

These regulations supplement and do not replace District policy relating to education records.

II. DEFINITIONS

- A. Archival record means a public record, which, regardless of format, possesses enduring value if it documents or contains information on one or more of the following: 1) the evolution of the Board, the District, or their policies and practices; 2) claims or petitions against the Board or the District and the disposition of those claims or petitions; 3) obligations and claims made on citizens by the Board or the District and their disposition; 4) the legal and legislative history of the Board or the District; and/or 5) topics of research value beyond the specific administrative, legal or fiscal reasons the records were originally created.
- B. Computer systems mean the Board’s computers, computer networks, electronic devices, Internet access and electronic messaging systems, which are provided in order to enhance both the educational opportunities for students and the business operations of the District.
- C. Digital imaging means the process of converting original records on paper or film into electronic images. The process typically requires a document scanner or digital camera, a computer and software to capture the image, and indexing of the digitized images.
- D. Digitized record means an electronic record created by converting paper or other media formats to a digital form that is of sufficient authenticity, reliability, usability, and integrity to serve in place of the original source record.

- E. Disposition means a final administrative action taken with regard to records, including destruction, transfer to another entity, or permanent preservation.
- F. Electronic messages mean e-mail, fax, instant messaging, text messaging, and Web-based messaging services. Electronic messages may be transmitted by a variety of mediums, including computers and mobile computing devices. In addition to the body of the message, electronic messages also contain metadata, such as transactional information (*e.g.*, date and time sent, sender/receiver) and may contain attachments such as calendars, directories, distribution lists, sound recordings, photographs, images, word-processing documents, spreadsheets, and other electronic documents.
- G. Electronic messaging systems mean mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content such as (Snapchat), and security focused platforms, such as (Signal).
- H. Electronically stored information means information that is fixed in a tangible form and is stored in a medium from which it can be retrieved and examined. It can consist of writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained into usable form.
- I. Historical record means a public record that has been determined to possess value in documenting the history of an organization and is thus worthy of permanent preservation.
- J. Official record copy means the specific copy of a public record, as provided in C.G.S. § 1-200(5), designated by the public agency as the legally recognized copy that must be maintained for records retention, preservation, and authentication.
- K. Non-records mean items that are not usually included within the scope of official records. Examples of non-records are extra (duplicate) copies kept only for convenience, reference materials, blank forms, and spam and unsolicited advertisements.
- L. Permanent records mean records that have been determined to have sufficient historical, administrative, legal, fiscal, or other value to warrant continuing preservation.
- M. Public records mean any recorded data or information relating to the conduct of the public's business prepared, owned, used, or received by a public agency, whether such data or information is handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any method.

- N. Routine correspondence means any communication that is part of or relates to commonplace tasks or duties within an office and is done at regular or specified intervals.
- O. Source record/original source record means the record from which a digitized version or digitized record is created.
- P. Transitory correspondence consists of communication that does not relate to an individual's job responsibilities or has a short-term administrative value.

III. RECORDS CUSTODIAN

The Superintendent of Schools shall serve as the Records Custodian who will be responsible for the implementation of District policies and regulations for the retention of records, including electronic messages and electronically stored information. The Superintendent shall delegate responsibilities associated with the implementation of District policies and regulations to appropriate personnel.

RETENTION OF RECORDS

The District shall comply with the minimum standards set forth in the Municipal Records Retention Schedules for public records, as issued by the Office of the Public Records Administrator for the State of Connecticut ("OPRA"). Retention requirements apply to the official record copy of a public record and are based on the content and function of the public record, not the media type.

If records are kept in both electronic and hard copy format, the District shall designate which record is the official record copy. The designated official record copy shall be the legally recognized copy maintained for records retention. When District officials or employees are unsure which copy serves as the official record copy, they should contact the Record Custodian for clarification.

In addition to the retention guidelines established by the Board and used by District officials and employees, all District officials and employees have a duty to preserve all records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation. Record preservation under such circumstances shall only be required after receipt of formal written notice of such requirement by the Superintendent or designee.

V. CLASSIFICATION OF ELECTRONIC MESSAGES

The same record retention policy that applies to paper records applies to electronically stored information, including electronic messages. Therefore, like paper records, the content and function of an electronic record, including electronic messages, determine the retention period for that document.

District officials and employees shall use the following steps in determining whether to maintain electronic messages and, if so, for how long:

Step 1: Determine whether the message is a public record or a non-record.

Step 2: If the message is a non-record, destroy at will (e.g., spam and unsolicited advertisements).

Step 3: If the message is a record, determine which records series the message belongs to, for example:

1. If the message is Transitory Correspondence, delete at will.
2. If the message is Routine Correspondence, retain for 2 years.
3. If the message is All Other Correspondence, retain for the equivalent records series.

Step 4: Maintain the messages for the required retention period under the equivalent records series.

VI. DIGITAL IMAGING OF PAPER/HARD COPY RECORDS

Paper records may be digitized and maintained as electronic records; however, in doing so, the District must ensure the authenticity, reliability, integrity and usability of the reformatted records. If the District uses a vendor for digital imaging services, the District remains responsible for ensuring compliance with this policy.

In its use of digital imaging, the District shall:

1. Establish and maintain a quality assurance process designed to ensure the creation of accurate and authentic digital images and accurate indexes and production metadata.
2. Create and maintain accurate and authentic digital images in accordance with accepted standards and best practices.
3. Create and maintain accurate indexes and production metadata designed to properly identify and retrieve digital images.
4. Store and protect digital images against file corruption, alteration, or deletion throughout the designated retention period.

5. Perform periodic backups of all digital images, associated indices, and production metadata and maintain a geographically remote offsite backup copy designed to enable recovery and access in the event of a wide-spread disaster or emergency.
6. Perform and certify annual tests of backup media designed to ensure all files have been backed up and are readable.
7. Migrate digital images, associated indexes, and production metadata to a newer media platform or file format as needed in a manner designed to ensure the content remains accessible.
8. Define and document the normal operations and use of the imaging technology and electronic content management system in a manner designed to ensure system trustworthiness.
1. Comply with Public Records Policy 04: Electronic Records Management, Public Records Standards 04-1: Electronic Records, and the digital imaging standards established by the OPRA in Public Records Standards 04-2: Digital Imaging.

VII. RETENTION OF ELECTRONIC RECORDS

Electronic messages and electronically stored information will be archived by the District for their required retention period using method(s) approved by the Records Custodian, which may include the following:

1. Print message or record and store in appropriate hard copy file.
2. Place in computer folders and save on virtual or hard drive.
3. Save to a removable disk which is then stored in an appropriate location.
4. Transfer to an automated records management software application.
5. Manage at the server by an automated classification system.

The Records Custodian will be responsible for working with the District Systems Administrator to implement a schedule and system for reviewing electronically stored information. This review shall occur at least annually. No system-wide process for automatic deletion of electronic information will be implemented without notice to any individual who may have such information and each such individual will verify that they have reviewed and archived information that must be retained. Following this review, all electronic messages and/or electronically stored information that have not been archived according to District policies and procedures shall be designated for deletion or archiving, and the affected Users will be notified about the procedures to be followed to implement this process. The Records Custodian or designee shall follow up with notified Users to promote compliance.

Additionally, the Records Custodian, working with the District Systems Administrator, shall establish a process designated to ensure that any process for automatic deletion of electronic information from the system will not delete information stored in folders and/or system locations that have been designated as appropriate for archiving electronically stored information.

VIII. DISPOSITION OF PUBLIC RECORDS

The disposition of public records shall only occur in accordance with relevant state and federal statutes and guidelines established by the OPRA. The District shall also follow the OPRA's specific protocols for the disposition of permanent, historical and archival records. If a record does not appear on a records retention schedule, the District shall contact the OPRA for further guidance before disposing of any such record.

The OPRA provides for two separate processes for (1) the disposition of official record copies and (2) the disposition of original source records, where such records have been appropriately digitized. If the District uses a vendor for disposition of records, the District remains responsible for ensuring compliance with these regulations.

A. Disposition of Official Record Copies

If a record is the official record copy, the District may not dispose of such record until the applicable retention period has been met and the District has received signed authorization from the OPRA or State Archives. The District shall adhere to the following steps in determining whether to dispose of official record copies:

Step 1: Ensure the proper records retention schedule has been met for the document(s) at issue. All records proposed for disposition must be on an approved records retention schedule. If a record is not on a schedule, the record cannot be disposed, and the OPRA must be contacted for further direction. For permanent, historical, and/or archival records, contact the State Archives for further instruction.

Step 2: Submit the Records Disposition Authorization Form RC-075 ("RC-075 Form") to request authorization to dispose of the official record copy, in accordance with Public Records Policy 05: Disposition of Public Records (PRP 05) and at least thirty (30) days prior to the proposed date of destruction.

Step 3: Receive signed authorization indicating approval from the OPRA before disposing of any official record copy.

Step 4: Follow the OPRA guidance regarding the method of disposal. If records are being destroyed, follow OPRA guidance based on the format of the record to be destroyed (e.g., whether hard copy or electronic media).

Step 5: Document that the original source records were destroyed lawfully. The District shall follow a destruction process by which content is systematically deleted with an audit trail that is legally admissible in court.

Step 6: Record the actual date of destruction on RC-075 Form and attach any supporting documentation.

Step 7: Retain the RC-075 Form and any supporting documentation for the retention period for Records Disposition Authorization records.

B. Disposition of Original Source Records After Scanning

If paper public records have been converted to digitized records and/or if the District seeks to digitize and dispose of such records on an ongoing basis, the District shall retain and/or dispose of original source records pursuant to the following guidelines.

The District may not dispose of any original source record until the applicable retention period has been met and the District has received signed authorization from the OPRA or State Archives. The District shall adhere to the following steps in determining whether to dispose of original source records:

Less-than-Permanent Records:

Step 1: For less-than-permanent records that have already been digitized, the Records Custodian must complete and submit the Authorization for Disposal of Original Non-Permanent Paper Records Stored as Digital Images Form RC-040 (“RC-040 Form”) to request approval for disposal of original non-permanent records that have been reformatted as digital images.

- a. The RC-040 Form must be signed by the Records Custodian and the Superintendent and completed in accordance with the instructions on the form.
- b. The District must receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of original source records.

For less-than-permanent records that will be digitized and disposed on an ongoing basis, the Records Custodian must complete and submit the Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (“RC-045 Form”) to request pre-authorization to dispose of original non-permanent source records stored as digital images.

- a. The RC-045 Form must be signed by the Records Custodian and the Superintendent and completed in accordance with the instructions on the form.
- b. The District must receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of non-permanent original source records on an ongoing basis. The RC-045 Form certifies that records will be digitized on an ongoing basis as part of standard business practices. This authorization only applies to the original non-permanent records within the series approved on the RC-045 Form.
- c. The Records Custodian, in consultation with the Superintendent, *must renew certification annually* by submitting a completed RC-045 Form. *Certification does not extend beyond the 12-month period.*

Step 2: Once digitized, and upon approved destruction of the paper records, the Records Custodian must designate the digitized record as the official record copy. All digitized records will be properly maintained and will remain accessible for the full retention period.

1.

Step 3: The District must document that the original source records were

2. destroyed lawfully and document the actual date of disposition on the respective form, the RC-040 Form or the RC-045 Form. The District shall follow a destruction process by which content is systematically deleted with an audit trail that is legally admissible in court.

Step 4: The District shall record the actual date of disposition on the RC-040 or RC-045 Form, as applicable, and retain such form and any supporting documentation for the retention period for Records Disposal Authorization records.

Permanent, Historical, Archival, or Life of Structure Records:

Step 1: For permanent, historical, archival, or life of structure records, the Records Custodian must complete the Certification for Disposal of Original Permanent/Life of Structure Records Stored as Digital Images Form RC-245 (“RC-245 Form”) in accordance with the instructions on the form. The RC-245 Form permits the District to request pre-authorization to dispose of original paper permanent, historical, archival or life of structure records stored as digital images. The Records Custodian must ensure that the digital records are accessible for the full retention period. The Records

Custodian and Superintendent of Schools must also certify that all other requirements set forth in the RC-245 Form are met.

- a. The District shall follow specific requirements for digitizing permanent, archival, historical or life structure records as outlined in the Public Records Policy 04: Electronic Records Management, Public Records Standards 04-1: Electronic Records, and Public Records Standards 04-2: Digital Imaging.
- b. The District must evaluate, update, and resubmit this certification for approval every 5 years **or** under the following conditions, whichever comes first:
 - i. To reflect changes in information systems, scanning procedures, storage methods, or any other systems or workflows that could affect the quality, accessibility, or preservation of digital images produced under this certification;
 - ii. Upon updates to retention periods or public records and digital preservation guidance;
 - iii. When seeking approval for scanning and disposing of additional permanent record series, date groups, or sets other than those previously approved; or
 - iv. When decommissioning a legacy system used to create or store any digitized permanent records.
- c. The District must notify the State Archives prior to destroying permanent paper records and receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of an original source record. Records may not be disposed until the District has received this signed authorization.
- d. Upon approval of the RC-245 Form, the State Archivist may request transfer of paper records or a scheduled transfer of the digitized records to the State Archives.

Step 2: Once digitized, and upon approved disposition or destruction of the paper records, the Records Custodian must designate the digitized record as the official record copy. All digitized records will be

properly maintained and will remain accessible for the full retention period.

- Step 3:** The District must document that the original source records were disposed of lawfully and document the actual date of disposition on the RC-245 Form.
- Step 4:** Following disposal of the original source records, the Records Custodian must forward the signed original Form (and any supporting documentation) to the Office of the Town Clerk for retention and may keep a duplicate copy.
- Step 5:** The District shall retain duplicates of the RC 245 Form and any supporting documentation for the retention period for Records Disposal Authorization records.

Legal References:

- Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)
Conn. Gen. Stat. § 7-109
Conn. Gen. Stat. § 11-8 et seq.
General Letters 96-2 and 2009-2 of the Office of the Public Records Administrator
OPRA, Public Records Policy 04, *Electronic Records Management* (Dec. 2022)
OPRA, Public Records Policy 04-1, *Electronic Records* (Dec. 2022)
OPRA, Public Records Policy 04-2, *Digital Imaging* (Dec. 2022)
OPRA, Public Records Policy 05, Disposition of Public Records of the Public Records (Nov. 2011)
OPRA, Public Records Memorandum 101: Disposition of Original Paper Records After Scanning (June 2024)
OPRA, Records Management Terms (July 2015)

Connecticut State Library, State Archives (“State Archives”), State Archives Policy 01: Transfer of Historical Records to the State Archives of Other Approved Archival Repository (October 15, 2019)

Record Retention Schedules Towns, Municipalities and Boards of Education

OPRA, Records Disposition Authorization, Form RC-075 (revised 12/2021)

OPRA, Authorization for Disposal of Original Non-Permanent Records Stored as Digital Images, Form RC -040 (revised 5/2024)

OPRA, Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (revised 5/2024)

OPRA, Certification for Disposition of Original Permanent/Life of Structure Records Stored as Digital Images, Form RC -245 (revised5 / 2024)

Frequently Asked Questions about E-mail, CT Public Records Administrator, *available at*
<https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf>.

ADOPTED: 10-19-2022

REVISED:

11/26/2024

COMMITTEE APRIL 2025



RETENTION AND DISPOSITION OF RECORDS AND INFORMATION

I. INTRODUCTION

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

II. RETENTION OF RECORDS

The District shall comply with all minimum standards set forth in the Municipal Records Retention Schedules for public records, as issued by the Office of the Public Records Administrator for the State of Connecticut (“OPRA”). Retention requirements apply to the official record copy of a public record and are based on the content and function of the public record, not the media type. As such, the same record retention period that applies to paper records applies to electronically stored information. Therefore, like paper records, the content and function of an electronic record, including electronic messages, determine the retention period for that document.

If records are kept in both electronic and hard copy format, the District shall designate which record is the official record copy. The designated official copy shall be the legally recognized copy maintained for record retention purposes.

In addition to the retention guidelines established by the Board and used by District officials and employees, all District officials and employees have a duty to preserve all records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation. Record preservation under such circumstances shall only be required after receipt of formal written notice of such requirement by the Superintendent or designee.

III. USE OF ELECTRONIC MESSAGES AND ELECTRONIC COMMUNICATIONS

The Board has installed computers and a computer network(s), including Internet access and electronic messaging systems, on Board premises and may provide other electronic devices that can access the network(s) and/or have the ability to send and receive messages with an operating system or network communication framework. Devices include but are not limited to personal computing devices, cellular phones, Smartphones, network access devices, radios, personal cassette players, CD players, tablets, walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and other electronic signaling devices. Electronic messaging systems include mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content, (such as Snapchat), and security focused platforms, (such as Signal). The Board's computers, computer networks, electronic devices, Internet access and electronic messaging systems are referred to collectively as "the computer systems" and are provided in order to enhance both the educational opportunities for our students and the business operations of the District.

Electronic messages sent by Users as part of their work and/or by using the District's computer systems and/or network(s) are not private communications and are potentially subject to disclosure, regardless of whether the messages are sent using personal devices or the District's computer systems. Users must understand that the Board has reserved the right to conduct monitoring of the District's computer systems and may do so *despite* the assignment to individual Users of passwords for system security. Any password systems implemented by the District are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system User.

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

Any retained messages may be retrieved for a variety of purposes, including but not limited to as part of routine monitoring by the District, an employee investigation, a search for documents pursuant to a Freedom of Information Act request, ~~or~~ a formal discovery process as part of litigation, or other legal processes such as a response to a subpoena. Users should bear in mind that electronic messages may be retained at different locations within the computer ~~network~~ systems and/or devices and that these messages are subject to retrieval, regardless of whether the User has deleted such messages from the User's or the District's accounts. Consequently, Users should use discretion when using computers or other electronic technology to send, record or retain electronic messages and information.

IV. DISPOSITION OF RECORDS

The disposition of records, or the destruction or transfer of records to the custody of another entity, shall only occur in accordance with relevant state and federal laws and guidelines established by the OPRA. The District shall also follow the OPRA's specific protocols for the disposition of permanent, historical and archival records. If a record does not appear on a records retention schedule, the District shall contact the OPRA for further guidance before disposing of any such record.

Legal References:

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

Conn. Gen. Stat. § 7-109

Conn. Gen. Stat. § 11-8 et seq.

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

OPRA, Public Records Policy 04, *Electronic Records Management* (Dec. 2022)

OPRA, Public Records Policy 04-1, *Electronic Records* (Dec. 2022)

OPRA, Public Records Policy 04-2, *Digital Imaging* (Dec. 2022)

OPRA, Public Records Policy 05, *Disposition of Public Records* (Nov.. 2011)

OPRA, Public Records Memorandum 101: *Disposition of Original Paper Records After Scanning* (~~Apr. 2023~~ June 2024)

Connecticut State Library, State Archives ("State Archives"), State Archives Policy 01: *Transfer of Historical Records to the State Archives of Other Approved Archival Repository* (October 15, 2019)

Record Retention Schedules Towns, Municipalities and Boards of Education

OPRA, Records Disposition Authorization, Form RC-075 (revised 12/2021)

OPRA, *Authorization for Disposal of Original (Non-Permanent) Paper Records Stored as Digital Images, Form RC-075.1* (~~revised 12/2021~~ 2024)

OPRA, Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (revised 5/2024)

OPRA, ~~Records~~ Certification for Disposal Authorization of Original Permanent/Life of Structure Records Stored as Digital Images, Form RC-075-245 (~~revised 12/2021~~ 2025)

Frequently Asked Questions about E-mail, CT Public Records Administrator,
available at
<https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf> .

ADOPTED: ~~10-19-2022~~

REVISED: ~~4-24-2024~~

~~8/8/2022~~ 11/26/2024

REDLINE APRIL 2025

ADMINISTRATIVE REGULATIONS REGARDING THE RETENTION AND DISPOSITION OF ELECTRONIC RECORDS AND INFORMATION

I. INTRODUCTION

The Branford Board of Education (the “Board”) complies with all state and federal laws and regulations regarding the retention, storage and disposition of records. These administrative regulations are designed to assist in implementation of ~~Board Policy 2200~~ the Board’s policy regarding the retention, storage, and disposition of public records. These regulations shall be disseminated and/or made available to all school officials, employees, and individuals granted access to the computer systems and/or networks of the Branford Public Schools (the “District”) and/or who send electronic messages as part of their work for the District. Collectively, all individuals granted access to the District’s computer systems are referred to as the “Users.”

These regulations supplement and do not replace District policy relating to education records.

II. DEFINITIONS

- A. Archival record means a public record, which, regardless of format, possesses enduring value if it documents or contains information on one or more of the following: 1) the evolution of the Board, the District, or their policies and practices; 2) claims or petitions against the Board or the District and the disposition of those claims or petitions; 3) obligations and claims made on citizens by the Board or the District and their disposition; 4) the legal and legislative history of the Board or the District; and/or 5) topics of research value beyond the specific administrative, legal or fiscal reasons the records were originally created.
- B. Computer systems mean the Board’s computers, computer networks, electronic devices, Internet access and electronic messaging systems, which are provided in order to enhance both the educational opportunities for students and the business operations of the District.
- C. Digital imaging means the process of converting original records on paper or film into electronic images. The process typically requires a document scanner or digital camera, a computer and software to capture the image, and indexing of the digitized images.
- D. Digitized record means an electronic record created by converting paper or other media formats to a digital form that is of sufficient authenticity, reliability, usability, and integrity to serve in place of the original source record.

- E. Disposition means a final administrative action taken with regard to records, including destruction, transfer to another entity, or permanent preservation.
- F. Electronic messages mean e-mail, fax, instant messaging, text messaging, and Web-based messaging services. Electronic messages may be transmitted by a variety of mediums, including computers and mobile computing devices. In addition to the body of the message, electronic messages also contain metadata, such as transactional information (*e.g.*, date and time sent, sender/receiver) and may contain attachments such as calendars, directories, distribution lists, sound recordings, photographs, images, word-processing documents, spreadsheets, and other electronic documents.
- G. Electronic messaging systems mean mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content, such as (Snapchat), and security focused platforms, such as (Signal).
- H. Electronically stored information means information that is fixed in a tangible form and is stored in a medium from which it can be retrieved and examined. It can consist of writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained into usable form.
- I. Historical record means a public record that has been determined to possess value in documenting the history of an organization and is thus worthy of permanent preservation.
- J. Official record copy means the specific copy of a public record, as provided in C.G.S. § 1-200(5), designated by the public agency as the legally recognized copy that must be maintained for records retention, preservation, and authentication.
- K. Non-records mean items that are not usually included within the scope of official records. Examples of non-records are extra (duplicate) copies kept only for convenience, reference materials, blank forms, and spam and unsolicited advertisements.
- L. Permanent records mean records that have been determined to have sufficient historical, administrative, legal, fiscal, or other value to warrant continuing preservation.
- M. Public records mean any recorded data or information relating to the conduct of the public's business prepared, owned, used, or received by a public agency, whether such data or information is handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any method.

- N. Routine correspondence means any communication that is part of or relates to commonplace tasks or duties within an office and is done at regular or specified intervals.
- O. Source record/original source record means the record from which a digitized version or digitized record is created.
- P. Transitory correspondence consists of communication that does not relate to an individual's job responsibilities or has a short-term administrative value.

III. RECORDS CUSTODIAN

The Superintendent of Schools shall serve as the Records Custodian who will be responsible for the implementation of District policies and regulations for the retention of records, including electronic messages and electronically stored information. The Superintendent shall delegate responsibilities associated with the implementation of District policies and regulations to appropriate personnel.

RETENTION OF RECORDS

The District shall comply with the minimum standards set forth in the Municipal Records Retention Schedules for public records, as issued by the Office of the Public Records Administrator for the State of Connecticut ("OPRA"). Retention requirements apply to the official record copy of a public record and are based on the content and function of the public record, not the media type.

If records are kept in both electronic and hard copy format, the District shall designate which record is the official record copy. The designated official record copy shall be the legally recognized copy maintained for records retention. When ~~Users~~ District officials or employees are unsure which copy serves as the official record copy, they should contact the Record Custodian for clarification.

In addition to the retention guidelines established by the Board and used by District officials and employees, all District officials and employees have a duty to preserve all records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation. Record preservation under such circumstances shall only be required after receipt of formal written notice of such requirement by the Superintendent or designee.

V. CLASSIFICATION OF ELECTRONIC MESSAGES

The same record retention policy that applies to paper records applies to electronically stored information, including electronic messages. Therefore, like paper records, the content and function of an electronic record, including electronic messages, determine the retention period for that document.

~~Users~~ District officials and employees shall use the following steps in determining whether to maintain electronic messages and, if so, for how long:

Step 1: Determine whether the message is a public record or a non-record.

Step 2: If the message is a non-record, destroy at will (e.g., spam and unsolicited advertisements).

Step 3: If the message is a record, determine which records series the message belongs to, for example:

1. If the message is Transitory Correspondence, delete at will.
2. If the message is Routine Correspondence, retain for 2 years.
3. If the message is All Other Correspondence, retain for the equivalent records series.

Step 4: Maintain the messages for the required retention period under the equivalent records series.

VI. DIGITAL IMAGING OF PAPER/HARD COPY RECORDS

Paper records may be digitized and maintained as electronic records; however, in doing so, the District must ensure the authenticity, reliability, integrity and usability of the reformatted records. If the District uses a vendor for digital imaging services, the District remains responsible for ensuring compliance with this policy.

In its use of digital imaging, the District shall:

1. Establish and maintain a quality assurance process designed to ensure the creation of accurate and authentic digital images and accurate indexes and production metadata.
2. Create and maintain accurate and authentic digital images in accordance with accepted standards and best practices.
3. Create and maintain accurate indexes and production metadata designed to properly identify and retrieve digital images.
4. Store and protect digital images against file corruption, alteration, or deletion throughout the designated retention period.

5. Perform periodic backups of all digital images, associated indices, and production metadata and maintain a geographically remote offsite backup copy designed to enable recovery and access in the event of a wide-spread disaster or emergency.
 6. Perform and certify annual tests of backup media designed to ensure all files have been backed up and are readable.
 7. Migrate digital images, associated indexes, and production metadata to a newer media platform or file format as needed in a manner designed to ensure the content remains accessible.
 8. Define and document the normal operations and use of the imaging technology and electronic content management system in a manner designed to ensure system trustworthiness.
1. Comply with Public Records Policy 04: Electronic Records Management, Public Records Standards 04-1: Electronic Records, and the digital imaging standards established by the OPRA in Public Records Standards 04-2: Digital Imaging.

VII. RETENTION OF ELECTRONIC RECORDS

Electronic messages and electronically stored information will be archived by the District for their required retention period using method(s) approved by the Records Custodian, which may include the following:

1. Print message or record and store in appropriate hard copy file.
2. Place in computer folders and save on virtual or hard drive.
3. Save to a removable disk which is then stored in an appropriate location.
4. Transfer to an automated records management software application.
5. Manage at the server by an automated classification system.

The Records Custodian will be responsible for working with the District Systems Administrator to implement a schedule and system for reviewing electronically stored information. This review shall occur at least annually. No ~~system-wide~~ system-wide process for automatic deletion of electronic information will be implemented without notice to any individual who may have such information and each such individual will verify that they have reviewed and archived information that must be retained. Following this review, all electronic messages and/or electronically stored information that have not been archived according to District policies and procedures shall be designated for deletion or archiving, and the affected Users will be notified about the procedures to be followed to implement this process. The Records Custodian or designee shall follow up with notified Users to promote compliance.

Additionally, the Records Custodian, working with the District Systems Administrator, shall establish a process designated to ensure that any process for automatic deletion of electronic information from the system will not delete information stored in folders and/or system locations that have been designated as appropriate for archiving electronically stored information.

VIII. DISPOSITION OF PUBLIC RECORDS

The disposition of public records shall only occur in accordance with relevant state and federal statutes and guidelines established by the OPRA. The District shall also follow the OPRA's specific protocols for the disposition of permanent, historical and archival records. If a record does not appear on a records retention schedule, the District shall contact the OPRA for further guidance before disposing of any such record.

The OPRA provides for two separate processes for (1) the disposition of official record copies and (2) the disposition of original source records, where such records have been appropriately digitized. If the District uses a vendor for disposition of records, the District remains responsible for ensuring compliance with these regulations.

A. Disposition of Official Record Copies

If a record is the official record copy, the District may not dispose of such record until the applicable retention period has been met and the District has received signed authorization from the OPRA or State Archives. The District shall adhere to the following steps in determining whether to dispose of official record copies:

Step 1: Ensure the proper records retention schedule has been met for the document(s) at issue. All records proposed for disposition must be on an approved records retention schedule. If a record is not on a schedule, the record cannot be disposed, and the OPRA must be contacted for further direction. For permanent, historical, and/or archival records, contact the State Archives for further instruction.

Step 2: Submit the Records Disposition Authorization Form RC-075 ("RC-075 Form") to request authorization to dispose of the official record copy, in accordance with Public Records Policy 05: Disposition of Public Records (PRP 05) and at least thirty (30) days prior to the proposed date of destruction.

Step 3: Receive signed authorization indicating approval from the OPRA before disposing of any official record copy.

Step 4: Follow the OPRA guidance regarding the method of disposal. If records are being destroyed, follow OPRA guidance based on the format of the record to be destroyed (e.g., whether hard copy or electronic media).

Step 5: Document that the original source records were destroyed lawfully. The District shall follow a destruction process by which content is systematically deleted with an audit trail that is legally admissible in court.

Step 6: Record the actual date of destruction on RC-075 Form and attach any supporting documentation.

Step 7: Retain the RC-075 Form and any supporting documentation for the retention period for Records Disposition Authorization records.

B. Disposition of Original Source Records After Scanning

If paper public records have been converted to digitized records and/or if the District seeks to digitize and dispose of such records on an ongoing basis, the District shall retain and/or dispose of ~~less-than-permanent~~ original source records pursuant to the following guidelines.

The District may not dispose of any original source record until the applicable retention period has been met and the District has received signed authorization from the OPRA or State Archives. The District shall adhere to the following steps in determining whether to dispose of original source records:

Less-than-Permanent Records:

Step 1: **For less-than-permanent records that have already been digitized, the Records Custodian must complete and submit the Authorization for Disposal of Original Non-Permanent Paper Records Stored as Digital Images Form RC-040 (“RC-040 Form”) to request approval for disposal of original non-permanent records that have been reformatted as digital images.**

- a. The RC-040 Form must be signed by the Records Custodian and the Superintendent and completed in accordance with the instructions on the form.
- b. The District must receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of original source records.

For less-than-permanent records that will be digitized and disposed on an ongoing basis, the Records Custodian must complete and submit the Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (“RC-045 Form”) to request pre-authorization to dispose of original non-permanent source records stored as digital images.

- a. The RC-045 Form must be signed by the Records Custodian and the Superintendent and completed in accordance with the instructions on the form.
- b. The District must receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of non-permanent original source records on an ongoing basis. The RC-045 Form certifies that records will be digitized on an ongoing basis as part of standard business practices. This authorization only applies to the original non-permanent records within the series approved on the RC-045 Form.
- c. The Records Custodian, in consultation with the Superintendent, must renew certification annually by submitting a completed RC-045 Form. Certification does not extend beyond the 12-month period.

Step 2: Once digitized, and upon approved destruction of the paper records, the Records Custodian must designate the digitized record as the official record copy. All digitized records will be properly maintained and will remain accessible for the full retention period.

~~The Records Custodian must ensure the proper records retention schedule has been met for the document(s) at issue. All records proposed for disposition must be on an approved records retention schedule. If a record is not on a schedule, the record cannot be disposed, and the OPRA must be contacted for further direction. ¶~~

- ~~1. The Records Custodian must submit the Authorization for Disposal of Original (Non Permanent) Paper Records Stored As Digital Images Form RC-075.1 ("RC-075.1 Form") to request authorization to dispose of the original source record. The RC-075.1 Form must be submitted to the OPRA at least thirty (30) days prior to the proposed date of destruction. ¶~~

- ~~a. If the original source record is permanent, archival, archival review required, may have historical value, or life of structure (collectively referred to as "designated permanent records"), it may be digitally scanned and retained in an electronic format, but security copies of the records must be retained in a "human-readable" format, such as paper or microfilm. The Records Custodian must first verify with the OPRA for approval of the security copy storage format. ¶~~

- ~~2. The District shall not dispose of any designated permanent records and/or records without a retention period and may contact OPRA and/or the State Archives for additional information and instruction.~~

Step 3: ~~The District must receive signed authorization indicating approval from the OPRA before disposing of an~~ document that the ~~original source record~~ records were.

~~The District shall follow OPRA guidance regarding the method of disposal. ¶~~

3. ~~Following destruction of the original source records, the District must document that the original source records were destroyed lawfully~~ and document the actual date of disposition on the respective form, the RC-040 Form or the RC-045 Form. The District shall follow a destruction process by which content is systematically deleted with an audit trail that is legally admissible in court.

Step 4: The District shall record the actual date of ~~destruction~~-disposition on the RC-075.1-040 or RC-045 Form, as applicable, and ~~attach~~-retain such form and any supporting documentation for the retention period for Records Disposal Authorization records.

Permanent, Historical, Archival, or Life of Structure Records:

Step 1: For permanent, historical, archival, or life of structure records, the Records Custodian must complete the Certification for Disposal of Original Permanent/Life of Structure Records Stored as Digital Images Form RC-245 (“RC-245 Form”) in accordance with the instructions on the form. The RC-245 Form permits the District to request pre-authorization to dispose of original paper permanent, historical, archival or life of structure records stored as digital images. The Records Custodian must ensure that the digital records are accessible for the full retention period. The Records Custodian and Superintendent of Schools must also certify that all other requirements set forth in the RC-245 Form are met.

a. The District shall follow specific requirements for digitizing permanent, archival, historical or life structure records as outlined in the Public Records Policy 04: Electronic Records Management, Public Records Standards 04-1: Electronic Records, and Public Records Standards 04-2: Digital Imaging.

b. The District must evaluate, update, and resubmit this certification for approval every 5 years or under the following conditions, whichever comes first:

i. To reflect changes in information systems, scanning procedures, storage methods, or any other systems or workflows that could affect the quality, accessibility, or preservation of digital images produced under this certification;

ii. Upon updates to retention periods or public records and digital preservation guidance;

- iii. When seeking approval for scanning and disposing of additional permanent record series, date groups, or sets other than those previously approved; or
- iv. When decommissioning a legacy system used to create or store any digitized permanent records.
- c. The District must notify the State Archives prior to destroying permanent paper records and receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of an original source record. Records may not be disposed until the District has received this signed authorization.
- d. Upon approval of the RC-245 Form, the State Archivist may request transfer of paper records or a scheduled transfer of the digitized records to the State Archives.

Step 2: Once digitized, and upon approved disposition or destruction of the paper records, the Records Custodian must designate the digitized record as the official record copy. All digitized records will be properly maintained and will remain accessible for the full retention period.

Step 3: The District must document that the original source records were disposed of lawfully and document the actual date of disposition on the RC-245 Form.

Step 4: Following disposal of the original source records, the Records Custodian must forward the signed original Form (and any supporting documentation) to the Office of the Town Clerk for retention and may keep a duplicate copy.

Step 5: The District shall retain ~~the RC-075-1~~ **duplicates of** the RC-245 Form and any supporting documentation for the retention period for Records ~~Disposition- Disposal~~ **Disposition- Disposal** Authorization records.

Legal References:

Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)
Conn. Gen. Stat. § 7-109
Conn. Gen. Stat. § 11-8 et seq.
General Letters 96-2 and 2009-2 of the Office of the Public Records

Administrator

OPRA, Public Records Policy 04, *Electronic Records Management* (Dec. 2022)

OPRA, Public Records Policy 04-1, *Electronic Records* (Dec. 2022)

OPRA, Public Records Policy 04-2, *Digital Imaging* (Dec. 2022)

OPRA, Public Records Policy 05, Disposition of Public Records of the Public Records (Nov. 2011)

OPRA, Public Records Memorandum 101: Disposition of Original Paper Records After Scanning (~~Apr. 2023~~ June 2024)

OPRA, Records Management Terms (July 2015)

Connecticut State Library, State Archives (“State Archives”), State Archives Policy 01: Transfer of Historical Records to the State Archives of Other Approved Archival Repository (October 15, 2019)

Record Retention Schedules Towns, Municipalities and Boards of Education

OPRA, Records Disposition Authorization, Form RC-075 (revised 12/2021)

OPRA, Authorization for Disposal of Original (Non-Permanent) Paper Records Stored as Digital Images, Form RC-~~075.1~~ -040 (revised ~~125/2021~~ 2024)

OPRA, Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (revised 5/2024)

OPRA, ~~Records Certification for Disposition Authorization of Original Permanent/Life of Structure Records Stored as Digital Images~~, Form RC-~~075~~ -245 (revised ~~125~~ /2021 2024)

Frequently Asked Questions about E-mail, CT Public Records Administrator, available at <https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf>.

ADOPTED: ~~10-19-2022~~

REVISED: ~~4-24-2024~~

~~7/30/2021~~ 11/26/2024



Personnel

4300 P

EMPLOYMENT AND STUDENT TEACHER CHECKS

As set forth below, each applicant for a position with the Branford Public Schools (the “District”), and each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience in the District (collectively referred to as “applicants”), shall be asked to provide in writing: (1) whether the applicant has ever been convicted of a crime; (2) whether there are any criminal charges pending against the applicant at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending; and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). If the applicant’s current or most recent employment occurred out of state, the applicant will also be asked whether the applicant is included on an equivalent database and/or abuse/neglect registry maintained in that other state.

Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased. An employment application form that contains any question concerning the criminal history of the applicant shall contain the following notice, in clear and conspicuous language:

Pursuant to section 31-51i(d) of the Connecticut General Statutes, the applicant is hereby notified that (1) the applicant is not required to disclose the existence of any erased criminal history record information, (2) erased criminal history record information are records pertaining to a finding of delinquency or that a child was a member of a family with service needs, an adjudication as a youthful offender, a criminal charge that has been dismissed or nolle, a criminal charge for which the person has been found not guilty or a conviction for which the person received an absolute pardon or criminal records that are erased pursuant to statute or by other operation of law, and (3) any person with erased criminal history record information shall be deemed to have never been arrested within the meaning of the general statutes with respect to the proceedings so erased and may so swear under oath.

In addition, the District shall conduct an employment history check for each applicant for a position, as set forth below.

For the purposes of this policy:

“Sexual misconduct” means any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“Abuse or neglect” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“Former employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

I. Employment History Check Procedures

A. The District shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the District:

1. Requiring the applicant:

- a. to list the name, address, and telephone number of each current employer or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) during any of the previous twenty years, if:
 - (i) such current or former employer is/was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, and/or
 - (ii) the applicant’s employment with such current or former employer caused the applicant to have contact with children.
- b. to submit a written authorization that
 - (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the

information requested under paragraph I.A.2 of this policy and the release of related records by such employers,

- (ii) consents to and authorizes disclosure by the Connecticut State Department of Education (the “Department”) of the information requested under paragraph I.A.3 of this policy and the release of related records by the Department, and
- (iii) releases those employers and the Department from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and

c. to submit a written statement of whether the applicant

- (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
- (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
- (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;

2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department, which shall request the following:

a. the dates employment of the applicant, and

- b. a statement as to whether the employer has knowledge that the applicant:
- (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated, unless such substantiation was reversed as a result of an appeal to DCF;
 - (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct, unless such substantiation was reversed as a result of an appeal to DCF; or
 - (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct, unless such substantiation was reversed as a result of an appeal to DCF. Such review may be conducted telephonically or through written communication. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the District receives a request for such information about an employee or former employee, the District shall respond with such information. The District may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (g), such employer shall respond not later than five (5) business days after receiving such request.

3. Requesting information from the Department concerning:

- a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,

- b. whether the Department has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
 - c. whether the Department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.
- B. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, if the District receives information that an applicant for a position with or an employee of the District has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of such information.
- C. The District shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The District may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the District's review of information received under this section, provided:
 - 1. The applicant complied with paragraph I.A.1 of this policy;
 - 2. The District has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the District; and
 - 3. The applicant affirms that the applicant is not disqualified from employment with the District.
- E. The District shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
 - 1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
 - 2. Affects the ability of the District to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
 - 3. Requires the District to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any

documents maintained by the District, unless, after investigation, such allegation is dismissed or found to be false.

- F. The District shall not offer employment to a person as a substitute teacher, unless such person and the District comply with the provisions of paragraph I.A.1 of this policy. The District shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The District shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the District as a substitute teacher, as described in paragraph III.B.2 of this policy, provided the District does not have any knowledge of a reason that such person should be removed from such list.
- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a and I.A.1.c of this policy and a written authorization under paragraph I.A.1.b of this policy. Such contractor shall contact any current or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee’s employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the District, either telephonically or through written communication. If the District receives such information, it shall determine whether such employee may work in a position involving direct student contact at any school in the District. No determination by the District that any such employee of the contractor shall not work under any such contract in any such position shall constitute a breach of such contract.
- H. Any applicant/employee who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the District that may include:
 - 1. denial of employment, or

2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151, or
 3. termination of a non-certified employee in accordance with applicable law and/or any applicable collective bargaining agreement, contract or District policy.
- I. If the District provides information in accordance with paragraph I.A.2 or I.G of this policy, the District shall be immune from criminal and civil liability, provided the District did not knowingly supply false information.
 - J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (g) of Conn. Gen. Stat. § 31-51i, the District shall provide, upon request by another local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G of this policy or to the Commissioner of Education pursuant to paragraph I.B of this policy any information that the District has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.
 - K. Prior to offering employment to an applicant, the District shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school, or if the applicant’s employment with such current or former employer caused the applicant to have contact with children in order to obtain information and recommendations that may be relevant to the applicant’s fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.
 - L. The District shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

II. DCF Registry Checks

Prior to hiring any person for a position with the District, and before a student who is enrolled in a teacher preparation program in the District, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the

District, begins such student teaching experience, the district shall require such applicant or student to submit to a records check of information maintained on the Registry concerning the applicant.

For any applicant whose current or most recent employment occurred out of state, the District shall request that the applicant provide the District with authorization to access information maintained concerning the applicant by the equivalent state agency in the state of most recent employment, if such state maintains information about abuse and neglect and has a procedure by which such information can be obtained. Refusal to permit the District to access such information shall be considered grounds for rejecting any applicant for employment.

The District shall request information from the Registry, or its out of state equivalent, promptly and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

- A. No later than ten (10) calendar days after the Superintendent or the Superintendent's designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or the Superintendent's designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF, or its out of state equivalent when available, for obtaining information from the Registry.
- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or the Superintendent's designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF, or its out of state equivalent, with a copy to the Superintendent or the Superintendent's designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- C. Upon receipt of Registry or out-of-state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or the Superintendent's designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.
- D. If notification is received by the Superintendent or the Superintendent's designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or the Superintendent's designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or the

Superintendent's designee shall revoke the offer of employment and/or terminate the applicant's employment if the applicant has already commenced working for the District.

III. Criminal Records Check Procedure

- A. Each person hired by the District shall be required to submit to state and national criminal records checks within thirty (30) calendar days from the date of employment. Each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, shall be required to submit to state and national criminal records checks within sixty (60) calendar days from the date such student begins to perform such student teaching experience. Record checks will be processed according to the following procedure:*
1. No later than five (5) calendar days after the Superintendent or the Superintendent's designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or the Superintendent's designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Connecticut State Department of Emergency Services and Public Protection. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal records checks. The Superintendent or the Superintendent's designee will also provide each applicant with the following notifications before the applicant obtains the applicant's fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.
 2. No later than ten (10) calendar days after the Superintendent or the Superintendent's designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Connecticut State Department of Emergency Services and Public Protection. Failure of the applicant to have the applicant's fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
 3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal records checks. Fees and costs associated with

the fingerprinting process and the submission and process of requests are waived for student teachers, in accordance with state law.

4. Upon receipt of a criminal records check indicating a previously undisclosed conviction, the Superintendent or the Superintendent's designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal records check. The affected applicant/employee may notify the Superintendent or the Superintendent's designee in writing within five (5) calendar days that the affected applicant/employee will challenge such individual's criminal history records check. Upon written notification to the Superintendent or the Superintendent's designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or the Superintendent's designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or the Superintendent's designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.
5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Notwithstanding anything in paragraph III.A.5 of this policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this policy, above.

B. Criminal Records Check for Substitute Teachers:

A substitute teacher who is hired by the District must submit to state and national criminal history records checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history records checks for a substitute teacher have been completed within one year prior to the date the District hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history records checks to be forwarded to the

Superintendent the Superintendent's designee, then the substitute teacher will not be required to submit to another criminal history records check at the time of such hire.

2. If a substitute teacher submitted to state and national criminal history records checks upon being hired by the District, then the substitute teacher will not be required to submit to another criminal history records check so long as the substitute teacher is continuously employed by the District, that is, employed for at least one day of each school year, by the District, provided a substitute teacher is subjected to such checks at least once every five years.

IV. Sex Offender Registry Checks

District personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, begins such student teaching experience. Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the district.

V. Credit Checks

The District may also ask a prospective employee for a credit report for employment for certain District positions, where the District's receipt of a credit report is substantially related to the employee's potential job. "Substantially related to the current or potential job" is defined to mean "the information contained in the credit report is related to the position for which the employee or prospective employee who is the subject of the report is being evaluated because of the position." Prior to asking for a credit report, the District will determine whether the position falls within one of the categories as described in this paragraph. The position must: (1) be a managerial position which involves setting the direction or control of the District; (2) involve access to employees' personal or financial information; (3) involve a fiduciary responsibility to the District, including, but not limited to, the authority to issue payments, collect debts, transfer money or enter into contracts; (4) provide an expense account or District debit or credit card; or (5) involve access to the District's nonfinancial assets valued at two thousand five dollars or more.

When a credit report will be requested as part of the employment process, the District will provide written notification to the prospective employee regarding the use of credit checks. That notification must be provided in a document separate from the employment application. The notification must state that the District may use the information in the consumer credit report to make decisions related to the individual's employment.

The District will obtain written, signed consent before performing the credit or other background checks. If the District intends to take an action adverse to a potential employee based on the results of a credit report, the District must provide the prospective employee with a copy of the report on which the District relied in making the adverse decision, as well as a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act,” which should be provided by the company that provides the results of the credit check. The District gives the potential employee a reasonable amount of time, i.e., at least five days, to dispute any of the information in the report prior to making any final employment decision.

If an adverse action is taken based on information from the report, the District will notify the prospective employee either orally, in writing or via electronic means that the adverse action was taken based on the information in the consumer report. That notice must include the name, address and phone number of the consumer reporting company that supplied the credit report; a statement that the company that supplied the report did not make the decision to take the unfavorable action and cannot provide specific reasons for the district’s actions; and a notice of the person’s right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and to get an additional free report from the company if the person asks for it within sixty (60) calendar days.

VI. Notice of Conviction

If, at any time, the District receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the District shall send such notice to the State Board of Education. In complying with this requirement, the District shall not disseminate the results of any national criminal history records check.

VII. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the District shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

VIII. Personal Online Accounts

For purposes of this policy, “personal online account” means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the District, including, but not limited to, electronic mail, social media and retail-based Internet web sites. “Personal online account” does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the District.

A. During the course of an employment check, the District may not:

1. request or require that an applicant provide the District with a username and password, password or any other authentication means for accessing a personal online account;
 2. request or require that an applicant authenticate or access a personal online account in the presence of District personnel; or
 3. require that an applicant invite a supervisor employed by the District or accept an invitation from a supervisor employed by the District to join a group affiliated with any personal online account of the applicant.
- B. The District may request or require that an applicant provide the District with a username and password, password or any other authentication means for accessing:
1. any account or service provided by District or by virtue of the applicant's employment relationship with the District or that the applicant uses for the District's business purposes, or
 2. any electronic communications device supplied or paid for, in whole or in part, by the District.
- C. In accordance with applicable law, the District maintains the right to require an applicant to allow the District to access the applicant's personal online account, without disclosing the username and password, password or other authentication means for accessing such personal online account, for the purpose of:
1. 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 activity on an applicant's personal online account; or
 2. conducting an investigation based on the receipt of specific information about an applicant's unauthorized transfer of the District's proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

IX. Policy Inapplicable to Certain Individuals

This policy shall not apply to:

- A. A student employed by the District who attends a District school.
- B. A person employed by the District as a teacher for a noncredit adult class or adult education activity, as defined in Conn. Gen. Stat. § 10-67, who is not

required to hold a teaching certificate pursuant to Conn. Gen. Stat. § 10-145b for such position.

X. Falsification of Records

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References: Conn. Gen. Stat. § 10-212

Conn. Gen. Stat. § 10-221d

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Public Act 24-41, “An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements.”

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

ADOPTED: 10-19-2022

REVISED:

8/11/2024

Agency Privacy Requirements for Noncriminal Justice Applicants

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notices and that the results of the check are handled in a manner that protects the applicant's privacy. All notices must be provided in writing.¹ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.), Section 552a, and Title 28, Code of Federal Regulations (CFR), Section 50.12, among other authorities.

- Officials must ensure that each applicant receives an adequate written FBI Privacy Act Statement (dated 2013 or later) when the applicant submits the applicant's fingerprints and associated personal information.²
- Officials must advise all applicants in writing that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34. Information regarding this process may be found at <https://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- Officials must provide the applicant the opportunity to complete or challenge the accuracy of the information in the FBI criminal history record.
- Officials should not deny the employment, license, or other benefit based on information in the FBI criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record for authorized purposes only and cannot retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Council.³

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain the applicant's record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant the FBI Privacy Act Statement, the 28 CFR 50.12 notice, and the opportunity to correct the applicant's record. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of FBI criminal history records for noncriminal justice purposes.

¹ Written notification includes electronic notification, but excludes oral notification.

² See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).

If you need additional information or assistance, contact:

Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480	Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306
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Noncriminal Justice Applicant's Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below. All notices must be provided to you in writing.⁴ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28 Code of Federal Regulations (CFR), 50.12, among other authorities.

- You must be provided an adequate written FBI Privacy Act Statement (dated 2013 or later) when you submit your fingerprints and associated person information. This Privacy Act Statement must explain the authority for collecting your fingerprints and associated information and whether your fingerprints and associated information will be searched, shared, or retained.⁵
- You must be advised in writing of the procedures for obtaining a change, correction, or updating of your criminal history record as set forth at 28 CFR 16.34.
- You must be provided the opportunity to complete or challenge the accuracy of the information in your FBI criminal history record (if you have such a record).
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the FBI criminal history record.
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI by submitting a request via <https://www.edo.cjis.gov>. The FBI will then forward your challenge to the agency that contributed the questioned information and request the

⁴ Written notification includes electronic notification, but excludes oral notification.

⁵ <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁶
- If you need additional information or assistance, please contact:

Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480	Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306
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⁶ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d), and 906.2(d).

Federal Bureau of Investigation
Privacy Act Statement

This privacy act statement is located on the back of the FD-258 fingerprint card.

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

As of 3/30/2018



Personnel

4300 P

EMPLOYMENT AND STUDENT TEACHER CHECKS

As set forth below, each applicant for a position with the Branford Public Schools (the “District”), and each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience in the District (collectively referred to as “applicants”), shall be asked to provide in writing: (1) whether the applicant has ever been convicted of a crime; (2) whether there are any criminal charges pending against the applicant at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending; and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). If the applicant’s current or most recent employment occurred out of state, the applicant will also be asked whether the applicant is included on an equivalent database and/or abuse/neglect registry maintained in that other state.

Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased. An employment application form that contains any question concerning the criminal history of the applicant shall contain the following notice, in clear and conspicuous language:

Pursuant to section 31-51i(d) of the Connecticut General Statutes, the applicant is hereby notified that (1) the applicant is not required to disclose the existence of any erased criminal history record information, (2) erased criminal history record information are records pertaining to a finding of delinquency or that a child was a member of a family with service needs, an adjudication as a youthful offender, a criminal charge that has been dismissed or nolle, a criminal charge for which the person has been found not guilty or a conviction for which the person received an absolute pardon or criminal records that are erased pursuant to statute or by other operation of law, and (3) any person with erased criminal history record information shall be deemed to have never been arrested within the meaning of the general statutes with respect to the proceedings so erased and may so swear under oath.

In addition, the District shall conduct an employment history check for each applicant for a position, as set forth below.

For the purposes of this policy:

“Sexual misconduct” means any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“Abuse or neglect” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“Former employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

I. Employment History Check Procedures

A. The District shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the District:

1. Requiring the applicant:

- a. to list the name, address, and telephone number of each current employer or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) during any of the previous twenty years, if:
 - (i) such current or former employer is/was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, and/or
 - (ii) the applicant’s employment with such current or former employer caused the applicant to have contact with children.
- b. to submit a written authorization that
 - (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the

information requested under paragraph I.A.2 of this policy and the release of related records by such employers,

- (ii) consents to and authorizes disclosure by the ~~Connecticut~~ Connecticut State Department of Education (the “Department”) of the information requested under paragraph I.A.3 of this policy and the release of related records by the Department, and
- (iii) releases those employers and the Department from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and

c. to submit a written statement of whether the applicant

- (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
- (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
- (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;

- 2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department, which shall request the following:

- a. the dates employment of the applicant, and
- b. a statement as to whether the employer has knowledge that the applicant:
 - (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated, unless such substantiation was reversed as a result of an appeal to DCF;
 - (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct, unless such substantiation was reversed as a result of an appeal to DCF; or
 - (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct, unless such substantiation was reversed as a result of an appeal to DCF. Such review may be conducted telephonically or through written communication. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the District receives a request for such information about an employee or former employee, the District shall respond with such information. The District may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (g), such employer shall respond not later than five (5) business days after receiving such request.

3. Requesting information from the Department concerning:

- a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,

- b. whether the Department has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
 - c. whether the Department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.
- B. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, if the District receives information that an applicant for a position with or an employee of the District has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of such information.
- C. The District shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The District may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the District's review of information received under this section, provided:
 - 1. The applicant complied with paragraph I.A.1 of this policy;
 - 2. The District has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the District; and
 - 3. The applicant affirms that the applicant is not disqualified from employment with the District.
- E. The District shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
 - 1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
 - 2. Affects the ability of the District to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
 - 3. Requires the District to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any

documents maintained by the District, unless, after investigation, such allegation is dismissed or found to be false.

- F. The District shall not offer employment to a person as a substitute teacher, unless such person and the District comply with the provisions of paragraph I.A.1 of this policy. The District shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The District shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the District as a substitute teacher, as described in paragraph III.B.2 of this policy, provided the District does not have any knowledge of a reason that such person should be removed from such list.
- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a and I.A.1.c of this policy and a written authorization under paragraph I.A.1.b of this policy. Such contractor shall contact any current or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee’s employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the District, either telephonically or through written communication. If the District receives such information, it shall determine whether such employee may work in a position involving direct student contact at any school in the District. No determination by the District that any such employee of the contractor shall not work under any such contract in any such position shall constitute a breach of such contract.
- H. Any applicant/employee who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the District that may include:
 - 1. denial of employment, or

2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151, or
 3. termination of a non-certified employee in accordance with applicable law and/or any applicable collective bargaining agreement, contract or District policy.
- I. If the District provides information in accordance with paragraph I.A.2 or I.G of this policy, the District shall be immune from criminal and civil liability, provided the District did not knowingly supply false information.
 - J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (g) of Conn. Gen. Stat. § 31-51i, the District shall provide, upon request by another local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G of this policy or to the Commissioner of Education pursuant to paragraph I.B of this policy any information that the District has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.
 - K. Prior to offering employment to an applicant, the District shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school, or if the applicant’s employment with such current or former employer caused the applicant to have contact with children in order to obtain information and recommendations that may be relevant to the applicant’s fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.
 - L. The District shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

II. DCF Registry Checks

Prior to hiring any person for a position with the District, and before a student who is enrolled in a teacher preparation program in the District, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the

District, begins such student teaching experience, the district shall require such applicant or student to submit to a records check of information maintained on the Registry concerning the applicant.

For any applicant whose current or most recent employment occurred out of state, the District shall request that the applicant provide the District with authorization to access information maintained concerning the applicant by the equivalent state agency in the state of most recent employment, if such state maintains information about abuse and neglect and has a procedure by which such information can be obtained. Refusal to permit the District to access such information shall be considered grounds for rejecting any applicant for employment.

The District shall request information from the Registry, or its out of state equivalent, promptly and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

- A. No later than ten (10) calendar days after the Superintendent or the Superintendent's designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or the Superintendent's designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF, or its out of state equivalent when available, for obtaining information from the Registry.
- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or the Superintendent's designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF, or its out of state equivalent, with a copy to the Superintendent or the Superintendent's designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- C. Upon receipt of Registry or out-of-state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or the Superintendent's designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.
- D. If notification is received by the Superintendent or the Superintendent's designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or the Superintendent's designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or the

Superintendent's designee shall revoke the offer of employment and/or terminate the applicant's employment if the applicant has already commenced working for the District.

III. Criminal Records Check Procedure

- A. Each person hired by the District shall be required to submit to state and national criminal records checks within thirty (30) calendar days from the date of employment. Each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, shall be required to submit to state and national criminal records checks within sixty (60) calendar days from the date such student begins to perform such student teaching experience. Record checks will be processed according to the following procedure:*
1. No later than five (5) calendar days after the Superintendent or the Superintendent's designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent ~~or the~~ Superintendent's designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Connecticut State Department of Emergency Services and Public Protection. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal records checks. The Superintendent or the Superintendent's designee will also provide each applicant with the following notifications before the applicant obtains the applicant's fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.
 2. No later than ten (10) calendar days after the Superintendent or the Superintendent's designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Connecticut State Department of Emergency Services and Public Protection. Failure of the applicant to have the applicant's fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
 3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal records checks. Fees and costs associated with

the fingerprinting process and the submission and process of requests are waived for student teachers, in accordance with state law.

4. Upon receipt of a criminal records check indicating a previously undisclosed conviction, the Superintendent or the Superintendent's designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal records check. The affected applicant/employee may notify the Superintendent or the Superintendent's designee in writing within five (5) calendar days that the affected applicant/employee will challenge such individual's criminal history records check. Upon written notification to the Superintendent or the Superintendent's designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or the Superintendent's designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or the Superintendent's designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.
5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Notwithstanding anything in paragraph III.A.5 of this policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this policy, above.

B. Criminal Records Check for Substitute Teachers:

A substitute teacher who is hired by the District must submit to state and national criminal history records checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history records checks for a substitute teacher have been completed within one year prior to the date the District hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history records checks to be forwarded to the

Superintendent the Superintendent's designee, then the substitute teacher will not be required to submit to another criminal history records check at the time of such hire.

2. If a substitute teacher submitted to state and national criminal history records checks upon being hired by the District, then the substitute teacher will not be required to submit to another criminal history records check so long as the substitute teacher is continuously employed by the District, that is, employed for at least one day of each school year, by the District, provided a substitute teacher is subjected to such checks at least once every five years.

IV. Sex Offender Registry Checks

District personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, begins such student teaching experience. Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the district.

V. Credit Checks

The District may also ask a prospective employee for a credit report for employment for certain District positions, where the District's receipt of a credit report is substantially related to the employee's potential job. "Substantially related to the current or potential job" is defined to mean "the information contained in the credit report is related to the position for which the employee or prospective employee who is the subject of the report is being evaluated because of the position." Prior to asking for a credit report, the District will determine whether the position falls within one of the categories as described in this paragraph. The position must: (1) be a managerial position which involves setting the direction or control of the District; (2) involve access to employees' personal or financial information; (3) involve a fiduciary responsibility to the District, including, but not limited to, the authority to issue payments, collect debts, transfer money or enter into contracts; (4) provide an expense account or District debit or credit card; or (5) involve access to the District's nonfinancial assets valued at two thousand five dollars or more.

When a credit report will be requested as part of the employment process, the District will provide written notification to the prospective employee regarding the use of credit checks. That notification must be provided in a document separate from the employment application. The notification must state that the District may use the information in the consumer credit report to make decisions related to the individual's employment.

The District will obtain written, signed consent before performing the credit or other background checks. If the District intends to take an action adverse to a potential employee based on the results of a credit report, the District must provide the prospective employee with a copy of the report on which the District relied in making the adverse decision, as well as a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act,” which should be provided by the company that provides the results of the credit check. The District gives the potential employee a reasonable amount of time, i.e., at least five days, to dispute any of the information in the report prior to making any final employment decision.

If an adverse action is taken based on information from the report, the District will notify the prospective employee either orally, in writing or via electronic means that the adverse action was taken based on the information in the consumer report. That notice must include the name, address and phone number of the consumer reporting company that supplied the credit report; a statement that the company that supplied the report did not make the decision to take the unfavorable action and cannot provide specific reasons for the district’s actions; and a notice of the person’s right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and to get an additional free report from the company if the person asks for it within sixty (60) calendar days.

VI. Notice of Conviction

If, at any time, the District receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the District shall send such notice to the State Board of Education. In complying with this requirement, the District shall not disseminate the results of any national criminal history records check.

VII. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the District shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

VIII. Personal Online Accounts

For purposes of this policy, “personal online account” means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the District, including, but not limited to, electronic mail, social media and retail-based Internet web sites. “Personal online account” does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the District.

A. During the course of an employment check, the District may not:

1. request or require that an applicant provide the District with a user name and password, password or any other authentication means for accessing a personal online account;
 2. request or require that an applicant authenticate or access a personal online account in the presence of District personnel; or
 3. require that an applicant invite a supervisor employed by the District or accept an invitation from a supervisor employed by the District to join a group affiliated with any personal online account of the applicant.
- B. The District may request or require that an applicant provide the District with a username and password, password or any other authentication means for accessing:
1. any account or service provided by District or by virtue of the applicant's employment relationship with the District or that the applicant uses for the District's business purposes, or
 2. any electronic communications device supplied or paid for, in whole or in part, by the District.
- C. In accordance with applicable law, the District maintains the right to require an applicant to allow the District to access the applicant's personal online account, without disclosing the username and password, password or other authentication means for accessing such personal online account, for the purpose of:
1. 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 activity on an applicant's personal online account; or
 2. conducting an investigation based on the receipt of specific information about an applicant's unauthorized transfer of the District's proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

IX. Policy Inapplicable to Certain Individuals

This policy shall not apply to:

- A. A student employed by the District who attends a District school.
- B. A person employed by the District as a teacher for a noncredit adult class or adult education activity, as defined in Conn. Gen. Stat. § 10-67, who is not

required to hold a teaching certificate pursuant to Conn. Gen. Stat. § 10-145b for such position.

X. Falsification of Records

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References: Conn. Gen. Stat. § 10-212

Conn. Gen. Stat. § 10-221d

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Public Act 24-41, “An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements.”

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

ADOPTED: 10-19-2022

REVISED: ~~10-18-2023~~ ¶

~~1/4/2023~~ ¶

8/11/2024

Agency Privacy Requirements for Noncriminal Justice Applicants

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notices and that the results of the check are handled in a manner that protects the applicant's privacy. All notices must be provided in writing.¹ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.), Section 552a, and Title 28, Code of Federal Regulations (CFR), Section 50.12, among other authorities.

- Officials must ensure that each applicant receives an adequate written FBI Privacy Act Statement (dated 2013 or later) when the applicant submits the applicant's fingerprints and associated personal information.²
- Officials must advise all applicants in writing that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34. Information regarding this process may be found at <https://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- Officials must provide the applicant the opportunity to complete or challenge the accuracy of the information in the FBI criminal history record.
- Officials should not deny the employment, license, or other benefit based on information in the FBI criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record for authorized purposes only and cannot retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Council.³

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain the applicant's record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant the FBI Privacy Act Statement, the 28 CFR 50.12 notice, and the opportunity to correct the applicant's record. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of **FBI** criminal history records for noncriminal justice purposes.

¹ Written notification includes electronic notification, but excludes oral notification.

² See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).

If you need additional information or assistance, contact:

Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480	Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306
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Noncriminal Justice Applicant's Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below. All notices must be provided to you in writing.⁴ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28 Code of Federal Regulations (CFR), 50.12, among other authorities.

- You must be provided an adequate written FBI Privacy Act Statement (dated 2013 or later) when you submit your fingerprints and associated person information. This Privacy Act Statement must explain the authority for collecting your fingerprints and associated information and whether your fingerprints and associated information will be searched, shared, or retained.⁵
- You must be advised in writing of the procedures for obtaining a change, correction, or updating of your criminal history record as set forth at 28 CFR 16.34.
- You must be provided the opportunity to complete or challenge the accuracy of the information in your FBI criminal history record (if you have such a record).
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the **FBI** criminal history record.
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI by submitting a request via <https://www.edo.cjis.gov>. The FBI will then forward your challenge to the agency that contributed the questioned information and request the

⁴ Written notification includes electronic notification, but excludes oral notification.

⁵ <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁶
- If you need additional information or assistance, please contact:

Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480	Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306
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⁶ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d), ~~50.12(b)~~ and 906.2(d).

Federal Bureau of Investigation
Privacy Act Statement

This privacy act statement is located on the back of the FD-258 fingerprint card.

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

As of 3/30/2018



INCREASING EDUCATOR DIVERSITY PLAN

In accordance with Sections 10-4a(3), 10-220(a), and 10-156cc of the Connecticut General Statutes, the Branford Board of Education (the "Board") has developed the following written plan for increasing educator diversity:

1. All recruiting sources will be informed in writing of the Board's non-discrimination policy.
2. Each Board employee involved in hiring educators for the Branford Public Schools (the "District") shall successfully complete the video training module relating to implicit bias and anti-bias in the hiring process, developed pursuant to Connecticut General Statutes § 10-156cc, prior to such employee's participation in the educator hiring process for the District.
3. The Board will develop contacts with local training and educational institutions, including those with highly diverse enrollments, to publicize job openings within the District and to solicit referrals of diverse and qualified candidates.
4. The Board will develop contacts with local community organizations, including diverse community organizations, to publicize job openings within the District and to solicit referrals of diverse and qualified candidates.
5. The Board will maintain, or expand, as appropriate, its help wanted advertising to include print and/or broadcast media that is targeted to diverse individuals.
6. The Board will participate in local job fairs, including those that are sponsored by diverse community organizations or otherwise targeted toward diverse individuals.
7. The Board, or its designee, will maintain records documenting all actions taken pursuant to this plan, including correspondence with recruitment agencies and other referral sources, job fair brochures and advertising copy.
8. The Board will review on an annual basis the effectiveness of this plan in increasing minority applicant flow and attracting qualified candidates for employment.

Legal References:

- Connecticut General Statutes §10-4a (3) Educational interests of state identified
- Connecticut General Statutes §10-220(a) Duties of boards of education
- Connecticut General Statutes §10-156cc Duties re minority teacher recruitment

~~Connecticut General Statutes §10-156hh Completion of video training module~~
~~re implicit bias and anti bias in hiring~~
~~process for certain school district~~
~~employees~~

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~~ADOPTED: 10.19.22~~

~~REVISED: 1.17.2024~~