



## **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 administrator.

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 and nonprofit youth organizations operating within the town. .
4. Activities of nonprofit organizations operating within the Town, other than those described in the categories 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, marijuana, 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 to 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. The following guidelines shall be incorporated into such fee schedule:

<b>Category</b>	<b>Fee</b>
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 nonprofit youth organizations operating within the town.	No fee or associated costs*
4. Activities of nonprofit organizations operating within the Town, other than those described in the categories above.	No fee or associated costs* 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 of any category above requires prior approval from the Director of Facilities or designee and is contingent upon available staffing and budget.

## **Definitions**

*“Associated costs”* shall include, but shall not be limited to, fees for the services of any custodial personnel, food service personnel, security personnel, technology, 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 of Education or designee if such waiver is deemed by the Board of Education or 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, approved school performances, or BPS games. \*Fundraisers or other large activities sponsored by any category will incur large event fees if more than 400 attendees are expected unless they receive a fee waiver from 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 insurance 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.

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## **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> .

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## 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>.

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SECOND READING APRIL 2025



**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 non credit 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.<sup>1</sup> 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.<sup>2</sup>
- 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.<sup>3</sup>

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.

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<sup>1</sup> Written notification includes electronic notification, but excludes oral notification.

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

<sup>3</sup> 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:

<b>Connecticut Records:</b> <b>Department of Emergency Services and Public Protection</b> <b>State Police Bureau of Identification (SPBI)</b> <b>1111 Country Club Road</b> <b>Middletown, CT 06457</b> <b>860-685-8480</b>	<b>Out-of-State Records:</b> <b>Agency of Record</b> <b>OR</b> <b>FBI CJIS Division-Summary Request</b> <b>1000 Custer Hollow Road</b> <b>Clarksburg, West Virginia 26306</b>
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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.<sup>4</sup> 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.<sup>5</sup>
- 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

<sup>4</sup> Written notification includes electronic notification, but excludes oral notification.

<sup>5</sup> <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.<sup>6</sup>
- If you need additional information or assistance, please contact:

<b>Connecticut Records:</b> <b>Department of Emergency Services and Public Protection</b> <b>State Police Bureau of Identification (SPBI)</b> <b>1111 Country Club Road</b> <b>Middletown, CT 06457</b> <b>860-685-8480</b>	<b>Out-of-State Records:</b> <b>Agency of Record</b> <b>OR</b> <b>FBI CJIS Division-Summary Request</b> <b>1000 Custer Hollow Road</b> <b>Clarksburg, West Virginia 26306</b>
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<sup>6</sup> 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



## SOCIAL MEDIA

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

Ordinarily, the use of social media by employees, including employees’ use of personal online accounts, will not be a legal or policy issue. While a policy cannot address every instance of inappropriate social media use, employees must refrain from personal social media use that:

interferes, disrupts or undermines the effective operation of the school district or is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications; (e.g. when such speech relates to a matter of public concern and the employee's interest in commenting on the matter is outweighed by the disruption it causes to the functioning of the district);

- 1) creates a hostile work environment;
- 2) breaches confidentiality obligations of school district employees; or
- 3) violates the law, Board policies and/or other school rules and regulations.

Employees’ official social media use will be addressed as speech pursuant to duty under applicable First Amendment principles.

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

### Legal References:

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

Connick v. Myers, 461 U.S. 138 (1983)  
Garcetti v. Ceballos, 547 U.S. 410 (2006)  
Lindke v. Freed, 601 U.S. 187 (2024)

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



Conn. Constitution, Article I, Sections 3, 4, 14  
Conn. Gen. Stat. § 31-40x  
Conn. Gen. Stat. § 31-48d  
Conn. Gen. Stat. § 31-51q  
Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250

ADOPTED: October 19, 2022

REVISED:

10/22/2024

**Personnel**

**4750 R**



## ADMINISTRATIVE REGULATIONS REGARDING USE OF SOCIAL MEDIA

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

Ordinarily, the use of social media by employees, including employees’ use of personal online accounts, will not be a legal or policy issue. While a policy or regulation cannot address every instance of inappropriate social media use, employees must refrain from personal social media use that:

- 1) interferes, disrupts or undermines the effective operation of the school district; or is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications (e.g. when such speech relates to a matter of public concern and the employee's interest in commenting on the matter is outweighed by the disruption it causes to the functioning of the district);
- 2) creates a hostile work environment;
- 3) breaches confidentiality obligations of school district employees; or
- 4) violates the law, Board policies and/or other school rules and regulations.

Employees’ official social media use will be addressed as speech pursuant to duty under applicable First Amendment principles.

### Definitions:

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

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

- (1) social-networking (e.g. Facebook, LinkedIn, Google+);
- (2) blogs and microblogs (e.g. X, Tumblr, Medium);
- (3) content-sharing (e.g. Scribd, SlideShare, DropBox);





- (4) image sharing, video sharing or live streaming (e.g., TikTok, Snapchat, YouTube, Instagram, Pinterest);
- (5) other sharing sites or apps such as by sound, location, news, or messaging, etc. (e.g. Reddit, Kik, SoundCloud, WhatsApp).

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

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

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

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

1. In order for an employee to use social media sites as an educational tool or in relation to extracurricular activities or programs of the school district, the employee must seek and obtain the prior permission of the employee’s supervisor.
2. Employees may not use personal online accounts to access social media for classroom activities without express permission of the employee’s supervisor. Where appropriate and with permission, district-sponsored social media accounts should be used for such purposes.
3. If an employee wishes to use social media sites to communicate meetings, activities, games, responsibilities, announcements etc., for a school-based club, school-based activity, official school-based organization, or official school-based sports team (collectively, a “school-based group”), the employee must also comply with the following rules:
  - The employee must receive the permission of the employee’s immediate supervisor.
  - The employee must not use the employee’s personal online account for such purpose but shall use a Board-issued account.
  - The employee must ensure that such social media use is compliant with all Board policies, regulations, and applicable state and federal law, including the provision of required legal notices and permission slips to parents.



- The employee must set up the school-based group as a group list which will be "closed" (e.g membership in the group is limited to students, parents/guardians, and appropriate school personnel), and "monitored" (e.g the employee has the ability to access and supervise communications on the social media site).
  - Parents/guardians shall be permitted to access any page that their child has been invited to join.
  - Access to the page may only be permitted for educational purposes related to the school-based group.
  - The employee responsible for the page will monitor it regularly. If members of the group are permitted to contribute or comment on the site, the employee will monitor the communications and address any inappropriate communications in a manner designed to be consistent with Board policies and applicable law.
  - The employee's supervisor shall be permitted access to any page established by the employee for a school-based group or school-related purpose.
  - Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such district-sponsored social media activity.
4. Employees are prohibited from making harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate statements in their social media communications using district-sponsored sites or accounts or through Board-issued electronic accounts.
5. Employees are required to comply with all Board policies and procedures and all applicable laws with respect to the use of electronic communications devices, networks, Board-issued accounts, or when accessing district-sponsored social media sites or while using personal devices on the district's wireless network or while accessing district servers.
6. The Board reserves the right to monitor all employee use of district computers and other electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any communication made through social media, including personal online accounts, while using district electronic communications devices or while accessing district networks from a privately owned device.
7. All communications through district-sponsored social media or Board-issued electronic accounts must comply with the Board's policies concerning confidentiality, including the confidentiality of student information. If an employee



is considering sharing information and is unsure about the confidential nature of the information, the employee shall consult with the employee's supervisor prior to communicating such information.

8. An employee may not link a district-sponsored social media page to any personal online account or sites not sponsored by the school district.
9. An employee may not use district-sponsored social media or Board-issued electronic accounts for communications for private financial gain, political, commercial, advertisement, proselytizing or solicitation purposes.
10. An employee may not use district-sponsored social media or Board-issued electronic accounts in a manner that misrepresents personal views as those of the Board of Education, individual school or school district, or in a manner that could be construed as such.

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

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



3. Employees should be aware that, in certain circumstances, their posts on personal social media pages could be considered “mixed use” for both personal and government (e.g., school district) action. To avoid a finding of state action on their personal pages, employees should take care *not* to post anything that could be interpreted as an official action attributable to the Board or school district. Employees who fail to make clear that they are speaking in their personal, not official, capacity may expose themselves to liability in certain circumstances, including those associated with deleting comments from and/or blocking an individual from their social media pages.
4. Employees are required to maintain appropriate professional boundaries with students, parents, guardians and colleagues. For example, absent an unrelated online relationship (e.g., relative, family friend, other affiliation (such as scout troop, religious affiliation, or community organization) or personal friendship unrelated to school), it is not appropriate for a teacher or administrator to “friend” a student or ,parent, or guardian or otherwise establish special relationships with selected students through personal online accounts, and it is not appropriate for an employee to give students or parents access to personal postings unrelated to school.
5. In accordance with the public trust doctrine, employees are advised to refrain from engaging in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications through personal online accounts. Such communications reflect poorly on the school district’s reputation, can affect the educational process and may substantially and materially interfere with an employee’s ability to fulfill the employee’s professional responsibilities.
6. Employees are individually responsible for their personal communications through social media and personal online accounts. Employees may be sued by other employees, parents or others, and any individual that views an employee’s communication through social media and personal online accounts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. In addition, employees should consider refraining from posting anything that belongs to another person or entity, such as copyrighted publications or trademarked images. As all of these activities are outside the scope of employment, employees may be personally liable for such claims.
7. Employees are required to comply with all Board policies and procedures with respect to the use of electronic communications devices when accessing personal online accounts and/or social media through district computer systems. Any access to personal online accounts and/or personal social media activities while on school property or using school district equipment must comply with those policies and may not interfere with an employee’s duties at work.



8. All communications through personal online accounts and/or social media must comply with the Board's policies concerning confidentiality, including the confidentiality of student information. If an employee is considering sharing information and is unsure about the confidential nature of the information, the employee shall consult with the employee's supervisor prior to communicating such information.
9. An employee may not post official Board material using a personal online account without written permission of the employee's supervisor.
10. All of the Board's policies and administrative regulations apply to employee use of personal online accounts in the same way that they apply to conduct that occurs in the workplace and off duty conduct.

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

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

### **Prohibition on Crowdfunding Activities**

Employees are prohibited from engaging in crowdfunding activities (e.g. the use of websites or applications such as DonorsChoose, Kickstarter, GoFundMe, etc.) on behalf of the Board, its schools, classes, or extracurricular teams or clubs.

### **Disciplinary Consequences**

Violation of the Board's policy concerning the use of social media or these administrative regulations may lead to discipline up to and including the termination of employment consistent with state and federal law.

An employee may face disciplinary action up to and including termination of employment if an employee transmits, without the Board's permission, confidential information to or from the employee's personal online account.



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

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

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

#### Legal References:

U.S. Constitution, Amend. I

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

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

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

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

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

Conn. Constitution, Article I, Sections 3, 4, 14

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-48d

Conn. Gen. Stat. § 31-51q

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

ADOPTED: October 19, 2022

REVISED: \_\_\_\_\_

10/22/2024





## **RESTORATIVE PRACTICES RESPONSE POLICY**

The Branford Board of Education (the “Board”) is committed to identifying strategies to improve school climate, including, but not limited to, by responding to challenging behavior and implementing evidence and research-based interventions, including restorative practices. Restorative practices may be implemented by school employees for incidents of challenging behavior, bullying, and/or harassment in the school environment, or other forms of student conflict that is nonviolent and does not constitute a crime. Restorative practices shall not include the involvement of a school resource officer or other law enforcement official unless such challenging behavior or other conflict escalates to violence and/or constitutes a crime. In addition, the Branford Public Schools (the “District”) shall address challenging behavior, bullying, and harassment in accordance with the Board’s Student Discipline policy and any other applicable Board policy, administrative regulations, and/or school rules.

For purposes of this policy:

- “Restorative practices” means evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.
- “Challenging behavior” means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.
- “Bullying” means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance. “Bullying” includes “cyberbullying”, which means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any other electronic communication.
- “School climate” means the quality and character of the school life, with a particular focus on the quality of the relationships within the school community, and which is based on patterns of people’s experiences of school life and that reflects the norms, goals, values, interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.
- “School climate improvement plan” means a building-specific plan developed by the school climate committee, in collaboration with the school climate specialist, using school climate survey data and any other relevant information, through a



process that engages all members of the school community and involves such members in a series of overlapping systemic improvements, school-wide instructional practices and relational practices that prevent, identify and respond to challenging behavior, including, but not limited to, alleged bullying and harassment in the school environment.

- “School environment” means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by the Board, and may include other activities, functions or programs that occur outside of a school-sponsored or school-related activity, function or program if bullying at or during such other activities, functions or programs negatively impacts the school environment.

The Board directs the administration of the District to develop a continuum of strategies to prevent, identify, and respond to challenging behavior, bullying, and harassment. Such strategies shall include research-based interventions, including restorative practices, and may be included in each school’s school climate improvement plan. Such strategies shall be shared with the school community, including, but not limited to, through publication in the relevant student handbook.

The Board further directs the Superintendent or designee to collect and maintain data regarding types of challenging behavior addressed using the Restorative Practices Response Policy and data concerning the implementation of restorative practices.

#### Legal References:

Conn. Gen. Stat. § 10-222aa

Conn. Gen. Stat. § 10-222dd

Conn. Gen. Stat. § 10-222jj

ADOPTED:

REVISED:

3/5/2025



**Students**

**5900 P**

## **STUDENT USE OF THE DISTRICT'S COMPUTER SYSTEMS AND INTERNET SAFETY**

Computers, computer networks, electronic devices, Internet access, and electronic messaging systems are effective and important technological resources. The Branford Board of Education (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, Smartwatches, network access devices, tablets, laptops, personal gaming systems, Bluetooth speakers, e-readers, 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 network, 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 Branford Public Schools (the “District”).

These computer systems are business and educational tools. As such, they are made available to students in the District for education-related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used by students solely for education-related purposes. The District will educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and other online communication sites and cyberbullying awareness and response. Additionally, the District will implement a technology protection measure designed to block or filter Internet access to visual depictions that contain material that is obscene or obscene as to minors or contains child sexual abuse material, and ensure that such filtering technology is operative during computer use by minor students to the extent practicable when such students are using Board-owned computers or devices and Board-provided Internet access.

As the owner of the computer systems, the Board reserves the right to monitor the use of the District’s computers and computer systems.

**Legal References:**

Conn. Gen. Stat. § 10-221

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Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-193; 53a-250 *et seq.*

Public Act 24-118, “An Act Concerning Child Sexual Abuse.”  
Electronic Communication Privacy Act of 1986, 18 U.S.C. §§ 2510 through 2520

Children’s Internet Protection Act, Pub. L. 106-554, 47 U.S.C. § 254(h)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, 47 U.S.C. § 254(h)(5)(B)(iii)

ADOPTED: 10-19-2022

REVISED:

10/28/2024

FIRST READING MAY 2025

## **ADMINISTRATIVE REGULATIONS REGARDING STUDENT USE OF THE DISTRICT'S COMPUTER SYSTEMS AND INTERNET SAFETY**

### **1. Introduction**

#### *a. Access to District Computer Systems When Students Are Physically Present on School Property*

When students are physically present on Branford Public Schools ("District") property, the Board of Education (the "Board") is pleased to offer students access to the District's computers and computer networks, including access to electronic messaging systems (including e-mail) and the Internet, as well as electronic devices, (all of which will be referred to collectively as "computer systems"). Access to the school's computer systems will enable students to explore online resources, including but not limited to libraries, databases, websites, and bulletin boards while exchanging information with others. Such access is provided solely for education-related purposes. Use of the District's computer systems will be allowed only for students who act in a considerate and responsible manner in using such systems.

The Board and the Administration believe in the educational value of such computer systems and recognize their potential to support the curriculum by expanding resources available for staff and student use. The Board's goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation and communication.

These computer systems are expensive to purchase, install and maintain. As the property of the District, these computer systems must be carefully handled and their integrity preserved for the benefit of all. Therefore, students are required to adhere to a set of policies and procedures, as set forth in detail below, in conjunction with their use of the computer systems. Violations may lead to withdrawal of the access privilege and/or disciplinary measures in accordance with the Board's student discipline policy.

#### *b. Access to District Computer Systems When Students Are Engaged in Digital or Remote Learning*

The Board and the Administration recognize that technology is integral to the delivery of instruction if and when the District implements any form of digital or remote learning. The District may therefore provide students with remote access to some or all of the District's computer systems so that students may access the district's virtual learning environment. Such access, if granted, is provided solely for education-related purposes. Use of the District's computer systems will be allowed only for students who comply with District policies and procedures concerning computer system use, and demonstrate the ability to use the computer systems in a considerate and responsible manner.

These computer systems are expensive to purchase, install and maintain. As the property of the District, these computer systems must be carefully handled and their integrity preserved for the benefit of all. Therefore, students will be required to adhere to a set of policies and procedures, as set forth in detail below, in conjunction with their use of the computer systems. Violations may lead to withdrawal of the access privilege and/or disciplinary measures in accordance with the Board's student discipline policy.

## 2. Definitions

**"Obscene"** means any material or performance if, a) taken as a whole, it predominantly appeals to the prurient interest, b) it depicts or describes in a patently offensive way a prohibited sexual act and c) taken as a whole, it lacks serious literary, artistic, educational, political or scientific value.

**"Obscene as to minors"** means any material or performance if it depicts a prohibited sexual act and, taken as a whole, it is harmful to minors.

For purposes of this section, **"harmful to minors"** means that quality of any description or representation, in whatever form, of a prohibited sexual act, when a) it predominantly appeals to the prurient, shameful or morbid interest of minors, b) it is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and c) taken as a whole, it lacks serious literary, artistic, educational, political or scientific value for minors.

For the purposes of this section, **"prohibited sexual act"** means erotic fondling, nude performance, sexual excitement, sado-masochistic abuse, masturbation or sexual intercourse.

**"Child sexual abuse material"** includes child ***pornography*** and means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where -

- (a) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- (b) such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
- (c) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

## 3. Monitoring

Students are responsible for good behavior on school computer systems just as they are in a classroom or a school hallway. Communications on the computer systems are often public in nature and general school rules for behavior and communications apply. It is expected that students will comply with District standards and will act in a responsible and legal manner, at all times in accordance with District standards, as well as with state and federal laws.

It is important that students and parents understand that the district, *as the owner of the computer systems, reserves the right to monitor and review* the use of these computer systems. The District intends to monitor and review in a limited fashion, but will do so as needed to ensure that the systems are being used for District-related educational purposes.

As part of the monitoring and reviewing process, the District will retain the capacity to bypass any individual password of a student or other user. *The system's security aspects, such as personal passwords and the message delete function for e-mail, can be bypassed for these purposes.* The District's ability to monitor and review is not restricted or neutralized by these devices. The monitoring and reviewing process also includes, but is not limited to; oversight of Internet site access, the right to review electronic messages sent and received, the right to track students' access to blogs, electronic bulletin boards and online communication platforms, and the right to review a student's data downloading and printing.

Therefore, all users must be aware that *they should not have any expectation of personal privacy in the use of these computer systems.*

#### 4. Student Conduct

Students are permitted to use the District's computer systems for legitimate educational purposes. Personal use must be specifically authorized by a District staff member. Unauthorized personal use of District computer systems is expressly prohibited. Conduct which constitutes inappropriate use includes, but is not limited to the following:

Sending any form of a harassing, threatening, or intimidating message, at any time, to the extent such communication may violate other applicable Board policy, regulation, or school rule (such communications may also be a crime);

Gaining or seeking to gain unauthorized access to computer systems;

Damaging computers, computer files, computer systems or computer networks;

Downloading or modifying computer software of the District in violation of the District's licensure agreement(s) and/or without authorization responsible school staff member;

Using another person's password under any circumstances;

Trespassing in or tampering with any other person's folders, work or files;

Sending any message that breaches the District's confidentiality requirements, or the confidentiality of other students;

Sending any copyrighted material over the systems;

Using computer systems for any personal purpose, or in a manner that interferes with the District's educational programs;

Accessing or attempting to access any material that is obscene, obscene as to minors, or contains child sexual abuse material, as defined above;

Transmitting or receiving electronic communications or accessing information on the Internet for non-educational purposes;

Cyberbullying;

Accessing or attempting to access social networking sites (e.g., Facebook, Twitter/X, Instagram, Snapchat, TikTok, YouTube etc.) without a staff member's authorization and/or a legitimate educational purpose.

The unauthorized use of generative artificial intelligence on any of the Board's computer systems. For purposes of this policy, "generative artificial intelligence" refers to a technology system, including but not limited to ChatGPT, capable of learning patterns and relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.

In addition, as noted above, if a particular behavior or activity is generally prohibited by law, by Board policy or by school rules or regulations, use of these computer systems for the purpose of carrying out such behavior or activity is also prohibited.

*Misuse of the computer systems, or violations of these policies and regulations, may result in loss of access to such computer systems as well as other disciplinary action, including suspension and/or expulsion, depending on the specific conduct.*



Anyone who is aware of problems with, or misuse of these computer systems, or has a question regarding the proper use of these computer systems, should discuss the issue with a teacher or the school principal immediately. Most importantly, the Board and the Administration urge *any* student who receives *any* harassing, threatening, intimidating or other improper message through the computer system to report this immediately. It is the Board's policy that no student should be required to tolerate such treatment, regardless of the identity of the sender of the message. *Please report these events!*

## 5. Internet Safety

The Administration will take measures: to assure the digital safety and security of students when using electronic messaging systems, email, chat rooms, distance learning platforms, and other forms of direct electronic communications; to prohibit unauthorized access, including “hacking” and other unlawful activities by minors online; to prohibit unauthorized disclosure, use, and dissemination of personally identifiable information regarding students; to educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response; and to restrict students’ access to online materials that are obscene or obscene as to minors or contain child sexual abuse material, to the extent practicable when students are using Board-owned computers or devices and Board-provided Internet access.

## 6. Student Use Agreement

Before being allowed to use the District’s computer systems, students and/or their parents/guardians must sign a computer system use agreement, stating that they have read and understood the District’s policies and regulations regarding the use of its computer systems.

### Legal References:

Conn. Gen. Stat. § 10-221

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-193; 53a-250 *et. seq.*  
(computer-related offenses)

Conn. Gen. Stat. § 53a-193 (definition of obscene and obscene as to minors)

Public Act 24-118, “An Act Concerning Child Sexual Abuse.”

18 U.S.C. § 2256 (definition of child pornography)

Electronic Communications Privacy Act of 1986, 18 U.S.C. §§ 2510 through 2520

Children's Internet Protection Act, 47 U.S.C. § 254(h)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, 47 U.S.C. § 254(h)(5)(B)(iii)

Miller v. California, 413 U.S. 15 (1973) (definition of obscene)

ADOPTED: October 19, 2022

REVISED:

10/28/2024

FIRST READING MAY 2025



## **USE OF PRIVATE TECHNOLOGY DEVICES BY STUDENTS**

Students may possess privately owned technological devices on school property and/or during school-sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools.

### **A. Definitions**

#### **i. Board Technology Resources**

For the purposes of this policy, “Board technology resources” refers to the Branford Board of Education’s (the “Board’s”) computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources owned and/or used by the Branford Board of Education (the “District”) and accessible by students.

#### **ii. Privately Owned Technological Devices**

For the purposes of the this policy, “Privately Owned Technological Devices” (also referred to as “POTD”) refers to privately owned desktop computers, personal computing devices, cellular phones, smartphones, smartwatches, network access devices, tablets, laptops, personal gaming systems, Bluetooth speakers, e-readers, headphones, AirPods, and other electronic signaling devices.

#### **iii. Generative Artificial Intelligence**

For the purposes of this policy, “generative artificial intelligence” refers to a technology system, including but not limited to ChatGPT, capable of learning patterns and relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.

#### **iv. Wearable and Portable Technology**

For the purposes of this policy, “Wearable and Portable Technology” (also referred to as “WPT”) means a Privately Owned Technology Device (POTD) that may be worn or is easily portable on one’s person, permits communication with others (either bi-lateral or unilateral) or is connected or may be connected to the internet or other network. Examples include, but are not limited to: cellular phones, smartphones, smartwatches, e-readers, smart glasses, headphones and AirPods or any similar device.

### **B. Use of Privately Owned Technological Devices**

i. Use of Wearable and Portable Technology

Except to the extent required by a student's Individualized Educational Plan or 504 plan and/or for other reasons approved in writing by the building principal, all District students are prohibited from using privately owned Wearable and Portable Technology (WPT) during the school day, which is defined as beginning at the first bell of the school day and ending at the last bell of the day.

The following rules apply specifically to student use of Wearable and Portable Technology during the school day:

1. *Branford High School*

Students may bring cell phones and smartphones, smartwatches, and headphones to school but must ensure that they are turned off or on silent mode and locked in a District issued technology pouch throughout the entire school day. Other WPT must be stored in the District issued technology pouches or turned off and stored out of sight throughout the entire school day. The administration shall develop administrative regulations regarding the use of District issued technology pouches and storage of additional WPT devices.

2. *Walsh Intermediate School*

Students may bring cell phones and smartphones, smartwatches, and headphones to school but must turn them off or place them on silent mode. Cell phones and headphones must remain completely out of view (e.g., in the student's backpack) for the entire school day. Other privately owned WPT must also be turned off and remain completely out of view (e.g., in the student's backpack) for the entire school day.

3. *Elementary Schools*

Students may bring cell phones and smartphones, smartwatches, and headphones to school but must turn them off or place them on silent mode. Cell phones and headphones must remain completely out of view (e.g., in the student's backpack) for the entire school day. Other privately owned WPT must also be turned off and remain completely out of view (e.g., in the student's backpack) for the entire school day.

ii. Use of Other Types of Privately Owned Technological Devices

Other types of privately owned technological devices may not be used during instructional time, except as specifically permitted by the principal or designee or unless necessary for a student to access the District's digital learning platform or otherwise engage in remote learning if remote learning has been authorized in accordance with applicable law.

iii. Improper Use of Privately Owned Technological Devices

On school property, at a school-sponsored activity, while in use for a remote learning activity if remote learning has been authorized in accordance with applicable law, or while being used to access or utilize Board technology resources, the use of privately owned technological devices for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- Sending any form of a harassing, threatening, or intimidating message, at any time, to the extent such communication may violate other applicable Board policies, regulations, or school rules (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to Board technology resources;
- Damaging Board technology resources;
- Accessing or attempting to access any material that is obscene, obscene as to minors, or contains child sexual abuse material;
- Cyberbullying;
- Using such privately owned device to violate any Board policy or school rule, including the unauthorized recording (photographic, video, or audio) of another individual without the permission of the individual or a school staff member;
- Using such privately owned device for the unauthorized use of generative artificial intelligence; or
- Taking any action prohibited by any Federal or State law.

#### **C. Search of Privately Owned Technological Devices**

A student's privately owned technological device may be searched if the device is on Board property or in a student's possession at a school-sponsored activity and if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction (in accordance with Board Policy 5075 - Search and Seizure).

#### **D. Responsibility for Privately Owned Technological Devices**

Students are responsible for the safety and use of their privately owned technological devices. If a privately owned technological device is stolen, lost, or damaged while the device is on school property or during a school-sponsored activity, a report should be made to the building principal, who will investigate the loss, or cause it to be

investigated, in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately owned technological device that is stolen, lost, or damaged while at school or during a school-sponsored activity. For that reason, students are advised to use good judgment when deciding to bring such items to school and advised not to share or loan their privately owned technological devices with other students.

#### **E. Disciplinary Action**

Misuse of the Board's technology resources and/or the use of privately owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or the use of such privately owned technological devices in any manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately owned technological devices on school property or at school-sponsored activities, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

#### **F. Access to Board Technology Resources**

The Board may permit students, using their privately owned technological devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the District and accessible by students. Additionally, it is the expectation of the Board that students who access these resources while using privately owned technology devices will act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and others related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

The Board's technology resources shall only be used to access educational information and to promote learning activities both at home and at school. Students are expected to act at all times appropriately in ways that are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies (including, but not limited to, the Student Discipline Policy and the Student Use of the District's Computer Systems Policy).

Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures for using school accounts. No user may deviate from these log-on/access procedures. **Students are advised that the Board's network administrators have the capability**

**to identify users and/or to monitor all privately owned technological devices while they are logged on to the network.** Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so *despite* the assignment to individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, students should be aware that they should not have any expectation of personal privacy in the use of privately owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and any privately owned technological devices that access the same.

#### **G. Harm to Board Technology Resources**

Any act by a student using a privately owned technological device that harms the Board technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

#### **H. Closed Forum**

This policy shall not be construed to establish a public forum or a limited open forum.

#### **Legal References:**

Conn. Gen. Stat. § 10-233j

Conn. Gen. Stat. § 31-48d

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250, *et seq.*

Electronic Communications Privacy Act of 1986, 28 U.S.C. §§ 2510 through 2523

New Jersey v. T.L.O., 469 U.S. 325 (1985)

**ADOPTED: 10-19-2022**

**REVISED:**



**Sample Administrative Regulations Regarding the Use of Technology Pouches**

In order to promote a focused and distraction-free learning environment, while ensuring equitable access to educational opportunities, the following administrative regulations are established regarding the use of District-issued technology pouches for securing cellular phones, smartphones, smartwatches, headphones, and/or AirPods (collectively, “cell phones and headphones”) during the school day, which is defined as beginning at the first bell of the school day and ending at the last bell of the day. These regulations are intended to support the effective implementation of Board policy and to clarify expectations for students, staff, and families.

**A. Locking and Unlocking of Technology Pouches**

- i. Upon entry into the school building, all students required to utilize District-issued technology pouches shall secure their cell phones and headphones, in the pouch and lock the pouch.
- ii. Students shall maintain possession of their devices, inside the locked pouch, throughout the school day.
- iii. Students shall not unlock or tamper with their technology pouches during the school day.
- iv. Technology pouches shall be unlocked only at dismissal, unless otherwise authorized pursuant to Section B of these regulations.

**B. Instructional Use of Cell Phones and Headphones**

- i. The use of cell phones and headphones during the school day shall be permitted only if specifically requested by a teacher for use in a particular instructional lesson.
- ii. The requesting teacher must submit a written request to the building principal or designee no less than twenty-four (24) hours in advance of the intended instructional activity.
- iii. The building principal or designee must approve the request in writing prior to the use of any privately owned technological devices.
- iv. Upon approval, the teacher shall be responsible for signing out the unlocking base for the technology pouches for the approved period of the day and ensuring that all devices are re-secured following the conclusion of the instructional activity.

**C. Student Device Ownership**

- i. At no time shall a student be required or obligated to possess, own, or provide a privately-owned technological device in order to meet their educational needs or participate in any instructional activity.
- ii. Alternative accommodations shall be provided to ensure equitable access to instructional activities requiring the use of technology.

**D. Compliance and Disciplinary Action**

- i. Students are expected to comply fully with all policies, regulations, and school rules regarding the use and management of technology pouches.
- ii. Any violation of policies, regulations, and/or school rules, including but not limited to unauthorized unlocking or tampering with technology pouches or inappropriate use of privately owned technological devices during the school day, may result in disciplinary action in accordance with applicable Board policies.
- iii. Each student will be issued one District-issued technology pouch at the beginning of the school year. Students are responsible for maintaining possession of the pouch for the duration of the school year.
- iv. A fine will be assessed to the student for any technology pouch that is lost or damaged.



## USE OF PRIVATE TECHNOLOGY DEVICES BY STUDENTS

Students may possess privately owned technological devices on school property and/or during school-sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools.

### A. Definitions

#### i. Board Technology Resources

For the purposes of this policy, “Board technology resources” refers to the Branford Board of Education’s (the “Board’s”) computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources owned and/or used by the Branford Board of Education (the “District”) and accessible by students.

#### ii. Privately Owned Technological Devices

For the purposes of the this policy, “**Privately Owned Technological Devices**” (also referred to as “POTD”) refers to privately owned desktop computers, personal computing devices, cellular phones, smartphones, smartwatches, network access devices, tablets, laptops, personal gaming systems, Bluetooth speakers, e-readers, headphones, AirPods, and other electronic signaling devices.

#### iii. Generative Artificial Intelligence

For the purposes of this policy, “generative artificial intelligence” refers to a technology system, including but not limited to ChatGPT, capable of learning patterns and relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.

#### iv. Wearable and Portable Technology

For the purposes of this policy, “Wearable and Portable Technology” (also referred to as “WPT”) means a Privately Owned Technology Device (POTD) that may be worn or is easily portable on one’s person, permits communication with others (either bi-lateral or unilateral) or is connected or may be connected to the internet or other network. Examples include, but are not limited to: cellular phones, smartphones, smartwatches, e-readers, smart glasses, headphones and AirPods or any similar device.

### B. Use of Privately Owned Technological Devices

i. Use of Wearable and Portable Technology~~Cellular Phones, Smartphones, Smartwatches, Headphones, and/or AirPods~~

Except to the extent required by a student's Individualized Educational Plan or 504 plan and/or for other reasons approved in writing by the building principal, all District students are prohibited from using privately owned Wearable and Portable Technology (WPT) ~~cellular phones, smartphones, smartwatches, headphones, and/or AirPods~~ (collectively, "cell phones and headphones") during the school day, which is defined as beginning at the first bell of the school day and ending at the last bell of the day.

The following rules apply specifically to student use of Wearable and Portable Technology ~~cell phones and headphones~~ during the school day:

1. *Branford High School*

Students may bring cell ~~phones~~ phones, and smartphones, smartwatches, and headphones to school but must ensure that they are turned off or on silent mode and locked in a District issued technology pouch throughout the entire school day. Other WPT must be stored in the District issued technology pouches or turned off and stored out of sight throughout the entire school day. The administration shall develop administrative regulations regarding the use of District issued technology pouches and storage of additional WPT devices.

2. *Walsh Intermediate School*

Students may bring cell phones and smartphones, smartwatches, and headphones to school but must turn them off or place them on silent mode. Cell phones and headphones must remain completely out of view (e.g., in the student's backpack) for the entire school day. Other privately owned WPT must also be turned off and remain completely out of view (e.g., in the student's backpack) for the entire school day.

3. *Elementary Schools*

Students may bring cell phones and smartphones, smartwatches, and headphones to school but must turn them off or place them on silent mode. Cell phones and headphones must remain completely out of view (e.g., in the student's backpack) for the entire school day. Other privately owned WPT must also be turned off and remain completely out of view (e.g., in the student's backpack) for the entire school day.

ii. Use of Other Types of Privately Owned Technological Devices

Other types of privately owned technological devices may not be used during instructional time, except as specifically permitted by the principal or designee ~~instructional staff~~ or unless necessary for a student to access the District's digital learning platform or otherwise engage in remote learning if remote learning has been authorized in accordance with applicable law.

### iii. Improper Use of Privately Owned Technological Devices

On school property, at a school-sponsored activity, while in use for a remote learning activity if remote learning has been authorized in accordance with applicable law, or while being used to access or utilize Board technology resources, the use of privately owned technological device for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- Sending any form of a harassing, threatening, or intimidating message, at any time, to the extent such communication may violate other applicable Board policies, regulations, or school rules (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to Board technology resources;
- Damaging Board technology resources;
- Accessing or attempting to access any material that is obscene, obscene as to minors, or contains child sexual abuse material;
- Cyberbullying;
- Using such privately owned device to violate any Board policy or school rule, including the unauthorized recording (photographic, video, or audio) of another individual without the permission of the individual or a school staff member;
- Using such privately owned device for the unauthorized use of generative artificial intelligence; or
- Taking any action prohibited by any Federal or State law.

### C. **Search of Privately Owned Technological Devices**

A student's privately owned technological device may be searched if the device is on Board property or in a student's possession at a school-sponsored activity and **if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction, (in accordance with the applicable Board Policy 5075 -for a Search and Seizure).**

### D. **Responsibility for Privately Owned Technological Devices**

Students are responsible for the safety and use of their privately owned technological devices. If a privately owned technological device is stolen, lost, or damaged while the

device is on school property or during a school-sponsored activity, a report should be made to the building principal, who will investigate the loss, or cause it to be investigated, in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately owned technological device that is stolen, lost, or damaged while at school or during a school-sponsored activity. For that reason, students are advised to use good judgment when deciding to bring such items to school and advised not to share or loan their privately owned technological devices with other students.

#### **E. Disciplinary Action**

Misuse of the Board's technology resources and/or the use of privately owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or the use of such privately owned technological devices in any manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately owned technological devices on school property or at school-sponsored activities, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

#### **F. Access to Board Technology Resources**

The Board may permit students, using their privately owned technological devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the District and accessible by students. Additionally, it is the expectation of the Board that students who access these resources while using privately owned technology devices will act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and others related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

The Board's technology resources shall only be used to access educational information and to promote learning activities both at home and at school. Students are expected to act at all times appropriately in ways that are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies (including, but not limited to, the Student Discipline Policy and the Student Use of the District's Computer Systems Policy).

Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures

for using school accounts. No user may deviate from these log-on/access procedures. **Students are advised that the Board's network administrators have the capability to identify users and/or to monitor all privately owned technological devices while they are logged on to the network.** Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so *despite* the assignment to individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, students should be aware that they should not have any expectation of personal privacy in the use of privately owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and any privately owned technological devices that access the same.

#### **G. Harm to Board Technology Resources**

Any act by a student using a privately owned technological device that harms the Board technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

#### **H. Closed Forum**

This policy shall not be construed to establish a public forum or a limited open forum.

#### **Legal References:**

Conn. Gen. Stat. § 10-233j

Conn. Gen. Stat. § 31-48d

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250, *et seq.*

Electronic Communications Privacy Act of 1986, 28 U.S.C. §§ 2510 through 2523

New Jersey v. T.L.O., 469 U.S. 325 (1985)

ADOPTED: 10-19-2022

REVISED:

**Sample Administrative Regulations Regarding the Use of Technology Pouches**

In order to promote a focused and distraction-free learning environment, while ensuring equitable access to educational opportunities, the following administrative regulations are established regarding the use of District-issued technology pouches for securing cellular phones, smartphones, smartwatches, headphones, and/or AirPods (collectively, “cell phones and headphones”) during the school day, which is defined as beginning at the first bell of the school day and ending at the last bell of the day. These regulations are intended to support the effective implementation of Board policy and to clarify expectations for students, staff, and families.

**A. Locking and Unlocking of Technology Pouches**

- i. Upon entry into the school building, all students required to utilize District-issued technology pouches shall secure their cell phones and headphones, in the pouch and lock the pouch.
- ii. Students shall maintain possession of their devices, inside the locked pouch, throughout the school day.
- iii. Students shall not unlock or tamper with their technology pouches during the school day.
- iv. Technology pouches shall be unlocked only at dismissal, unless otherwise authorized pursuant to Section B of these regulations.

**B. Instructional Use of Cell Phones and Headphones**

- i. The use of cell phones and headphones during the school day shall be permitted only if specifically requested by a teacher for use in a particular instructional lesson.
- ii. The requesting teacher must submit a written request to the building principal or designee no less than twenty-four (24) hours in advance of the intended instructional activity.
- iii. The building principal or designee must approve the request in writing prior to the use of any privately owned technological devices.
- iv. Upon approval, the teacher shall be responsible for signing out the unlocking base for the technology pouches for the approved period of the day and ensuring that all devices are re-secured following the conclusion of the instructional activity.

**C. Student Device Ownership**



- i. At no time shall a student be required or obligated to possess, own, or provide a privately-owned technological device in order to meet their educational needs or participate in any instructional activity.
- ii. Alternative accommodations shall be provided to ensure equitable access to instructional activities requiring the use of technology.

**D. Compliance and Disciplinary Action**

- i. Students are expected to comply fully with all policies, regulations, and school rules regarding the use and management of technology pouches.
- ii. Any violation of policies, regulations, and/or school rules, including but not limited to unauthorized unlocking or tampering with technology pouches or inappropriate use of privately owned technological devices during the school day, may result in disciplinary action in accordance with applicable Board policies.
- iii. Each student will be issued one District-issued technology pouch at the beginning of the school year. Students are responsible for maintaining possession of the pouch for the duration of the school year.
- iv. A fine will be assessed to the student for any technology pouch that is lost or damaged.



## Connecticut School Climate Policy

### Policy Statement

All schools must support and promote teaching and learning environments where all students thrive academically and socially, have a strong and meaningful voice, and are prepared for lifelong success.

Implementation of the following set of guiding principles and systemic strategies will promote a positive school climate, which is essential to achieving these goals.

This policy sets forth the framework for an effective and informed school climate improvement process, which includes a continuous cycle of (i) planning and preparation, (ii) evaluation, (iii) action planning, and (iv) implementation, and serves to actualize the Connecticut School Climate Standards, as detailed herein.

The Board recognizes that improving school climate is contextual. Each school needs to consider its history, strengths, needs, and goals. Furthermore, this policy will support and promote the development of restorative action plans that will create and sustain safe and equitable learning environments.

The Branford Board of Education adopts this policy.

### Definitions

1. **“School climate”** means the quality and character of the school life, with a particular focus on the quality of the relationships within the school community, and which is based on patterns of people's experiences of school life and that reflects the norms, goals, values, interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.
2. **“Positive Sustained School Climate”** is the foundation for learning and positive youth development and includes:
  - a. Norms, values, and expectations that support people feeling socially, emotionally, culturally, racially, intellectually, and physically safe.
  - b. People who treat one another with dignity and are engaged, respected and solve problems restoratively.
  - c. A school community that works collaboratively together to develop, live, and contribute to a shared school vision.

- d. Adults who model and nurture attitudes that emphasize the benefits and satisfaction gained from learning; and
  - e. A school community that contributes to the operations of the school and the care of the physical environment.
3. **“Social and emotional learning”** means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self management, social awareness, relationship skills and responsible decision-making.
  4. **“Emotional intelligence”** means the ability to (A) perceive, recognize, and understand emotions in oneself or others, (B) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communication, (C) understand and identify emotions, and (D) manage emotions in oneself and others.
  5. **“Bullying”** means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.
  6. **“School environment”** means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs that occur outside of a school sponsored or school-related activity, function or program if bullying at or during such other activities, functions or programs negatively impacts the school environment.
  7. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any other electronic communication.
  8. **“Teen dating violence”** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.
  9. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk or equipment on which digital images are taken or transmitted.
  10. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric or photo-optical system.

11. **“School climate improvement plan”** means a building-specific plan developed by the school climate committee, in collaboration with the school climate specialist, using school climate survey data and any other relevant information, through a process that engages all members of the school community and involves such members in a series of overlapping systemic improvements, school-wide instructional practices and relational practices that prevent, identify and respond to challenging behavior, including, but not limited to alleged bullying and harassment in the school environment.
12. **“Restorative practices”** means evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.
13. **“School climate survey”** means a research-based, validated and developmentally appropriate survey administered to students, school employees and families of students, in the predominant languages of the members of the school community, that measures and identifies school climate needs and tracks progress through a school climate improvement plan.
14. **“Connecticut school climate policy”** means the school climate policy developed, updated and approved by an association in the state that represents boards of education and adopted by the Social and Emotional Learning and School Climate Advisory Collaborative, established pursuant to section 10-222q of the general statutes, as amended by this act, that provides a framework for an effective and democratically informed school climate improvement process that serves to implement Connecticut school climate standards, and includes a continuous cycle of (A) planning and preparation, (B) evaluation, (C) action planning, and (D) implementation.
15. **“School employee”** means (A) a teacher, substitute teacher, administrator, school superintendent, school counselor, school psychologist, social worker, school nurse, physician, paraeducator or coach employed by a local or regional board of education, or (B) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public school, pursuant to a contract with a local or regional board of education.
16. **“School community”** means any individuals, groups, businesses, public institutions and nonprofit organizations that are invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

17. **“Challenging behavior”** means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.
18. **“Evidence Based Practices”** in education refers to instructional and school-wide improvement practices that systematic empirical research has provided evidence of statistically significant effectiveness.
19. **“Effective School Climate Improvement”** is a restorative process that engages all stakeholders in the following six essential practices:
  - A. Promoting decision-making that is collaborative and actively involves all stakeholders (e.g., school personnel, students, families, community members) with varied and meaningful roles and perspectives where all voices are heard;
  - B. Utilizing psychometrically sound quantitative (e.g., school climate survey, discipline data) and qualitative (e.g., interviews, focus groups) data to drive action planning, preventive and intervention practices and implementation strategies that continuously improve all dimensions of school climate, including regularly collecting data to evaluate progress and inform the improvement process;
  - C. Tailoring improvement goals to the unique needs of the students, educators, and broader school community. These goals shall be integrated into overall school improvement efforts thereby leveraging school strengths to address evidence-based areas of need, while sustaining the improvement process over time;
  - D. Fostering adult learning in teams and/or professional learning communities to build capacity building among school personnel and develop common staff skills to educate the whole child;
  - E. Basing curriculum, instruction, student supports, and interventions on scientific research and grounding in cognitive, social-emotional, and psychological theories of youth development. Interventions include strength-based programs and practices that together represent a comprehensive continuum of approaches to promote healthy student development and positive learning environments as well as address individual student barriers to learning and adult barriers to teaching; and F. Strengthening policies and procedures related to:
    - a. climate and restorative informed teaching and learning environments;
    - b. infrastructure to facilitate data collection, analysis, and effective planning;
    - c. implementation of school climate improvement plans with the goal of becoming restorative;
    - d. evaluation of the school climate improvement process; and
    - e. sustainability of school climate and restorative improvement efforts.

#### **School Climate Coordinator Roles and Responsibilities**

For the school year commencing July 1, 2025, and each school year thereafter, the superintendent of schools for each school district, or an administrator appointed by the superintendent, shall serve as the school climate coordinator for the school district.

The school climate coordinator shall be responsible for:

1. providing district-level leadership and support for the implementation of the school climate improvement plan for each school;
2. collaborating with the school climate specialist, for each school to (A) develop a continuum of strategies to prevent, identify and respond to challenging behavior, including, but not limited to, alleged bullying and harassment in the school environment, and (B) communicate such strategies to the school community, including, but not limited to, through publication in the district student handbook;
3. collecting and maintaining data regarding school climate improvement, including, but not limited to, school discipline records, school climate assessments, attendance rates, social and emotional learning assessments, academic growth data, types and numbers of alleged and verified bullying complaints submitted by members of the school community, types and numbers of challenging behaviors addressed using the restorative practices response policy, and data concerning the implementation and outcome of restorative practices; and
4. meeting with the school climate specialist for each school at least twice during the school year to (A) identify strategies to improve school climate, including, but not limited to, by responding to challenging behavior and implementing evidence and research-based interventions, such as restorative practices, (B) propose recommendations for revisions to the school climate improvement plan, and (C) assist with the completion of the school climate survey.

#### School Climate Specialist

For the school year commencing July 1, 2025, and each school year thereafter, the principal of each school, or a school employee who holds professional certification pursuant to section 10145 of the general statutes, is trained in school climate improvement or restorative practices and is designated as the school climate specialist by the school principal, shall serve as the school climate specialist for the school.

The school climate specialist shall be responsible for:

1. leading in the prevention, identification, and response to challenging behavior, including, but not limited to, reports of alleged bullying and harassment;

2. implementing evidence and research-based interventions, including, but not limited to, restorative practices;
3. scheduling meetings for and leading the school climate committee; and
4. leading the implementation of the school climate improvement plan.

#### School Climate Committee

For the school year commencing July 1, 2025, and each school year thereafter, each school climate specialist shall appoint members to the school climate committee who are diverse, including members who are racially, culturally, and linguistically representative of various roles in the school community.

The school climate committee shall consist of:

1. the school climate specialist;
2. a teacher selected by the exclusive bargaining representative for certified employees chosen pursuant to section 10-153b of the general statutes;
3. a demographically representative group of students enrolled at the school, as developmentally appropriate;
4. families of students enrolled at the school; and
5. at least two members of the school community, as determined by the school climate specialist.

Membership of the school climate committee shall be annually reviewed and approved by the school climate specialist, in coordination with the school climate coordinator.

The school climate committee shall be responsible for:

1. assisting in the development, annual scheduling, and administration of the school climate survey, and reviewing of the school climate survey data.
2. using the school climate survey data to identify strengths and challenges to improve school climate, and to create or propose revisions to the school climate improvement plan.
3. assisting in the implementation of the school climate improvement plan and recommending any improvements or revisions to the plan.
4. advising on strategies to improve school climate and implementing evidence and research-based interventions, including, but not limited to, restorative practices, in the school community.

5. annually providing notice of the uniform challenging behavior and/or bullying complaint form, or similar complaint form used by the school, to the school community.

### **School Climate Survey**

For the school year commencing July 1, 2025, and biennially thereafter, the school climate committee, for each school, shall administer a school climate survey to students, school employees and families of students, provided the parent or guardian of each student shall receive prior written notice of the content and administration of such school climate survey and shall have a reasonable opportunity to opt such student out of such school climate survey.

### **School Climate Improvement Plan**

For the school year commencing July 1, 2025, and each school year thereafter, the school climate specialist, for each school, in collaboration with the school climate coordinator, shall develop, and update as necessary, a school climate improvement plan. Such plan shall be based on the results of the school climate survey, any recommendations from the school climate committee, including the protocols, supports, and any other data the school climate specialist and school climate coordinator deem relevant. Such plan shall be submitted to the school climate coordinator for review and approval on or before December thirty-first of each school year. Upon approval of such plan, a written or electronic copy of such plan shall be made available to members of the school community and such plan shall be used in the prevention of, identification of and response to all challenging behavior.

Additionally, districts may place the school climate improvement plans into their district and school improvement plans.

### **Training**

For the school year commencing July 1, 2024, and each school year thereafter, each local and regional Board of Education shall provide resources and training to school employees regarding:

1. social and emotional learning;
2. school climate and culture and evidence and research-based interventions; and
3. restorative practices.

Such resources and training may be made available at each school under the jurisdiction of such board and include technical assistance in the implementation of a school climate improvement plan. Any school employee may participate in any such training offered by the board under this section. The school climate coordinator, shall select, and approve, the individuals or organizations that will provide such training.



## Funding

The school district shall in its discretion allocate sufficient funding to satisfy the requirements of this policy for all schools in the district. Such funding shall be distributed accordingly, with Superintendent approval, for assessments and professional development, as well as for school community outreach, training, and technical assistance.

## Accountability

The Board shall adopt and allocate adequate resources to support the Connecticut School Climate Policy and adhere to state regulations set forth in Public Act 23-167.

## Connecticut School Climate Standards

1. The school district community<sup>1</sup> has a shared vision and plan for promoting and sustaining a positive school climate<sup>2</sup> that focuses on prevention, identification, and response to all challenging behavior<sup>3</sup>.
2. The school district community adopts policies that promote:
  - a. a sound school environment that develops and sustains academic, social, emotional, ethical, civic, and intellectual skills; and
  - b. a restorative school environment focused on overcoming barriers to teaching and learning by building and supporting meaningful school-wide relationships, and intentionally re-engaging any disengaged students, educators, and families of students in the school community.
3. The school community's practices are identified, prioritized, and supported to:
  - a. promote learning and the positive academic, social, emotional, ethical, and civic development of students;
  - b. enhance engagement in teaching, learning, and school-wide activities;
  - c. address barriers to teaching and learning; and

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<sup>1</sup> School Community means any individuals, groups or businesses, public institutions and nonprofit organizations invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

<sup>2</sup> School climate means the quality and character of the school life, with a particular focus on the quality of relationships within the school community, and which is based on patterns of people's experiences of school life, and that reflects the norms, goals, values and interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.

<sup>3</sup> Challenging behavior means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.

- d. develop and sustain a restorative infrastructure that builds capacity, accountability, and sustainability.
4. The school community creates a school environment<sup>4</sup> where *everyone* is safe, welcomed, supported, and included in all school-based activities.
5. The school community creates a restorative system that cultivates a sense of belonging through norms and activities that promote social and civic responsibility, and a dedication to cultural responsiveness, diversity, equity, and inclusion.

Policy adopted:  
cps 11/23

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<sup>4</sup> School environment means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs if bullying at or during such other activities, functions, or programs negatively impacts the school environment.

## **Connecticut School Climate Policy**

The Branford Board of Education (the “Board”) has adopted the Connecticut School Climate Policy in accordance with Connecticut General Statutes Section 10-222cc. The purpose of these Administrative Regulations Regarding Connecticut School Climate Policy is to outline additional requirements under Connecticut General Statutes Sections 10-222aa et seq. regarding the reporting of, assessment of, and responses to challenging behavior and bullying, as well as certain related requirements.

### **A. Definitions**

- a. “School Climate Specialist” means the principal of each school, or a school employee who holds professional certification pursuant to Connecticut General Statutes Section 10-145, who is trained in school climate improvement or restorative practices, and is designated as the School Climate Specialist by the school principal. The School Climate Specialist is responsible for (1) leading in the prevention, identification and response to challenging behavior, including, but not limited to, reports of alleged bullying and harassment, (2) implementing evidence and research-based interventions, including, but not limited to, restorative practices, (3) scheduling meetings for and leading the school climate committee, as described in Connecticut General Statutes Section 10-222ff, and (4) leading the implementation of the school climate improvement plan, developed pursuant to Connecticut General Statutes Section 10-222hh.
- b. “School employee” means (1) a teacher, substitute teacher, administrator, school superintendent, school counselor, school psychologist, social worker, school nurse, physician, paraeducator or coach employed by the Board, or (2) any other individual who, in the performance of the individual’s duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public school, pursuant to a contract with the Board.
- c. “Challenging behavior” means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.
- d. “Bullying” means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance. “Bullying” includes “cyberbullying”, which means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any other electronic communication.
- e. “Challenging Behavior Reporting Form” (referenced as the “uniform bullying complaint form” in Connecticut General Statutes Section 10-222bb) means the

form that accompanies the Connecticut School Climate Policy and is intended for students, parents or guardians of students enrolled in the school, and school employees to report alleged challenging behavior and/or alleged bullying incidents. Such form must be included on the Board's web site and in each of the Board's student handbooks, and the School Climate Committee must annually provide notice of such form to the school community.

- f. "Investigation Form" means the form that accompanies the Connecticut School Climate Policy and is to be completed by the School Climate Specialist within a reasonable amount of time after receiving a report of an alleged challenging behavior and/or alleged bullying incident.
- g. "Response Process(es) Notification Form" means the form that accompanies the Connecticut School Climate Policy and is to be completed and submitted by the School Climate Specialist to the student(s), parent(s) or guardian(s), and/or school employee(s) who submitted the Challenging Behavior Reporting Form within three (3) school days after an assessment has been finalized and submitted.
- h. "Tiered responses" are responses to challenging behavior, based on level of impact or frequency of occurrence, that are designed to re-engage students who have become disengaged. Particular tiered responses are required when a student engages in behavior that (1) requires temporarily clearing a classroom or removing a majority of students within the classroom to reduce likelihood of injury, (2) indicates credible intention to cause bodily harm to self or others, or (3) results in an injury that requires medical attention beyond basic first aid, or less severe injuries caused by the same student on more than one occasion, verified by the school nurse or other medical professional. Such tiered responses must include, at a minimum, the responses described in Section V of these Administrative Regulations.
- i. "Student discipline", for purposes of these Administrative Regulations, means removal from the classroom, suspension, or expulsion, as authorized by the Board's student discipline policy.
- j. "Removal" means an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.

#### **B. Reporting Challenging Behavior or Bullying**

- a. School employees shall notify the School Climate Specialist or designee of any alleged challenging behavior or alleged bullying incident that results in student discipline (i.e., removal from the classroom, suspension, or expulsion).
- b. Students, parents or guardians of students enrolled in the school, and school employees ("Reporters") may file a written report of any alleged challenging behavior or alleged bullying incident using the Challenging Behavior Reporting

Form. Such reports may be filed with the building principal, program administrator, and/or the School Climate Specialist, and all reports shall be forwarded to the School Climate Specialist for review and actions consistent with these Administrative Regulations.

- c. Reporters may complete the Challenging Behavior Reporting Form electronically or in hard copy, or they may meet with the School Climate Specialist for assistance in completing the Challenging Behavior Reporting Form.
- d. Written reports of alleged challenging behavior and/or alleged bullying shall be reasonably specific as to the basis for the report, including the date and place of the alleged conduct, a description of what happened, and the names of potential witnesses.
- e. Within three (3) school days, the School Climate Specialist or designee will provide the Reporter with confirmation of receipt of the Challenging Behavior Reporting Form.

#### **C. Assessing Challenging Behavior and Bullying**

The School Climate Specialist or other designated administrator shall assess the facts, severity, and intentionality of the alleged challenging behavior or alleged bullying incident in accordance with the following process:

- A. The School Climate Specialist or other designated administrator shall review the information reported in the Challenging Behavior Reporting Form.
- B. The School Climate Specialist or other designated administrator shall assess the factual basis of the report, as well as the severity and intentionality of any actions that may have occurred.
- C. In conducting such assessment, the School Climate Specialist or other designated administrator shall:
  - 1. Consult with individuals reasonably believed to have relevant information, including the Reporter, the individuals identified as having been affected by the behavior, and witnesses to the behavior, as appropriate;
  - 2. Review any relevant materials (e.g., records, statements, documents, videos);
  - 3. Consider whether the conduct also should be addressed pursuant to any other Board policies or District regulations, such as those related to protected class discrimination or harassment; and
  - 4. Maintain confidentiality to the extent practicable throughout the assessment process, in accordance with state and federal law.

- D. When conducting the assessment, the School Climate Specialist or other designated administrator shall complete the Investigation Form.
- E. Within a reasonable amount of time, the School Climate Specialist or other designated administrator will determine what responses, if any, should be or have already been taken to address the behavior and/or prevent future instances of such behavior.
- F. Within three (3) school days after an assessment has been completed, the School Climate Specialist or other designated administrator shall (a) complete the Response Process(es) Notification Form, describing the steps taken to address and prevent future instances of challenging behavior or bullying and keeping in mind the District's obligations regarding student confidentiality, and (b) provide the Response Process(es) Notification Form to the Reporter who completed the Challenging Behavior Reporting Form.

#### **IV. Challenging Behavior or Bullying That Results in Student Discipline**

- A. **Removal.** If a teacher removes a student from the classroom because the student has deliberately caused a serious disruption of the educational process, the teacher shall: (1) send the student to the main office or the appropriate administrator's office and (2) immediately inform the building principal or designee of the name of the student who was removed and the reason for the removal.
  - 1. While the student has been removed to a designated area, the student may receive supports that include, but are not limited to: access to school counselors, social workers, school psychologists, and other mental health services available at the school.
  - 2. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class. Additional procedures governing behavior that causes a serious disruption; self-harm; and/or physical harm to teacher, another student, or other school employee shall be implemented in accordance with applicable law. Specifically:
    - a. The notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting.
    - b. If the teacher of record in the classroom ultimately requests a behavior intervention meeting with the crisis intervention team for the school, the parent or guardian must be notified that such meeting will occur.
    - c. If a behavior intervention meeting occurs, the crisis intervention team shall, not later than seven (7) days after the behavior intervention

meeting, provide to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including, but not limited to, the resources and supports identified.

- B. ***Discipline.*** The District shall address incidents of challenging behavior or bullying that violate the Board's Student Discipline policy in accordance with such policy and any school rules, student handbook, or code of conduct provisions regarding same. Disciplinary action may be necessary for violations of other applicable Board policies or District regulations, such as those related to protected class discrimination or harassment and/or Title IX.

**V. Challenging Behavior or Bullying That Requires Temporarily Clearing a Classroom or Students, a Credible Intention to Cause Bodily Harm, or Results in Certain Levels of Injury – Tiered Responses**

- A. A. The school shall implement tiered responses, based on level of impact or frequency of occurrence, to incidents of challenging behavior or bullying that:

1. Require temporarily clearing a classroom or removing a majority of students within the classroom to reduce likelihood of injury;
2. Indicate credible intention to cause bodily harm to self or others; or
3. Result in an injury that requires medical attention beyond basic first aid, or less severe injuries caused by the same student on more than one occasion, verified by the school nurse or other medical professional.

- B. Such tiered responses shall include, but need not be limited to, the following:

1. For a single incident, the school principal shall notify the parents or guardians of each student involved in such incident in a manner that complies with the requirements of the Family Educational Rights and Privacy Act ("FERPA") and relevant Board policy.
2. For a subsequent incident, the school principal shall invite the parents or guardians of each student involved in such incident to a meeting, either in person at the school or virtually, to discuss the specific supports or interventions that are applicable to such student, including, but not limited to, restorative practices.
3. For multiple subsequent incidents or a single incident that causes severe harm, the school principal shall provide notice to the parents or guardians of each student involved in such incident of other resources for supports and interventions, including, but not limited to, the 2-1-1 Infoline program, services

or programs available through the Behavioral Health Partnership, or other resources for professional services, support, or crisis intervention.

C. For incidents of challenging behavior or bullying that are subject to tiered responses pursuant to this section:

1. Not later than two school days after the date such incident occurred, there shall be a meeting between an administrator and the school employee (if any) who witnessed such incident. The purpose of the meeting shall be to determine the supports and interventions required to address the needs of students and school employees, provided the supports and interventions for any student who receives special education shall be determined by the planning and placement team ("PPT") for such student, and notice of such incident shall be submitted to the PPT not later than two school days after the date such incident occurred for consideration at a PPT to be scheduled in accordance with the Individuals with Disabilities Education Act. For a student who is eligible under Section 504 of the Rehabilitation Act of 1973 ("Section 504"), notice of the incident shall also be provided to the student's Section 504 team.
2. Any teacher of record in the classroom may request a behavior intervention meeting with the crisis intervention team for the school. Such request should be submitted to the building principal.
3. The District prohibits discrimination or retaliation against any person who reports or assists in the investigation of an incident of challenging behavior or bullying that is subject to a tiered response.

## **VI. Students with Disabilities**

- A. The school shall ensure that any supports, services, or interventions provided in accordance with these regulations to any student who receives special education or accommodation for a disability comply such student's individualized education program or Section 504 plan and applicable law.

## **VII. Reports to Board of Education**

- A. The Superintendent of Schools shall submit, at least annually, to the Board a report concerning:
  1. the number of incidents of challenging behavior or bullying that require temporarily clearing a classroom of students, a credible intention to cause bodily harm, or result in certain levels of injury, as described in Section V of these regulations, that occurred during the prior year;
  2. the grade level of each student involved in such incidents; and



3. the supports, services, or interventions provided in response to such incidents to address the needs of students and school employees.

B. Such report shall be produced in a manner that does not result in the disclosure of data identifiable to individual students in accordance with FERPA and the Connecticut State Department of Education's data suppression guidelines.

Legal References:

Conn. Gen. Stat. § 10-222aa  
Conn. Gen. Stat. § 10-222bb  
Conn. Gen. Stat. § 10-222cc  
Conn. Gen. Stat. § 10-222dd  
Conn. Gen. Stat. § 10-222ee  
Conn. Gen. Stat. § 10-222ff  
Conn. Gen. Stat. § 10-222gg  
Conn. Gen. Stat. § 10-222hh  
Conn. Gen. Stat. § 10-222ii  
Conn. Gen. Stat. § 10-233a  
Conn. Gen. Stat. § 10-233b  
Conn. Gen. Stat. § 10-233c  
Conn. Gen. Stat. § 10-233d  
Conn. Gen. Stat. § 10-233e  
Conn. Gen. Stat. § 10-236c

3/5/2025

## Challenging Behavior Reporting Form

This form is not required by law or policy but serves as a model challenging behavior reporting form that local and regional boards of education may adapt and adopt.

### Instructions

This form is for **students, parents or guardians of students enrolled in the school, and school employees** to report any alleged challenging behavioral incidents. Challenging behavior is behavior that negatively impacts school climate or interferes, or is at risk with interfering, with the learning or safety of a student or the safety of a school employee. This form should also be used to report alleged bullying incidents, meaning: unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

Complete this form electronically, or in writing, or go to your school climate specialist (principal, vice principal, or other certified administrator) who will assist you with completing this form. All completed reports require a response from the school climate specialist, and every student, parent or guardian, and school employee **who completed this form** will receive a copy of the "Response Process(es) Notification Form" describing the action steps taken, within three (3) school business days after an assessment has been completed.

The school climate specialist will assess the facts of a challenging behavior incident and complete the "Response Process(es) Notification Form" (located on page 5 of this document). A confirmation of receipt of the "challenging behavior reporting form" will be provided to the individual who completed this form within **three (3) school business days**, and the behavioral assessment will be finalized within a reasonable amount of time.

**If this is an emergency, and you feel that you or someone else is in imminent danger, please call 911, or your municipal police department.**

Name: First \_\_\_\_\_ Last \_\_\_\_\_ or check here ☐ for any **student** who would like to submit anonymously.

I am a: ☐ Student, ☐ Parent and/or Guardian or ☐ School Employee

Email: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Contact me by: ☐ Phone ☐ Email

Was this previously reported to any school employee prior to this report? If yes, identify to whom, when, and what was reported?

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This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any waiver rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

Where did the incident occur?

- |  |  |
|--|--|
| <input type="checkbox"/> On school property                                    | <input type="checkbox"/> On a school bus           |
| <input type="checkbox"/> At a school-sponsored activity or off school property | <input type="checkbox"/> On the way to/from school |
| <input type="checkbox"/> Electronic communication, internet, and social media  | <input type="checkbox"/> Outside of School         |
|  | <input type="checkbox"/> Other _____               |

Approximate date of incident (if known): \_\_\_\_\_

Please describe what happened.

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Of the following statement(s) check any that may describe or include what happened:

- |  |   |
|--|---|
| <input type="checkbox"/> Teasing, name-calling, intimidating, or threatening, in person or through electronic communication            | <input type="checkbox"/> Making intimidating, and/or threatening gestures or remarks        |
| <input type="checkbox"/> Spreading rumors or gossip  | <input type="checkbox"/> Getting another person to do any of the behaviors listed above     |
| <input type="checkbox"/> Hitting, kicking, shoving, spitting, hair pulling, or throwing something or other acts of physical aggression | <input type="checkbox"/> Unwanted contact of a sexual nature (verbal, non-verbal, physical) |

Do you believe that the reported instance(s) of challenging behavior was in reference to a student's perceived or actual age, ancestry, color, learning disability, marital status, intellectual disability, national origin, physical disability, mental disability, race, religious creed, sex, gender identity or expression, sexual orientation, and status as a veteran? If so, why?

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If known, provide the name(s) of any witness(es) of the alleged incident:

Date form submitted: \_\_\_\_

**\*For school climate specialist use only:**

Date received by school climate specialist: \_\_\_\_\_

Signature of receipt by school climate specialist: \_\_\_\_\_

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

### **Investigation Form**

The purpose of this form is to provide a streamlined process to assess reported instances of challenging behavior.

This form is to be completed by the school climate specialist within a reasonable amount of time. Pursuant to the Federal Education Confidentiality Law (FERPA), students, parents or guardians, and school employees that completed the challenging behavior reporting form **cannot** receive a copy of this "Investigation Form" but will be provided with a copy of the "Response Process(es) Notification Form" after an assessment is completed.

Date "Challenging Behavior Reporting Form" received: \_\_\_\_\_ Today's Date: \_\_\_\_\_

Name of school climate specialist who received the report: \_\_\_\_\_

Were these events already reported to any school employee? If yes, please identify to whom, when, and what was reported:

\_\_\_\_\_

Name of school community member who is reporting the incident: (student, parent or guardian, school or district employee, bystander, anonymous): \_\_\_\_\_

Name of student or students who were allegedly subjected to the challenging behavior:

\_\_\_\_\_

Name of person or persons who allegedly engaged in the challenging behavior:

\_\_\_\_\_

Where did the alleged incident occur? Date and time alleged incident occurred: (if known): Description of the alleged incident:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any waiver rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

Was this investigated as bullying?  
YES ☐ NO ☐

Was this a verified act of bullying?  
YES ☐ NO ☐

Was this investigated as cyberbullying?  
YES ☐ NO ☐

Was this a verified act of cyberbullying?  
YES ☐ NO ☐

Was this investigated as teen dating violence?  
YES ☐ NO ☐

Was this verified teen dating violence?  
YES ☐ or NO ☐

Was this investigated as an assault?  
YES ☐ NO ☐

Was this a verified assault?  
YES ☐ or NO ☐

Was this investigated as an act of physical violence?  
YES ☐ or NO ☐

Was this a verified act of physical violence?  
YES ☐ or NO ☐

Was this investigated as a protected class violation/  
harassment?  
YES ☐ NO ☐

Was this a verified protected class violation/harassment?  
YES ☐ NO ☐

Was this investigated as a Title IX violation?  
YES ☐ NO ☐

Was this a verified Title IX violation?  
YES ☐ or NO ☐

Was this a verified act of challenging behavior not listed  
above? YES ☐ NO ☐

What was the response by the school climate specialist? (E.g., utilization of restorative practices, school-based threat assessment, safety plan, student support services) Additionally, provide the date of each response.

REDLINE

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REDLINE MAY 2025

Printed name: \_\_\_\_\_

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## **Response Process(es) Notification Form**

The purpose of this form is to provide a template for transparency and accountability to a person(s) that submit(s) a report of challenging behavior.

The school climate specialist will complete and submit this form within three (3) school business days **after an assessment has been finalized** and submit it to the student(s), parent(s), or guardian(s), and/or school employee(s) who completed the “Challenging Behavior Reporting Form”.

Describe the steps taken to address and prevent future instance(s) of challenging behavior(s). Responses may include:

- utilization of restorative practices;
- the completion of a school-based threat assessment;
- safety plan for student(s) involved in the instance of alleged challenging behavior;
- student support services;

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Signature or E-signature of responding school climate specialist: \_\_\_\_\_

Printed name: \_\_\_\_\_

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

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## **Definitions and Clarifying Terms**

*Restorative Practices*: Evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.

*A School Climate Improvement Plan* is a building-specific strategy collaboratively developed by a school's Climate Specialist and School Climate Committee, grounded in school climate survey data and other relevant information. It engages all members of the school community in a systemic, inclusive process to improve relational and instructional practices, aligned with the Connecticut School Climate Standards. The plan aims to foster a safe, positive, restorative, and inclusive school environment by proactively preventing and addressing challenging behaviors such as bullying and harassment. Each plan must be reviewed annually by the School Climate Coordinator and made accessible to the school community.

*School Based Threat Assessment*: An evidence-based systematic evaluation process used to prevent violence, help troubled students, and avoid over-reactions to challenging behavior.

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