

**NEW MILFORD BOARD OF EDUCATION**  
**New Milford Public Schools**  
**50 East Street**  
**New Milford, Connecticut 06776**

**BOARD OF EDUCATION**  
**MEETING NOTICE**

<b>DATE:</b>	<b>August 18, 2020</b>
<b>TIME:</b>	<b>7:30 P.M.</b>
<b>PLACE:</b>	<b>New Milford High School Library Media Center</b>

While this is an in-person meeting for Board of Education members and district staff, due to COVID-19 restrictions on capacity and social distancing requirements that make public attendance impossible, members of the public will be permitted to attend the meeting via the Zoom or YouTube Live links provided below.

There will be live public comment offered through the Zoom format for items on the agenda. Public comment may also be emailed to [suptoffice@newmilfordps.org](mailto:suptoffice@newmilfordps.org) for distribution to Board members no later than 3 PM of the meeting date.

**Join Zoom Meeting**

<https://zoom.us/j/92045341657?pwd=M3AxV0FvdWE2LzNzUndCZlB0ZkpSZz09>

Meeting ID: 920 4534 1657

Passcode: 872208

One tap mobile

+19292056099,,92045341657#,,,,,0#,,872208# US (New York)

+13017158592,,92045341657#,,,,,0#,,872208# US (Germantown)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 920 4534 1657

Passcode: 872208

Find your local number: <https://zoom.us/j/aeF4Ui5Jrz>

Watch via YouTube Live: [https://youtu.be/\\_6r9\\_wDpSTI](https://youtu.be/_6r9_wDpSTI)

**REVISED AGENDA**

**New Milford Public Schools Mission Statement**

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

**1. CALL TO ORDER**

A. Pledge of Allegiance

RECEIVED  
TOWN CLERK

2020 AUG 17 A 10:30

NEW MILFORD, CT

## **2. PUBLIC COMMENT**

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

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

## **3. APPROVAL OF MINUTES**

A. Approval of the following Board of Education Meeting Minutes

- 1. Special Meeting Minutes July 21, 2020
- 2. Regular Meeting Minutes July 21, 2020
- 3. Special Meeting Minutes July 28, 2020
- 4. Special Meeting Minutes August 6, 2020

## **4. SUPERINTENDENT'S REPORT**

## **5. BOARD CHAIRMAN'S REPORT**

## **6. DISCUSSION AND POSSIBLE ACTION**

A. Policies for Approval

- 1. 6141.321-4118.4-4218.4 Responsible Use of Technology, Social Media, District Network Systems
- 2. 4118.113/4218.113 Title IX Sexual Harassment
- 3. 5145.7 Title IX Sexual Harassment of Students

B. Policies for Second Review

- 1. 9320 Meetings of the Board
- 2. 9325 Meeting Conduct

C. Authorization of Signatory on School District Accounts – Exhibit B

D. Flexible Spending Account Amendments

E. NMHS Student Parking Fee

F. COVID-19 Related Materials Request

G. COVID-19 Related Staffing Requests (REVISED)

H. Discussion of security strategy, as well as the deployment of security personnel, and/or devices affecting security, as well as emergency plans in the New Milford Public Schools. Executive Session is anticipated. The Board may take action when it returns to public session.

## **7. ITEMS FOR INFORMATION AND DISCUSSION**

A. Exhibit A: Personnel – Certified, Non-Certified Appointments, Resignations and Leaves of Absence dated August 18, 2020

B. Monthly Reports

- 1. Budget Position dated July 31, 2020
- 2. Purchase Resolution: D-737 (REVISED)
- 3. Request for Budget Transfers

C. Regulations

- 1. 4118.113/4218.113 Title IX Sexual Harassment
- 2. 5145.7 Procedures for Reports and Complaints of Sexual Harassment of Students

## **8. ADJOURN**

### **ITEMS OF INFORMATION**

Facilities Sub-Committee Minutes – August 11, 2020

Operations Sub-Committee Minutes – August 11, 2020

New Milford Board of Education  
Special Meeting Minutes  
July 21, 2020  
By Zoom Virtual Meeting

RECEIVED  
TOWN CLERK  
2020 JUL 22 A 7 54  
NEW MILFORD, CT

Present:	Mrs. Angela C. Chastain Mr. Joseph Failla Mrs. Wendy Faulenbach Mr. Pete Helmus Mr. Brian McCauley Mrs. Tammy McInerney Mrs. Eileen P. Monaghan Mrs. Cynthia Nabozny Mrs. Olga I. Rella
----------	---

Also Present:	Ms. Ellamae Baldelli, Director of Human Resources
---------------	---

1.	<b>Call to Order</b> The special meeting of the New Milford Board of Education was called to order at 5:00 p.m. by Mrs. Chastain via Zoom virtual meeting.	<b>Call to Order</b>
2.	<b>Public Comment</b> <ul style="list-style-type: none"> <li>Megan Byrd asked the Board to consider qualities in a candidate in light of this particular year and the necessities of COVID-19, that the person be extremely capable and provide regular, frequent, transparent communications with all.</li> </ul>	<b>Public Comment</b>
3.	<b>Discussion and Possible Action</b> <p>A. Interview and discuss candidate for the position of Interim Superintendent of Schools as recommended by the Ad Hoc Search Committee. Executive session is anticipated. The Board may take action when it returns to public session.</p> <p>Mrs. Faulenbach made a motion that the Board enter into Executive Session to interview and discuss the candidate for the position of Interim Superintendent of Schools as recommended by the Ad Hoc Search</p>	<b>Discussion and Possible Action</b> <p>A. Interview and discuss candidate for the position of Interim Superintendent of Schools as recommended by the Ad Hoc Search Committee. Executive session is anticipated. The Board may take action when it returns to public session.</p> <p>Motion made and passed unanimously that the Board enter into Executive Session to interview and discuss the candidate for the</p>

	<p>Committee, and to invite into the session Ms. Ellamae Baldelli and the candidate.</p> <p>Seconded by Mrs. Rella.</p> <p>The motion passed unanimously.</p> <p>The Board entered executive session at 5:04 p.m.</p> <p>The Board returned to public session at 5:39 p.m.</p> <p>Mr. Helmus moved that the Board authorize the Board Chair and/or the Board's legal counsel to negotiate the proposed Interim Superintendent's contract on behalf of the Board on the terms and conditions discussed in Executive Session, subject to legal review and final approval by the Board, seconded by Mr. McCauley.</p> <p>The motion passed unanimously.</p>	<p><b>position of Interim Superintendent of Schools as recommended by the Ad Hoc Search Committee, and to invite into the session Ms. Ellamae Baldelli and the candidate.</b></p> <p><b>Motion made and passed unanimously that the Board authorize the Board Chair and/or the Board's legal counsel to negotiate the proposed Interim Superintendent's contract on behalf of the Board on the terms and conditions discussed in Executive Session, subject to legal review and final approval by the Board.</b></p>
4.	<p><b>Adjourn</b></p> <p>Mrs. Faulenbach moved to adjourn the meeting at 5:40 p.m., seconded by Mrs. McInerney and passed unanimously.</p>	<p><b>Adjourn</b></p> <p><b>Motion made and passed unanimously to adjourn the meeting at 5:40 p.m.</b></p>

Respectfully submitted:



Wendy Faulenbach

Secretary

New Milford Board of Education

**New Milford Board of Education  
Regular Meeting Minutes  
July 21, 2020  
By Zoom Virtual Meeting**

RECEIVED  
TOWN CLERK  
2020 JUL 22 P 12:52

NEW MILFORD, CT

Present:	<p>Mrs. Angela C. Chastain Mr. Joseph Failla Mrs. Wendy Faulenbach Mr. Pete Helmus Mr. Brian McCauley Mrs. Tammy McInerney Mrs. Eileen P. Monaghan Mrs. Cynthia Nabozny Mrs. Olga I. Rella</p>
----------	--

Also Present:	<p>Dr. Kerry Parker, Superintendent of Schools Ms. Alisha DiCorpo, Assistant Superintendent Mr. Anthony Giovannone, Director of Operations and Fiscal Services Ms. Ellamae Baldelli, Director of Human Resources Mrs. Laura Olson, Director of Pupil Personnel and Special Services Mr. Kevin Munrett, Director of Facilities Mr. Brandon Rush, Director of Technology</p>
---------------	--

1.	<p><b>Call to Order</b></p> <p>The regular meeting of the New Milford Board of Education was called to order at 7:30 p.m. by Mrs. Chastain, via Zoom Virtual Meeting.</p>	<p><b>Call to Order</b></p>
2.	<p><b>Public Comment</b></p> <ul style="list-style-type: none"> <li>For clarification, Mrs. Chastain said that the Board policy is to listen to public comment, but not dialogue with speakers.</li> <li>Irene Skrybailo asked what the plan was for when teachers don't feel safe to return due to their own health issues or their family. She said teachers are the backbone of our society and we need to be fair to them and let them work from home if needed.</li> <li>Matthew Klee, a SNIS 5<sup>th</sup> grader, asked the Board to put the safety of students and staff first, especially in a plan that puts class and buses at 100% capacity.</li> <li>Megan Byrd said she sent a five page letter to the Board with her concerns. She said the plan lacks</li> </ul>	<p><b>Public Comment</b></p>

details to help inform parents' decisions. She questioned the amount of involvement given to committee members named in the plan. She said parents need to be surveyed again about their plans for back to school. She is disappointed in the lack of communications at the town and state level. She said we need to stand up to the state for what is right for New Milford.

- Matthew Heiss said he has serious reservations about the expectations page of the plan. He has issues with the lack of accountability regarding student screenings and mask wearing. He said social distancing is not possible on buses, in hallways and in the cafeteria.
- Susan Swanson, a teacher at SMS, said opening at full capacity means close proximity to students and an increase in odds of spreading the virus, which in turn will lead to social emotional issues. Even with cohorts, teachers will push in and out of rooms increasing spread. She urged reduced numbers for social distancing.
- Melissa Healy, a Special Education teacher at NES, said she is part of a large crisis team for students. They can't adhere to guidelines in a crisis situation and PPEs will not provide enough protection.
- Margaret Albert, parent of incoming kindergartener, said data is very limited regarding spread. She said the restrictions don't make in person learning sound feasible. She said it will be important to have a strong distance learning plan for all.
- Mrs. Chastain noted that the Zoom call had reached its 300 person limit but that the call is being recorded and will be posted on the district website tomorrow.
- Roseann Petruso said she sent a letter to the Board ahead of the meeting outlining concerns. She thinks the Techpaks are a great idea for remote learning. She was on the Instructional Committee and was disappointed to have an already developed plan presented to her for comment versus developing it together. She said this is a bare plan to meet state requirements and

hopefully we will work to develop a more comprehensive model with details for instruction and safety as we reimagine school this year. She suggested Facebook Live be added to supplement Zoom.

- Mrs. Chastain said the meeting was currently streaming on one of the New Milford pages.
- Amy Photopoulos said she sent a detailed letter to the Board. She said health and safety should be the number one priority and said she wanted more detail on the level of Dr. Hack's involvement in the committee. She is concerned that CDC guidelines for social distancing are not upheld in the plan. She asked what PPEs are on hand and what has been ordered, the status of current ventilation and touchless equipment. She said the distance learning plan needs to be filled out for fair, equitable access to education.
- Susie Hackel, SNIS Reading teacher, said she is in a higher risk age bracket and is concerned about student contact and mask use. She asked that remote synchronous learning be provided.
- Katie, a Chemistry teacher at NMHS and parent of two students, said she is concerned with how students will be taught with social distancing requirements. If Chromebooks will be used instead of paper due to spreading concerns, what happens when students forget their Chromebooks or need to charge them? How does that affect students with special needs? She is concerned about crowded buses too. She said there are too many unanswered questions for a full time return.
- Christina Reddington asked the Board to recruit a new superintendent who delivers transparent, two way communication for all. She asked the Board to consider the challenges faced by working parents who she does not think have been fully represented yet.
- Gina Vanak asked the Board to advocate for what is right for all using CDC guidelines and the CEA Safe Reopening Plan. She recommends a distance learning model with a supplemental learning center as needed to start.



- Christine Taylor asked that we not return to a full reopen yet as it will be a hot spot for transmission. She said there are too many logistics that are not feasible or beneficial for students; risks outweigh benefits.
- Kim Patella, President of CEA NM, said the reentry plan is filled with unknowns and teachers already have too much to juggle without additional compliance issues. She said her name is on the draft as a participant, and while she did agree to assist, she does not endorse the plan as written and wants her name removed or a disclaimer added.
- Sterling Connor, a NMHS sophomore, said he likes the flexibility of the plan but the hybrid model to start is not equitable since it is only at the high school. The block schedule already limits exposure. He said the student body is capable of following restrictions and is not high risk. He said the parent survey indicated almost a quarter would choose remote learning, so they would be below capacity to start.
- Jill Ross, NMHS teacher, said she is concerned with the plan's lack of adherence to CDC guidelines. She also said she is concerned that the district will not have sufficient substitutes to cover for teachers who are absent due to illness.
- Dana Gartland said she is disappointed with the lack of detail in the plan. She said the district should spend its time on making distance learning a better experience for all students, teachers, and parents. She read highlights from a letter to the Governor that she had been asked to share.
- Nancy Webb said there are many families where distance learning is not possible due to special needs and/or work situations and where full remote learning creates tremendous fear and anxiety. She asked that a triage system be put in place for families with higher needs.
- Lisa Mosey said she was concerned with the many uses of "where feasible" and "where possible" in the plan. She said clear, enforceable standards are needed.
- Joseph Bittner said this is not a logical plan based on current restrictions. He noted that the



	<p>district is behind many other districts in technology for distance learning too. He said as a parent, he would like a day to experience what our students will experience to help him judge.</p> <ul style="list-style-type: none"> <li>• Melissa Cossuto has two children and works as an emergency room nurse at Danbury Hospital. She said she is on the fence about sending her children back to school. She said the district needs to build on distance learning to include scheduled, live lessons. She feels the hybrid model is the best and safest model.</li> <li>• Jake Runyan said he supports reopening but would like to know specifics. He said the plan references vague public health data and he would like to know what that is since data and studies come out daily. He believes creating curriculum for the learning environment is better served by focusing on one plan, not three. He said social emotional learning is modeled after the normal school environment and that is not this plan.</li> <li>• Dan Carpentieri asked if the plan is for five or two days for special education students at the high school, saying those students need staff to give full support and structure every day and they are cohorted already.</li> <li>• Michelle Pellitteri asked about notification if and when students are symptomatic or test positive and what happens regarding those exposed. She also said the plan is not plausible for special education and 504 students as presented.</li> <li>• Allison Sidel acknowledged the amount of work on the plan and the pressure from the state. She said she is disappointed with the state. The district should not have to choose academic programs over health and safety. She urged the district to take a strong stand against full reopening.</li> </ul>	
<b>3.</b>	<b>Approval of Minutes</b>	<b>Approval of Minutes</b>
<b>A.</b>	<b>Approval of the following Board of Education Meeting Minutes:</b>	<b>A. Approval of the following Board of Education Meeting Minutes:</b>
	<b>1. Regular Meeting Minutes June 16, 2020</b>	<b>1. Regular Meeting Minutes June 16, 2020</b>

	<p><b>Mrs. Faulenbach moved to approve the following Board of Education Meeting Minutes: Regular Meeting Minutes June 16, 2020, seconded by Mrs. Rella.</b></p> <p><b>The motion passed unanimously.</b></p> <p><b>2. Special Meeting Minutes July 2, 2020</b></p> <p><b>Mrs. Rella moved to approve the following Board of Education Meeting Minutes: Special Meeting Minutes July 2, 2020, seconded by Mr. McCauley.</b></p> <p><b>The motion passed unanimously.</b></p> <p><b>3. Special Meeting Minutes July 14, 2020</b></p> <p><b>Mrs. Rella moved to approve the following Board of Education Meeting Minutes: Special Meeting Minutes July 14, 2020, seconded by Mr. McCauley.</b></p> <p><b>The motion passed unanimously.</b></p>	<p><b>Motion made and passed unanimously to approve the following Board of Education Meeting Minutes: Regular Meeting Minutes June 16, 2020.</b></p> <p><b>2. Special Meeting Minutes July 2, 2020</b></p> <p><b>Motion made and passed unanimously to approve the following Board of Education Meeting Minutes: Special Meeting Minutes July 2, 2020.</b></p> <p><b>3. Special Meeting Minutes July 14, 2020</b></p> <p><b>Motion made and passed unanimously to approve the following Board of Education Meeting Minutes: Special Meeting Minutes July 14, 2020.</b></p>
<b>4.</b>	<p><b>Superintendent's Report</b></p> <ul style="list-style-type: none"> <li>• Dr. Parker said she would defer in the interest of time.</li> </ul>	<p><b>Superintendent's Report</b></p>
<b>5.</b>	<p><b>Board Chairman's Report</b></p> <ul style="list-style-type: none"> <li>• Mrs. Chastain thanked the community for the emails and comments and said they are heard. She said the Board shares many of the same concerns. This is a fluid situation, which changes daily and they just don't have all the answers right now. They are committed to open communication and input; additional Zoom sessions will be offered. She encouraged community members to reach out to the Governor and other representatives. Mrs. Chastain acknowledged that this is Dr. Parker's last meeting as Superintendent. She wished her well and thanked her for her work for the students and staff of NMPS.</li> </ul>	<p><b>Board Chairman's Report</b></p>

6.	Discussion and Possible Action	Discussion and Possible Action
<b>A.</b>	<b>Bid Award</b>	<b>A. Bid Award</b>
	<b>1. Student Information System</b>	<b>1. Student Information System</b>
	<p><b>Mrs. Monaghan moved to award the bid for the Student Information System to PowerSchool for services for a period of three years, seconded by Mrs. Rella.</b></p>	<p><b>Motion made and passed</b></p>
		<p><b>unanimously to award the bid for</b></p>
		<p><b>the Student Information System to</b></p>
		<p><b>PowerSchool for services for a</b></p>
		<p><b>period of three years.</b></p>
	<ul style="list-style-type: none"> <li>• Mrs. Faulenbach said this was discussed at Operations and a presentation was given, which is imbedded in the Zoom video recording.</li> </ul>	
	<p><b>The motion passed unanimously.</b></p>	
<b>B.</b>	<b>Policy for Second Review</b>	<b>B. Policy for Second Review</b>
	<b>1. 6141.321-4118.4-4218.4 Responsible Use of Technology, Social Media, District Network Systems</b>	<b>1. 6141.321-4118.4-4218.4</b>
		<b>Responsible Use of</b>
		<b>Technology, Social Media,</b>
		<b>District Network Systems</b>
	<ul style="list-style-type: none"> <li>• Mrs. Chastain said this policy will return next month for approval.</li> </ul>	
<b>C.</b>	<b>Policies for First Review</b>	<b>C. Policies for First Review</b>
	<b>1. 9320 Meetings of the Board</b>	<b>1. 9320 Meetings of the Board</b>
	<b>2. 9325 Meeting Conduct</b>	<b>2. 9325 Meeting Conduct</b>
	<ul style="list-style-type: none"> <li>• Mrs. Chastain said these policies are for first review.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Mrs. McInerney said she would like the policies fleshed out to say that “any parent of a child in district” would be able to speak in public comment, whether they live in New Milford or not. Mrs. Chastain said that request will be noted prior to second review next month.</li> </ul>	
<b>D.</b>	<b>2019-20 Capital Projects</b>	<b>D. 2019-20 Capital Projects</b>
	<p><b>Mrs. McInerney moved to approve the 2019-20 Capital Projects as recommended, seconded by Mr. Failla.</b></p>	<p><b>Motion made and passed</b></p>
		<p><b>unanimously to approve the 2019-20</b></p>
		<p><b>Capital Projects as recommended.</b></p>
	<ul style="list-style-type: none"> <li>• Mrs. Faulenbach said the high school gym floors were discussed in April and May at the Facilities</li> </ul>	

	<p>subcommittee meetings. They are not on the list of recommendations so she asked if they ended up being done in house as was proposed. Mr. Munrett said the project is underway now in house.</p> <ul style="list-style-type: none"><li>• Mrs. Faulenbach asked if there was a breakout of the Technology piece. Mrs. Chastain said it was listed on the Update on 2019-20 Capital Projects spreadsheet included in the packet.</li></ul> <p><b>The motion passed unanimously.</b></p>	
<p><b>E. COVID-19 Related Expenses</b></p> <p><b>Mr. McCauley moved to approve the COVID-19 Related Expenses as proposed, seconded by Mrs. Rella.</b></p> <ul style="list-style-type: none"><li>• Mrs. Faulenbach noted for transparency that once this list is approved and actually drawn upon, there may be line item adjustments to the totals, since these expenditures are fluid. They may come back again and reevaluate at a later date.</li><li>• Mr. Giovannone noted that there is no staffing component presented as yet.</li><li>• Mrs. Faulenbach agreed and said that component may need to be added in the future. She also noted that the Board had made the commitment to return any funds not fully utilized in the COVID account to capital reserve.</li><li>• Mr. Failla asked about access to funds from the Town. Mr. Giovannone said the Town has currently released \$750,000. He has sent a request that an additional \$327,000 be released by end of business tomorrow provided that the Board approves this list.</li><li>• Mr. Failla asked about the total allocated. Mr. Giovannone said the June 30, 2020 budget position shows a year end balance of about \$1.9 million, subject to final audit.</li><li>• Mr. Failla said everything is moving day to day and they just don't know for certain what they will need to start school. He said the New York Times ran an article that estimated \$1.8 million will be needed. He said the Town is</li></ul>	<p><b>E. COVID-19 Related Expenses</b></p> <p><b>Motion made and passed unanimously to approve the COVID-19 Related Expenses as proposed.</b></p>	

collaborating, and it is incumbent on state and federal legislators to do the same.

- Mrs. Rella said the problem of ventilation in rooms was raised at Facilities. She said there is also the possibility of not being able to use fans in rooms, compounded by mask wearing.
- Mr. Helmus noted that the Board is not obligated to spend the money since we don't yet know the final plan. He thought there might be some "nice to have" items on the list until a plan is agreed upon.
- Mrs. Chastain said it is a "chicken and egg" situation. The items need to be ordered so they will have them in time if they are needed.
- Dr. Parker noted that it is very important to move forward with the technology piece, regardless of the plan scenario, since at any given time we could become a remote site. Every day we wait, we are further behind.
- Mr. McCauley said he thought we had to order now, since if we wait items may not be available. He said everything on the list will be a "must have" at some point.
- Dr. Parker noted the PPE purchases cover only the first quarter while we see how things evolve.
- Mrs. Faulenbach reiterated that this is a fluid document, but that it is fair to say this is what is needed to get us up and running and moving forward. More conversation is coming. She said the district is fortunate to have gotten money set aside towards these items through collaboration with the town.
- Mr. Helmus asked why we are short funds.
- Mrs. Faulenbach said we are not short the funds per se, it is a management of cash flow on the town side.
- Dr. Parker said they had reached out to the Mayor and Town Finance Director with the specifics and they are hopeful the additional funds will be added to the account promptly for draw down.

**The motion passed unanimously.**

<p><b>F. NMPS Path to Reopening 2020-21 Draft</b></p> <p><b>Mr. Failla moved to approve the NMPS Path to Reopening 2020-21 Draft, seconded by Mrs. Rella.</b></p> <ul style="list-style-type: none"><li>• Dr. Parker thanked the community for all the comments and said this has been a challenging few months for all as they work to address the needs of students, families and staff.</li><li>• She referenced two upcoming Zoom forums regarding the plan: one on July 29 at 4 p.m. for staff and one on August 5 at 7 p.m. for families. She said the links were emailed this afternoon. They delayed scheduling them so as to enable the Interim Superintendent to attend if possible.</li><li>• Dr. Parker said this draft represents months of planning and meets the requirements of State directives to present three scenarios: full in person, a hybrid model, and full remote. If a full in person scenario was not included, the district would not be complying with state law. She said there is still a long way to go. Now, work will shift to school level teams who will determine how best to reopen their individual schools, in conjunction with the plan and district team.</li><li>• Dr. Parker said the parent survey shows about 70% considering in person school, which in turn will lead to lower numbers in the classroom and greater opportunities for social distancing. She said she would push to open under the hybrid model if given a choice for flexibility. She noted that regional superintendents worked collaboratively to develop the same hybrid schedule among districts. Remote learning when not in schools will be both synchronous and asynchronous. She said there are decisions still to be made in this area and they need to be made with feedback from the teachers. She said they purposely changed from a “distance learning” to a “remote learning” title to indicate that the plan will be different from the spring. We have evolved and gotten better at remote learning, with additional training already having taken place.</li></ul>	<p><b>F. NMPS Path to Reopening 2020-21 Draft</b></p> <p><b>Motion made and passed unanimously to approve the NMPS Path to Reopening 2020-21 Draft.</b></p>
--	---

- Mrs. Rella asked if families that opt out will be provided with remote learning. Dr. Parker said they will, unless they choose to home school.
- Ms. DiCorpo noted that google classroom training has been provided to over 80 participants. The need for different types of technology devices is reflected on the COVID request approved earlier. A focus for the start of school is on 1:1 Chromebooks as well as remote charging hubs and backups as needed. Discussion regarding use of cameras in the classroom will take place with all unions; synchronous learning is important. Instructional coaches will continue to plan around the overall standards. She said it is important to include the building principals' input at all levels too. They are keeping in mind staff needs regarding areas such as collaboration, individual time with students and families, and how duties are handled. They will need teacher input here. It is all intertwined. They are looking at how best to set up structures in each school to best serve all and to do what is best for students. Everyone's input will be needed to make it work. She encouraged parents to reach out to building level principals if they are interested in joining the building level committees, and to attend the Zoom forums as they are scheduled.
- Mrs. McInerney said she appreciates the Zoom forums and asked that they be posted online following, along with any Q and A.
- Dr. Parker said the goal is to have the Zoom forums and repeated surveys to educate all going forward on the work being done by the school committees. The Governor has also said he will have more to say about school openings in mid to late August.
- Ms. DiCorpo said she is hopeful walkthrough opportunities will be provided and that some adjustment will be made to the district calendar based on the new 177 day allowance, so that more training can be done.
- Ms. DiCorpo said she and Mr. Rush are working on a demographic form that will capture an accurate count of parent choice for instruction. Regarding the parallel track, Ms. DiCorpo said



they are hearing an opt out form is coming from the State. She said the hope is to use live camera during whole group instruction. She said the State Learning Hub will be a resource only for family and will not be used for remote learning on the parallel track.

- She said parents considering home schooling would actually have to withdraw their children. She encouraged parents to choose the parallel track instead which affords more district oversight.
- Mrs. Nabozny asked what happens if a parent decides to stop remote instruction. Ms. DiCorpo said students may return to school at any point, but they are requesting a week's notice to set up transportation and assignment.
- Mrs. Nabozny asked about the reverse situation. Ms. DiCorpo said the hope is to assign students to a specific google classroom, whether they are in school or not. She said they need to dialogue with all involved.
- Ms. DiCorpo said the A and B cohorts will include all members of the same household in one cohort. Mr. Shugrue has been given a list to begin to assign cohorts which will then go to Dr. Longo and on down the line. She has been in contact with the Youth Agency about child care based on the different scenarios and they are ready and willing to help.
- Mrs. McNerney asked for clarification that special education students would not be tied to the hybrid system, since they need five days of in school instruction and support and are already cohorted.
- Mrs. Olson said they are using the term "priority access". The hybrid model doesn't work for a certain set of students not all of whom may be classified as special ed, but who may have significant needs, including ELL, medically fragile etc. Based on individual criteria, these "priority access" students will have support for all five days.
- Mrs. Nabozny asked about Art and Music instruction and supply use. Ms. DiCorpo said she will be looking to those area teachers for their input and for ideas for best practice.

- Mrs. Rella asked if they envision Music performances. Ms. DiCorpo said that will depend on the numbers allowed from the Governor; they are working through the procedures for those types of requests.
- Mrs. Faulenbach asked if the Facilities component of the plan would be discussed.
- Mr. Munrett said they too have been having discussions for months. He said it is a work in progress regarding concerns and supplies but he is confident they will deliver a high standard of cleaning based on state guidelines and occupancy. He said the staffing piece for this cannot be understated.
- Mrs. Nabozny asked about ventilation in air conditioned buildings. Mr. Munrett said it varies with each school but what is recommended is already done, so we are ahead of the game in this area.
- Mr. McCauley asked about the feasibility of six foot distancing. Dr. Parker said it will depend on the percentage of students who return to in school learning. If it is at 70% as the survey indicated, it will be much easier. She shared a picture of a room with socially distance desks of 10-12, but stressed they were not removing desks from a full classroom until they know the model. Dr. Parker said all desks will face front as recommended and they will do their best to maintain six feet, but she cannot say that will happen at all times.
- Mr. McCauley said he would like to see the vagueness about social distancing in the plan cleaned up.
- Mrs. McInerney asked that as they move forward with planning, they overcommunicate with families, perhaps several times a week, as any bit of information helps alleviate anxiety.
- Mr. McCauley suggested it would be helpful to have the August 5 Zoom forum separated out by level or grade for questions if possible.
- Mrs. Rella suggested this could be done by in follow up Zoom forums, as the school level committees begin meeting. She thanked administration for all their work.

	<ul style="list-style-type: none"> <li>• Mrs. Faulenbach said that while she understood the goal was approval of the draft tonight, she wanted to be clear that it is a work in progress. Important conversations about transportation and other areas still need to take place. They need to continue to formulate more details and hear from parents. The community should not think that the plan is set in stone; they are in the planning process only.</li> <li>• Mr. Helmus said he thought there was wonderful communication tonight. He has confidence in Dr. Parker and the staff and thinks they are thinking about the right things.</li> <li>• Mrs. Nabozny said she would like to see the symptom indicator fleshed out more. Dr. Parker said they want the medical professionals to handle that as well as any follow up.</li> <li>• Mrs. Olson said they are working closely with the nurses and Dr. Hack. Dr. Hack is reviewing criteria and making suggestions. Mike Crespan, the Town Health Director, was part of the last committee meeting as well. There is lots of behind the scenes work taking place.</li> <li>• Mrs. Monaghan said she thought tonight's conversation was helpful in putting more flesh on the bones of the plan. It provided important information.</li> <li>• Mr. McCauley said he would like to hear more about fall sports at a later time too. Dr. Parker said they are waiting on information.</li> </ul> <p><b>The motion passed unanimously.</b></p>	
<b>7.</b>	<p><b>Items For Information And Discussion</b></p> <ul style="list-style-type: none"> <li>• Mrs. Chastain said these are items of information only since the Board had authorized the Superintendent's approval during summer months.</li> </ul> <p><b>A. Exhibit A: Personnel – Certified, Non-Certified Appointments, Resignations and Leaves of Absence dated July 21, 2020</b></p>	<p><b>Items For Information And Discussion</b></p> <p><b>A. Exhibit A: Personnel – Certified, Non-Certified Appointments, Resignations and Leaves of Absence dated July 21, 2020</b></p>

<b>B.</b>	<b>Monthly Reports</b> <ol style="list-style-type: none"><li>1. Budget Position dated June 30, 2020</li><li>2. Purchase Resolution: D-736</li><li>3. Request for Budget Transfers</li></ol> <ul style="list-style-type: none"><li>• Mr. Giovannone said these reports were all discussed at Operations and included discussion of the year end balance.</li></ul>	<b>B. Monthly Reports</b> <ol style="list-style-type: none"><li>1. Budget Position dated June 30, 2020</li><li>2. Purchase Resolution: D-736</li><li>3. Request for Budget Transfers</li></ol>
<b>8.</b>	<b>Adjourn</b> <p>Mrs. Monaghan moved to adjourn the meeting at 10:59 p.m., seconded by Mrs. Rella and passed unanimously.</p>	<b>Adjourn</b> <p>Motion made and passed unanimously to adjourn at 10:59 p.m.</p>

Respectfully submitted:



Wendy Faulenbach  
Secretary  
New Milford Board of Education

**New Milford Board of Education  
Special Meeting Minutes  
July 28, 2020  
By Zoom Virtual Meeting**

RECEIVED  
TOWN CLERK

2020 JUL 29 A 9 21

NEW MILFORD, CT

Present:	Mrs. Angela C. Chastain Mr. Joseph Failla Mrs. Wendy Faulenbach Mr. Pete Helmus Mrs. Tammy McInerney Mrs. Eileen P. Monaghan (arrived at 6:32 p.m.) Mrs. Cynthia Nabozny Mrs. Olga I. Rella
Absent:	Mr. Brian McCauley

Also Present:	Ms. Ellamae Baldelli, Director of Human Resources Attorney Michael McKeon, Pullman and Comley LLC
---------------	--

1.	<b>Call to Order</b> The special meeting of the New Milford Board of Education was called to order at 6:30 p.m. by Mrs. Chastain via Zoom virtual meeting.	<b>Call to Order</b>
2.	<b>Public Comment</b> <ul style="list-style-type: none"><li>There was none.</li></ul>	<b>Public Comment</b>
3.	<b>Discussion and Possible Action</b>  <b>A. Discussion of proposed agreement for Interim Superintendent of Schools. Executive session is anticipated. The Board may take action when it returns to public session.</b>  Mrs. Rella made a motion that the Board enter into Executive Session to discuss the proposed agreement for the Interim Superintendent of Schools, and to invite into the session Ms. Ellamae Baldelli and the Board's legal counsel.  Seconded by Mrs. Faulenbach.  The motion passed unanimously.	<b>Discussion and Possible Action</b>  <b>A. Discussion of proposed agreement for Interim Superintendent of Schools. Executive session is anticipated. The Board may take action when it returns to public session.</b>  <b>Motion made and passed unanimously that the Board enter into Executive Session to discuss the proposed agreement for the Interim Superintendent of Schools, and to invite into the session Ms. Ellamae Baldelli and the Board's legal counsel.</b>

New Milford Board of Education  
Special Meeting Minutes  
July 28, 2020  
By Zoom Virtual Meeting

Page 2

	<p>The Board entered executive session at 6:31 p.m.</p> <p>Mrs. Monaghan entered the Special Meeting at 6:32 p.m. and was admitted to the executive session at that time.</p> <p>The Board returned to public session at 6:46 p.m.</p> <p>Mrs. Rella moved that the Board appoint Dr. Paul Smotas as Interim Superintendent of New Milford Public Schools in accordance with the terms of the agreement as described in executive session, seconded by Mrs. McNerney.</p> <p>The motion passed unanimously.</p>	<p><b>Motion made and passed unanimously that the Board appoint Dr. Paul Smotas as Interim Superintendent of New Milford Public Schools in accordance with the terms of the agreement as described in executive session.</b></p>
4.	<p><b>Adjourn</b></p> <p>Mrs. Rella moved to adjourn the meeting at 6:47 p.m., seconded by Mrs. Monaghan and passed unanimously.</p>	<p><b>Adjourn</b></p> <p><b>Motion made and passed unanimously to adjourn the meeting at 6:47 p.m.</b></p>

Respectfully submitted:



Wendy Faulenbach  
Secretary  
New Milford Board of Education

NEW MILFORD, CT

2020 AUG - 1 P 2: 28  
RECEIVED  
TOWN CLERK  
MHD

**New Milford Board of Education  
Special Meeting Minutes  
August 6, 2020  
New Milford High School Library Media Center**

<b>Present:</b>	Mrs. Angela C. Chastain Mr. Joseph Failla Mrs. Wendy Faulenbach Mr. Pete Helmus Mr. Brian McCauley (arrived at 6:45 p.m.) Mrs. Tammy McInerney Mrs. Eileen P. Monaghan (arrived at 6:32 p.m.) Mrs. Cynthia Nabozny Mrs. Olga I. Rella
-----------------	---

<b>Also Present:</b>	Dr. Paul Smotas, Interim Superintendent Ms. Ellamae Baldelli, Director of Human Resources Mrs. Laura Olson, Director of Pupil Personnel and Special Services Mr. Brandon Rush, Director of Technology
----------------------	--

<b>1.</b>	<b>Call to Order</b> The special meeting of the New Milford Board of Education was called to order at 6:30 p.m. by Mrs. Chastain.	<b>Call to Order</b>
<b>2.</b>	<b>Public Comment</b> <ul style="list-style-type: none"> <li>Megan Byrd said she hoped the district calendar would be adjusted to have students start after Labor Day to give more time to prepare for the fall reopening. She said she hopes the district will start on a hybrid schedule to allow for a slower reopening. She is concerned that parents have not heard details of what the remote learning option will look like.</li> </ul>	<b>Public Comment</b>
<b>3.</b>	<b>Discussion and Possible Action</b>	<b>Discussion and Possible Action</b>
<b>A.</b>	<b>New Milford Public Schools 2020-21 School Calendar</b> <ul style="list-style-type: none"> <li>Mrs. Chastain welcomed Dr. Smotas to his first meeting since beginning as Interim Superintendent.</li> </ul>	<b>A. New Milford Public Schools 2020-21 School Calendar</b>



- Dr. Smotas said he started on Monday and has been reviewing the plan for reopening. While he thinks it is a well written plan, there is still much to be fleshed out. He would also like time to address the concerns that have been emailed to him. He is suggesting that the calendar be revised and the student start date pushed back to September 8, 2020. That will give the district about four weeks to work on revising the plan to “get all our ducks in order”. Starting Monday morning, he will be meeting with the administrative team and program directors to go over the plan page by page, with the idea of taking in feedback received from the Board, parents and staff.
- Regarding staff, the convocation date of August 28 will stay the same. The following full week (5 days) will be devoted to training and opening of schools. Dr. Smotas said these days will be critical to addressing safety and health concerns raised by staff and parents.
- Dr. Smotas said that today he met with Jeff Woods of All-Star Transportation, Jason O'Connor from the Youth Agency, and the Mayor. He and the Mayor will be meeting with the Police Chief next week regarding traffic concerns with reopening. He also spoke with the NM CEA union president today and met with the Director of Food Services regarding delivery of food. He is meeting with Mike Crespan, the Town of New Milford Health Director, tomorrow.
- Dr. Smotas said the administrative team will meet every day over the next two weeks to review, revise and refine the plan. He hopes to begin area specific zoom meetings by August 24 to answer questions and inform parents and staff. Areas will include Student Services and Instruction, Food Services and Facilities, Human Resources and Staffing, and Extracurricular Activities.
- Mrs. McNerney said she liked the idea of the area specific meetings but is concerned they are late for parent decision making. Dr. Smotas

	<p>said they will schedule them earlier if they are able, but that they are at a critical juncture with the plan and he doesn't want to rush. He said he would like to see what other districts are doing too. He called this the most important decision he has ever made as a superintendent.</p> <ul style="list-style-type: none"><li>• Mrs. McNerney requested two times a week parent communications regarding progress. Dr. Smotas said that as concrete adjustments are made, he will share them.</li><li>• Mrs. Faulenbach said she supports the request to revise the calendar as it will provide needed time for planning and training. She said the community needs to be aware that plans remain fluid; there will likely be changes.</li><li>• Mrs. Rella said she also supports the change. She said she is concerned for working parents that need to arrange day care. Dr. Smotas said the plan model is the next agenda topic.</li><li>• Mrs. Chastain asked what the plan is for the four days resulting from the change. Dr. Smotas said they will be added to the end of the calendar year.</li></ul> <p>Mrs. Rella made a motion that the Board approve the proposed New Milford Public Schools 2020-21 School Calendar as presented, with a student start date of September 8, 2020.</p> <p>Seconded by Mrs. Faulenbach.</p> <p>The motion passed unanimously.</p> <p><b>B. Model for Reopening 2020-21</b></p> <ul style="list-style-type: none"><li>• Dr. Smotas said the Reopening Plan provides for three options. He struggles with the full opening idea. He said it is difficult without knowing the real impact of the virus, since there are so many different societal views about it. He said in talking to peers in surrounding districts and around the state, over 90% are planning to use the hybrid model. He feels</li></ul>	<p><b>Motion made and passed unanimously that the Board approve the proposed New Milford Public Schools 2020-21 School Calendar as presented, with a student start date of September 8, 2020.</b></p> <p><b>B. Model for Reopening 2020-21</b></p>
--	--	--

remote learning has resulted in too much lost instruction.

- Dr. Smotas said he believes the best alternative is the hybrid model for the entire district. He said that specific plan will be reviewed over the next two weeks and some tweaking may occur. By State mandate the Board of Education does not vote on this; it is solely the Superintendent's decision. He wanted to present his final recommendation to all for transparency purposes.
- Mr. Helmus said he is not a big fan of the hybrid model. He asked what scientific data points support it. He hears a lot that people are fearful, but does not see data presented to support their concerns.
- Mr. McCauley said he is not thrilled with the hybrid model, and thinks it will be a hardship for families but with the state limiting gatherings to 25, he doesn't think there is a choice.
- Mr. Failla said the data available changes daily and there are opinions on all sides. He appreciates the work Dr. Smotas has already done in just four days. He supports Dr. Smotas's recommendations regarding the calendar and reopening.
- Mrs. McInerney agreed, saying the hybrid model makes class sizes smaller and helps with protocols for busing too. She is glad the district is starting slowly.
- Mr. McCauley said the district does have students with IEP goals who need five days and he hopes there is programming there for them.
- Mrs. Olson said there are no waivers regarding IDEA. She said special education students are viewed as general education students first and many are successful in a hybrid model. For those who aren't, they will be discussing "priority access".
- Mrs. Rella said she thinks this is a good plan, especially with things changing every day.

**New Milford Board of Education  
Special Meeting Minutes  
August 6, 2020  
New Milford High School Library Media Center**

**Page 5**

	<ul style="list-style-type: none"><li>• Mrs. Monaghan said she appreciates the work so far and said she would like to see the Wednesday of the hybrid model fleshed out.</li><li>• Dr. Smotas said this is a journey, and everything is on the table. The ultimate goal is to do whatever is best for students as safely as possible.</li></ul>	
<b>4.</b>	<b>Adjourn</b>  Mrs. Rella moved to adjourn the meeting at 7:06 p.m., seconded by Mrs. Monaghan and passed unanimously.	<b>Adjourn</b>  <b>Motion made and passed unanimously to adjourn the meeting at 7:06 p.m.</b>

Respectfully submitted:



Wendy Faulenbach  
Secretary  
New Milford Board of Education

## FOR APPROVAL

*COMMENTARY: The new Appendix C is a proposed form agreement for the District to use in connection with its distribution of technology devices (Chromebooks, wifi hotspots, power-cords, etc.) to students for home and school use. The intent of this agreement is to make clear to parents/guardians and students that such technology devices are District property on loan to the student. In this draft of this proposed agreement, parents/guardians (and students) are required to acknowledge that they will be financially responsible for repairs and replacement technology devices for intentional and unintentional acts.*

*This issue raises a number of thorny legal (and other) questions. What happens if a student accidentally drops their Chromebook? Is the district really going to require a parent/guardian to pay for a replacement? What if a parent/guardian refuses to pay for accidental or even intentional damage altogether or refuses to sign any agreement? Is the District prepared to deny a student a Chromebook in such circumstances? Can a student access District-provided educational resources without a Chromebook? What about now in the era of COVID-19 distance learning? What if the family is of limited economic means? Should there be a special income-based exception? If so, the parameters should probably be delineated in Board policy otherwise administrators will be required to make difficult case-by-case determinations and it will be almost impossible to maintain consistency. The revised language in the policy says parents/guardians “may” be charged for a replacement, but legal counsel would recommend stronger language if that is how the Board wants to go.*

*Under Connecticut law there is no legal entitlement to District-provided technology for a student’s home use. Conn. Gen. Stat. § 10-228 provides that students are entitled to free textbooks and other learning supplies and materials but “subject to such rules and regulations as to their care and use as the board of education provides.” Moreover, Conn. Gen. Stat. § 10-221(c) says that boards of education may charge pupils for damaged educational materials and may impose sanctions such as withholding grades, transcripts, etc. until payment is made.*

*While these statutes are on the books there is no case law interpreting them and it is unclear how these statutes would be interpreted in a COVID-19 distance learning world. If lessons, assignments, messages from a student’s teacher, etc. are all hosted on a Google Classrooms platform and the only realistic way to access such information remotely is with a Chromebook then a student’s Connecticut constitutional right to a free, public school education may be implicated if the student is denied a Chromebook. The changes to the policy itself and other appendices, in addition to the newly proposed Appendix C, are largely clean-up.*

*Reflecting additional Board discussion, strikethroughs have been added in green to the Technology Devices Loan Agreement, Appendix C.*

6141.321(a)  
4118.4/4218.4

## Instruction

**Responsible Use of Technology, Social Media, and District Network Systems**

## Instruction

### Responsible Use of Technology, Social Media, and District Network Systems

#### Overview

The New Milford Public Schools Board of Education provides students, staff and community members with access to a large variety of technology and network resources which provide multiple opportunities to enhance learning within the school district network and on the Internet. Communication within the school district, the community and global entities are encouraged as part of 21st century skills. All learners need and deserve 21st century learning opportunities to thrive as tomorrow's leaders, workers, and citizens. However, all users must exercise appropriate and responsible use of District technology and information systems. Users include anyone authorized by the administration to use the network. This policy is intended to promote the most effective, safe, productive, and instructionally sound uses of network information and communication tools.

The District technology infrastructure is defined as all technology related resources, including but not limited to; software, hardware, cabling and connections that provide access to resources, including the Internet internet. ~~District devices as well as personal devices are subject to the guidelines when using the district network or representing the district in communications.~~ District-owned technology devices must be used in accordance with this policy and its accompanying administrative regulations at all times. Personal devices must be used in accordance with this policy and its accompanying administrative regulations whenever the user is accessing the District's network or representing the District in communications. The District maintains content filtering devices and software programs that control access to internal network or internet resources and meet the Federal federal standards established in the Children's Internet Protection Act. (CIPA) Such technology protection measure measures shall be in operation during any use of computers or other electronic devices with Internet internet access. However, it is recognized that this measure these measures alone is are no guarantee that users will not be able to find Internet internet resources which are profane, offensive, obscene, or otherwise objectionable. The ultimate responsibility for appropriate use of Internet internet resources lies with the user.

#### Digital Citizen

~~Definition: "Self-monitored participation that reflects conscious interdependence with all (visible and less visible) community members."~~

A responsible digital citizen is one who:

- A. Respects one's self:
  - a. Users will select online names and logins that are appropriate and will consider the information and images that are posted online to ensure appropriateness. Users will not share login and password information.

## Instruction

### Responsible Use of Technology, Social Media, and District Network Systems

- B. Respects others:
  - a. Users will refrain from using District network systems and social media to bully, tease, or harass other people. Users will communicate in a professional respectful manor with anyone engaged.
- C. Protects one's self and others:
  - a. Users will follow protocols that will protect themselves and others by reporting abuse and not forwarding inappropriate materials or communications.
- D. Respects authorship:
  - a. Users will properly reference or cite work, websites, books, media, etc., used in any student work.

### Responsible Use

Responsible use of the District's technology resources is expected to be ethical, respectful, and academically honest. Digital storage on ~~district~~ District servers or on the cloud as well as technology devices used for any purpose will be treated as extensions of the District's technology. The Superintendent, or his or her designee, may review files and communications including electronic mail to ensure that users are using the system in accordance with District policy and/or applicable legal requirements. Users should not have any expectation of privacy in files stored electronically. Electronic files, data and communications stored or disseminated through the District's technology may be subject to disclosure pursuant to the Freedom of Information Act.

Users may not access the District's internal networks or District maintained internet resources without prior written authorization and are expected to comply with the following rules of network etiquette and citizenship, including but not limited to:

- A. Use of the New Milford Public Schools network, technology devices, the student and parent portal, and social media must be consistent with the District's educational objectives and curriculum.
- B. Transmission or storage of material, information, data or files in violation of any local, Federal federal, or State state law is prohibited.
- C. Intentional or unintentional use of District resources to access or process, proxy sites, pornographic, obscene, sexually explicit, harassing, threatening or illegal material or communications or explicit text or files or files dangerous to the integrity of the network is strictly prohibited.



## Instruction

### Responsible Use of Technology, Social Media, and District Network Systems

- D. Cyberbullying is prohibited at all times, whether in ~~district~~ District or out of ~~district~~ District, on any device using any connection.
- E. Software, applications, and media may not be installed, downloaded or uploaded without having an approved Software Form from the Building Principal, Assistant Superintendent and Director of Technology.
- F. Use of the District network for **personal** commercial activities, product advertisement, religious or political campaigning, lobbying, or **unapproved** solicitation ~~of non-district material~~ is prohibited.
- G. Accessing unauthorized chat rooms or instant messaging using the District's network is prohibited.
- H. Bypassing the District's content filter is strictly prohibited.
- I. Users may not share their passwords and are expected to maintain their passwords privately and securely.
- J. Users shall not vandalize, **or intentionally or unintentionally** damage, disable, ~~intentionally~~ disrupt or degrade the District's technology systems or network and may be held personally and financially responsible for malicious or intentional damage or interruptions to network service, software, data, user accounts, hardware, and/or any other unauthorized use.
- K. Files stored on District-managed or cloud networks are the property of the District and may be inspected at any time.
- L. Materials published electronically must be for educational **or District** purposes. Administrators may monitor these materials to ensure compliance with content standards.
- M. Each user is responsible for taking reasonable precautions to ensure he or she does not introduce viruses into the District's network. All material not belonging to the District must be scanned for viruses prior to being placed onto the District's computer system. Users should understand that their home computers and laptops might contain viruses. All disks, memory sticks or perpetual media (e.g., DVD, CD) transferred from these computers to the District's network must be scanned for viruses.
- N. Users shall not "hack into," "snoop," monitor any network traffic or otherwise access data not intended for the user including, but not limited to, other users' files and administrative data.
- O. Users shall not violate copyright or otherwise use the intellectual property of another individual or organization without permission.

## Instruction

### Responsible Use of Technology, Social Media, and District Network Systems

- P. Users shall not plagiarize (to take material created by others and presenting it as if it were one's own) or cheat (to deceive by trickery, mislead or fool).
- Q. Users shall not **maliciously** send, transmit, or otherwise disseminate proprietary data, personally identifiable information about students or other confidential information.

### Procedures for Use

- A. Students shall receive education about the following:
  - a. Safety and security while using e-mail, chat rooms, social media, and other forms of electronic communications;
  - b. The dangers inherent in online disclosure of personally identifiable information; and
  - c. The consequences of unauthorized access including but not limited to hacking, cyber-bullying, and other unlawful or inappropriate activities online.
- B. All student users and their parents/guardians ~~are~~ **shall be** required to sign a written agreement annually, or at the time of enrollment, to abide by the terms and conditions of this policy and any administrative procedures and guidelines. If the agreement is not signed, District network privileges will not be given.
- C. **All student users and their parents/guardians shall be required to sign a written agreement setting forth rules for the use of loaned District technology devices (i.e. Chromebooks) and conditions for reimbursement for lost or damaged devices prior to being loaned a District technology device or devices.**
- D. Students shall not (1) access or use another person's account without written permission; (2) share their password with anyone else or engage in activities that would reveal anyone's password; (3) allow others to access a computer that the user is logged on to; or (4) ever sign in, or attempt to sign in, as another person.

### Violations and Sanctions

Accessing the ~~Internet~~ **internet** or District network **and utilizing District technology devices** is a privilege, not a right. Inappropriate use and violation of this or any other Board policy may result in cancellation of all network access **and disciplinary and/or legal action**. Inappropriate material is defined as any material or use that is inconsistent with the goals, objectives, and policies of the educational mission of the District. Any user can be denied access temporarily or permanently if

## Instruction

### Responsible Use of Technology, Social Media, and District Network Systems

the school or District administrator determines that a user has used the ~~Internet~~ internet or District network in an inappropriate or unacceptable manner. ~~Students may also be disciplined or subject to other legal action.~~

#### No Expectation of Privacy

All users are warned that there should be no expectation of privacy in connection with the use of the District's computer resources. Users should not create, store or use messages, files or other information which they do not want school authorities to see. The following reasons explain why users should have no expectation of privacy:

- A. The District may have a duty under federal ~~or state~~ law to monitor on-line activities of users and enforce the use of protective measures. Authorized administrators and staff may review use of the District's computer resources and the ~~Internet~~ internet at any time, without reason or prior notice, to maintain system integrity and determine that users are acting responsibly or otherwise consistent with this policy.
- B. Computer resources are owned, controlled, and maintained by the District. They are provided to staff and students to be used for educational purposes only. Files or any information stored on school-based networks are subject to periodic inspection and routine maintenance.
- C. E-mail communications can be stored indefinitely on any number of computers. Copies of messages may be forwarded to others either electronically or on paper. In addition, e-mail sent to non-existent or incorrect user names may be delivered to persons that you never intended.
- D. Use of passwords to gain access to the computer network or to encode particular files or messages does not imply that users have an expectation of privacy in such access or materials. The District has global passwords that permit it to access all material stored on the computer system, regardless of whether that material has been encoded with a particular user's password.
- E. District personnel may receive or create e-mail messages and other documents that are public records that may be subject to disclosure under the Freedom of Information Act.

#### Use of Computer Resources by School Personnel

The computer resources are the property of the District and may only be used for approved purposes. Users are permitted access to assist them in the performance of their jobs. Occasional use of the computer resources by an individual school employee for personal communications is permitted when the use does not interfere with the employee's or other user's job responsibilities, performance of the computer resources, or operation of the District. A short social message and a quick note to a family member are examples of permitted personal use. Use for personal or third party gain or

## Instruction

### Responsible Use of Technology, Social Media, and District Network Systems

profit, or for entertainment, is strictly prohibited. Solicitation ~~of non-District events or functions for any purpose, other than to support a community service drive officially sponsored by the District,~~ will not be tolerated. Employees are reminded that this limited, occasional personal use must comply with this policy, and all other policies, regulations and practices of the District. Use of computer resources is a privilege that may be revoked at any time, in whole or in part, at the sole discretion of the District.

#### Policy Violations

Users who become aware of any misuse of computer resources must immediately report the incident to the administration. Any violation of this policy may result in immediate termination of school-provided access to computer resources, including the ~~Internet~~ internet. Additional disciplinary action may be taken in keeping with existing policies, procedures and practices regarding the conduct, including but not limited to suspension and/or expulsion from school (students) or termination of employment (personnel). When appropriate, law enforcement agencies may be involved and legal action or prosecution may result.

#### Board Liability

The Board makes no warranties of any kind, neither expressed nor implied, for the use of computer resources and the ~~Internet~~ internet access it is providing.

The Board is not responsible, and shall not be liable, for:

- A. Damage resulting from unauthorized or inappropriate District network or social media activity;
- B. Use of information obtained via the ~~Internet~~ internet, including any damages a user may incur including but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by negligence, errors;
- C. The accuracy or quality of information obtained through the ~~Internet~~ internet;
- D. Unfiltered content that may be viewed or downloaded on District equipment that has been provided to individuals for use outside District property;
- E. Issues or damage caused by the connection of personal devices to the District's network or improper use of the District's network or equipment; or
- F. Personally owned devices that are damaged, lost, or stolen.

## **Instruction**

### **Responsible Use of Technology, Social Media, and District Network Systems**

#### **Notice of Policy**

Students and school personnel shall be given notice of this policy annually. All other users shall be given notice of this policy prior to obtaining access to or using District computer resources.

Each user is required to sign an Acknowledgement Form stating that they have received notice of and understand this policy and any accompanying administrative regulations.

The administration may issue regulations and guidelines in connection with this policy.

#### **Legal References:**

20 U.S.C. 6777 Internet Safety (Children’s Internet Protection Act)

47 U.S.C. 254 Universal Service

45 C.F.R. 54.520, “Children’s Internet Protection Act certifications required from recipients of discounts under the federal universal service support mechanism for schools and libraries.”

Conn. Gen. Stat. § 31-48d -- Employers engaged in electronic monitoring required to give prior notice to employees. Exceptions. Civil penalty.

**Conn. Gen. Stat. § 10-221 – Boards of education to prescribe rules, policies and procedures.**

**Conn. Gen. Stat. § 10-228 – Free textbooks, supplies, material and equipment.**

Policy adopted:

February 12, 2013

NEW MILFORD PUBLIC SCHOOLS

Policy revised:

July 18, 2017

New Milford, Connecticut

## Responsible Use Policy Agreement

### New Milford Public Schools

#### What is the Responsible Use Policy Agreement?

The Responsible Use Policy – **Board Policy # 6141.321** -- was adopted by New Milford Public Schools Board of Education in 2017. The Responsible Use Policy (RUP) outlines the Board's specific expectations for students' use of the school system's electronic information resources, including the school system's **technology devices**, computer networks and the ~~Internet~~ **internet**.

The RUP requires the ~~preparation~~ **execution** of the Responsible Use Policy Agreement which one parent (or legal guardian) and all students in grades first through twelve are required to sign and return to school before the student will be allowed to access and use these resources. By reading and signing this Agreement, you are giving your permission for your child to use these resources, and you are stating that you understand and will explain to your child what the Agreement means. Students in grades first through twelve are required to sign the Agreement to indicate that they understand the RUP and the Agreement and agree to abide by them.

New technologies have greatly expanded the amount and type of information available to students and teachers. In addition to our large collection of print media in the school libraries, each school has access to a large array of electronic information systems via electronic periodicals and encyclopedias and the ~~Internet~~ **internet**. However, access to so much information brings new responsibilities to use the resources and information responsibly and ethically. Below you will find a summary of the guidelines for accessing and using all the information obtained through these technologies. We teach a simple and straightforward version of the following guidelines starting in grade K, and we add more complex dimensions as students' progress through the school system.

### Student Consent Form

As a user of the New Milford Public Schools' electronic information resources, **technology devices** and computer networks, I have read, understand and will abide by the Responsible Use Agreement which implements the Responsible Use Policy. I understand that my signature and the signature of one of my parents or legal guardians are preconditions to my accessing and using the District's electronic information resources. I also specifically agree to the following:

1. I will use digital technology resources only for educational and research purposes that are consistent with the educational objectives of my teachers and the Board of Education.

2. I will use digital resources in a responsible, ethical and legal manner at all times. I will not intentionally do anything to another users' work on the resources.
3. I will not plagiarize. I will give appropriate citations to an author or resource as the source of information I find.
4. I will use digital technology resources as directed by a teacher or staff member.
5. I will be considerate of other users and data privacy when using District resources. I will be polite and use appropriate language at all times. My log-in and password will be kept private and not shared with other users.
6. I will send and receive electronic mail (email) appropriately for educational purposes. I will report any inappropriate email messages or any misuses of email immediately.
7. I will not give out any personal information regarding myself or anyone else in the district while using email.
8. I will never intentionally damage, degrade or disrupt the electronic information resources, including computer services or computer equipment. I will not tamper with computer hardware or software, vandalize or change data in any way, intentionally introduce computer viruses, attempt to gain access to restricted or unauthorized networks or network services or violate copyright laws. I understand that such activity may be a crime.
9. I will handle District technology devices (i.e. Chromebooks, power-cords, tablets, etc.) with the utmost care and attentiveness. I understand that such devices are the District's property.
10. I will use the District's various student classroom, grading and other online portals for educational requirements only and will use appropriate language at all times.
11. If I do not follow the rules outlined in this Agreement and in the Responsible Use Policy, I know that I may lose my privilege to use the District's electronic information resources. I also know that I may be disciplined for not following the rules and that my parents/guardians and I may have to pay for any damage to technology devices or other electronic equipment that I cause because of my intentional or unintentional misuse of these resources.
12. I am aware that some violations of the Responsible Use Policy may also be violations of local, state and federal laws and regulations and that I may be prosecuted for violating those laws.

Student Name: \_\_\_\_\_

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

(Student)



Parent/Guardian Consent Form  
Responsible Use Policy Agreement  
New Milford Public Schools

I give the New Milford Board of Education permission to allow my child to access and use the **District's** electronic information resources **including technology devices** ~~in the schools~~ for educational purposes. I understand that when using a resource such as the ~~Internet~~ **internet**, it is impossible to restrict access to all controversial or potentially inappropriate materials or to predict with complete certainty what information a user may locate. I understand that the District will use filtering programs, access controls and active supervision of students and will make all reasonable efforts to protect students from any misuses or abuses as a result of their use of the District's electronic information resources.

My child and I have read the Board's Responsible Use Policy and this Responsible Use Policy Agreement for grades one through twelve, and we have discussed the Policy and this Agreement. I understand that my child, in addition, will receive several lessons from the school librarian and classroom teacher about the Responsible Use Policy and the Responsible Use Policy Agreement.

I understand, and **have** explained to my child, that he or she may lose his or her privilege to use these resources ~~at school~~ and may be disciplined if he or she does not follow all of the rules outlined in the Responsible Use Policy and the Responsible Use Policy Agreement. I understand that my child and I may be held liable for costs incurred by my child's ~~deliberate~~ violation of the Policy **and/or Agreement including any intentional or unintentional damage to District technology devices such as Chromebooks.**

Student Name: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Parent or Guardian)

Parent/Guardian Printed Name: \_\_\_\_\_

I give permission to allow school personnel to ~~record audios~~, take photos, ~~or~~ **and audio or video recordings** ~~videos~~ of my child. These images or recordings, as well as student work, may be published in various locations, including ~~the school or the district~~ **District websites website**. I am aware that the **District** ~~district~~ has no control over any subsequent use or publication of the images, recordings, or student work so published. I am also aware that third parties, such as media or other parents/guardians, may take images of my child in school or at school events, and in those instances, the **District** ~~district~~ has no control over the use of those images once they are published.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Parent or Guardian)

**New Milford Public Schools**  
**Technology Devices Loan Agreement**

The New Milford Board of Education believes that all learners need and deserve 21st century learning opportunities to thrive as tomorrow's leaders, workers, and citizens. To this end, the Board is proud to offer students access to individually-assigned technology devices for academic purposes. Technology devices, such as Chromebooks, internet hotspot devices, tablets, power-cords, etc., may be used at school and at home consistent with the terms and conditions of this Agreement, the Board's Responsible Use Policy – Board Policy # 6141.321 – and the District's administrative regulations and procedures.

Access to District technology devices is a privilege and not a right. Accordingly, the Administration reserves the right to revoke a student's District technology device loan privileges if the terms of this Agreement and/or Board policies are not fully complied with.

By accepting possession of New Milford Public Schools' technology devices students agree to be bound by the following requirements, and parents/guardians agree to be financially responsible for the cost of repair or replacement of District technology devices in the event that their child's assigned technology device is lost, stolen or damaged whether intentionally or unintentionally.

**SECURITY**

1. I will know where my assigned technology devices are at all times.
2. I will never leave my assigned technology devices unattended.
3. I will secure my assigned technology devices when I am participating in PE by putting them in my locker or other secure location, unless instructed to bring a device to PE class by the teacher.
4. I will never loan my assigned technology devices to anyone.
5. I will, at all times, keep myself safe and will use my assigned technology devices only in areas where I can keep myself and my technology devices safe.

**(Student and Parent/Guardian initial here)** \_\_\_\_\_

**CARE**

6. I understand that certain technology devices may include a protective case that is to remain on the device at all times. This case may not be removed or replaced.
7. I will protect screens from scratches.
8. I will keep food and beverages away from my assigned technology devices since they may cause damage to them.
9. I will not mark, draw, write or place unapproved stickers on technology devices or their cases.

10. I will not disassemble or attempt any repairs on any part of any of my assigned technology devices since doing so may void a device's warranty.
11. If damage occurs, including, but not limited to, scratches, cracks or dents, I will report the damage to the school administration within 24 hours or as soon as possible thereafter.
12. In the case of theft or vandalism, I will file a police report and notify school administration within 24 hours or as soon as possible thereafter.

**(Student and Parent/Guardian initial here)** \_\_\_\_\_

### USAGE

13. I will follow the New Milford Board of Education's Responsible Use Policy (RUP) for use of NMPS' computers and network systems.
14. I will not reformat my assigned technology devices, tamper with their security settings, or change their operating systems.
15. I will adhere to all applicable copyright and software license agreements that forbid downloading of media and software that has not been legally acquired.
16. I will not engage in any harassment or acts of intimidation (cyber-bullying) in an attempt to harm other people using my assigned technology devices.

**(Student and Parent/Guardian initial here)** \_\_\_\_\_

### RESPONSIBILITY

17. I understand that my assigned technology devices are subject to inspection by any staff member, teacher or administrator at the school, at any time and without notice. I further understand that these technology devices remain the property of NMPS.
18. I agree to return my assigned technology devices, related accessories and device cases in good working condition (with the exception of normal wear and tear) immediately upon request by NMPS.
19. I will return my assigned technology devices to my school administrator (or designee) upon request. If I withdraw, am expelled, or terminate enrollment at my school for any reason, I will return my assigned technology devices and accessories on the date of termination to the school's administrator.

**(Student and Parent/Guardian initial here)** \_\_\_\_\_

I have read and agree to comply with these requirements and all New Milford Board of Education policies and regulations including the Board's Responsible Use Policy and accompanying administrative regulations. I agree to accept financial responsibility for damage to or loss of the technology devices indicated below while assigned to my child. I understand that this means that if one of my child's assigned technology devices is lost, damaged or stolen, I will be responsible for repair or replacement costs. In the event this occurs I will remit payment to the District as directed by the administration. I further understand that if a technology device is damaged or returned the timeliness of a replacement will be based on current NMPS' replacement inventory.

**Print Student Name (Last, First):** \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Parent (Guardian) Name: \_\_\_\_\_

Parent (Guardian) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Student School: \_\_\_\_\_

Assigned Device # 1: \_\_\_\_\_

Assigned Device # 2: \_\_\_\_\_

Assigned Device # 3: \_\_\_\_\_

Assigned Device # 4: \_\_\_\_\_

[YEARLY TECHNOLOGY REPLACEMENT COST SCHEDULE  
TO BE INSERTED AND UPDATED AS NECESSARY]

**NEW MILFORD PUBLIC SCHOOLS  
BOARD OF EDUCATION**

**EMPLOYEE ACKNOWLEDGMENT  
REGARDING  
COMPUTER AND INTERNET USE**

I have read and agree to comply with the terms of the New Milford Board of Education's policy no. 4118.4 or 4218.4 governing the use of the District's computer resources by school personnel. I understand that a violation may result in disciplinary action, including possible termination, as well as civil or criminal liability. I also understand that I am responsible for financial obligations resulting from my unauthorized use of the computer resources, and that the District may revoke my access privileges at any time.

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

Print: \_\_\_\_\_

**NEW MILFORD PUBLIC SCHOOLS  
BOARD OF EDUCATION**

**NOTICE REGARDING ELECTRONIC MONITORING**  
**of School District Personnel and Guest Users**

In accordance with Connecticut law, the New Milford Board of Education (“District”) hereby gives notice to all its employees of the potential use of electronic monitoring in its workplace. While the District may not actually engage in the use of electronic monitoring, it reserves the right to do so as management deems appropriate in its discretion, consistent with the provisions set forth in this notice.

“Electronic monitoring”, means the collection of information on District premises concerning employees’ activities or communications, by any means other than direct observation of the employees. Electronic monitoring includes the use of a computer, telephone, wire, radio, camera, electromagnetic, photo electronic or photo-optical systems.

The law does not cover the collection of information for security purposes in any common areas of District premises which are open to the public, or which is prohibited under other state or federal law.

The following specific types of electronic monitoring may be used by the District in its workplaces:

- Monitoring of e-mail, ~~Internet~~ internet usage and other components of the District’s computer resources for compliance with its policies, procedures and guidelines concerning use of such resources.
- Video and/or audio surveillance within the District’s facilities (other than in restrooms, locker rooms, lounges and other areas designed for the health or personal comfort of employees or for the safeguarding of their possessions).
- Monitoring of employee usage of District’s telephone systems.

The law also provides that, where electronic monitoring may produce evidence of misconduct, the District may use electronic monitoring without any prior notice when it has reasonable grounds to believe employees are engaged in conduct that violates the law, violates the legal rights of the District or other employees, or creates a hostile work environment.

**NEW MILFORD PUBLIC SCHOOLS  
BOARD OF EDUCATION  
New Milford, Connecticut**

**USER ACKNOWLEDGMENT  
REGARDING  
COMPUTER AND INTERNET USE**

I acknowledge receipt of the New Milford Board of Education's policy number 6141.321/4118.4/4218.4 governing the use of the District's computer resources. As a user of the Board's computer resources and ~~Internet~~ internet access, I agree to read and comply with the terms of the ~~District's~~ District's acceptable use policy. I understand that a violation of this policy may result in disciplinary action, including possible termination, as well as civil or criminal liability. I also understand that I am responsible for financial obligations resulting from my unauthorized use of the computer resources, and that the District may revoke my access privileges at any time.

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

Print: \_\_\_\_\_

<p style="text-align: center;"><b>RECOMMENDED FOR APPROVAL AT INITIAL BOARD PRESENTATION</b></p>
--

*COMMENTARY: The US Department of Education passed new regulations implementing Title IX of the Civil Rights Act and specifically addressing sexual harassment in public schools and post-secondary schools. The regulations go into effect on August 14, 2020. They proscribe specific definitions that must be used, new terminology that is required and specific procedures that must be followed when a student/employee either makes a report of sexual harassment or files a formal complaint requesting a formal investigation into alleged sexual harassment. The definition of sexual harassment used in the regulations is much narrower than the definition of sexual harassment under Title VII, the Connecticut Fair Employment Practices Act and that which is generally accepted under state law. For example, the regulations limit Title IX sexual harassment to conduct that occurred at “locations, events, or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment is alleged to have occurred.” It also excludes students who have graduated from bringing claims of sexual harassment. Under Title VII (the employment discrimination statute) the definition of a hostile work environment includes conduct that is “severe, pervasive, or objectively offensive.” The definition under the Title IX Regulations is “Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity.” As a result of these differences in the definition of “sexual harassment” we recommend that the Board – at least for the time being – maintain two separate sets of harassment policies – the existing policies (4118.112 & 5145.5) that address harassment pursuant to existing law – and these new policies that address sexual harassment pursuant to the definition contained in the new Title IX regulations.*

*Please note that if a student files a formal complaint, the regulations require a very regimented and adversarial process where all parties are allowed to be represented by an advocate, including an attorney, each party is required to be given equal access to all investigation materials and witness statements even if such information is confidential student information. There must be a formal appeal process and separate investigators, decision-makers and appeal decision makers. Significant training is required for all individuals who are part of the Title IX process.*

*There are currently at least four law suits against the US Department of Education challenging the new Regulations. In light of this, it is recommended that the District adopt a stand-alone Title IX Sexual Harassment policy and retain the “regular” sexual harassment policy for non-Title IX complaints of sexual harassment. This will make it easier to amend or withdraw the Title IX policy if things change due to the litigation.*

**4118.113/4218.113(a)**

## **Personnel – Certified/Non-Certified**

### **Title IX Sexual Harassment**

The District does not discriminate on the basis of sex in the education programs and activities that it operates. This requirement not to discriminate in the District’s education programs and activities extends to admission (as applicable) and employment. Sexual harassment is a form of sex discrimination and will not be tolerated among New Milford Public Schools’ students. It is the policy of the Board of Education that any form of sexual harassment is forbidden whether by students,



## **Personnel – Certified/Non-Certified**

### **Title IX Sexual Harassment**

supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the Board. Employees are expected to adhere to a standard of conduct that is respectful and courteous to employees, to students, and to the public. An employee found to be a responsible party for sexual harassment in violation of Title IX may be subject to discipline up to and including termination of employment. A finding that an employee is not a responsible party for conduct that violates Title IX does not prevent discipline of the employee if the conduct violates another Board policy, personnel rule or code of conduct. Employee conduct that is not sexual harassment as defined under the Title IX regulations may still be found to be sexual harassment under Connecticut state law and/or Title VII of the Civil Rights Act as set forth in Policy 4118.112/4218.112.

### **Definitions**

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

1. An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education program or activity, or
3. Sexual assault, dating violence, domestic violence or stalking.

Actual Knowledge: notice of sexual harassment or allegations of sexual harassment to the District's Title IX coordinator or any employee of an elementary and/or secondary school. This standard is not met where the only District employee with actual knowledge is the respondent.

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Education Program or Activity: includes locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment is alleged to have occurred.

Formal Complaint: a document filed by a complainant or signed by the school-based Title IX coordinators alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

## **Personnel – Certified/Non-Certified**

### **Title IX Sexual Harassment**

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Assault: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation as set forth in 20 USC §1092(f)(6)(A)(v).

Dating Violence: means violence committed by a person (a) who has been in a social relationship of a romantic or intimate nature with the victim, and (b) where the existence of such relationship shall be determined based on consideration of the following factors (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship as set forth in 34 U.S.C. §12291(a)(10).

Domestic Violence: includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Connecticut, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction as set forth in 34 U.S.C. §12291(a)(8).

Stalking: means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress as set forth in 34 U.S.C. §12291(a)(30).

Supportive Measures: non-disciplinary, non-punitive individualized services offered, as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment.

### **Procedure**

It is the express policy of the Board of Education to encourage victims of sexual harassment or those who have knowledge of sexual harassment to report such claims. Employees are encouraged to promptly report sexual harassment to the school-based Title IX coordinator or his/her designee. Victims of sexual harassment may file a report of sexual harassment and receive supportive measures. Victims of sexual harassment who want a formal investigation into the sexual harassment must file a written complaint of sexual harassment and request a formal investigation. Formal complaints will be investigated promptly and corrective action will be

**Personnel – Certified/Non-Certified**

**Title IX Sexual Harassment**

taken when the respondent is found, after an investigation, to be the responsible party. Retaliation against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding a claimed Title IX violation is prohibited and may result in disciplinary action against the retaliator.

Legal Reference: 20 U.S.C. § 1681 Title IX of the Education Amendments of 1972  
34 CFR Section 106 Regulations implementing Title IX  
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Policy adopted:

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

<p style="text-align: center;"><b>RECOMMENDED FOR APPROVAL AT INITIAL BOARD PRESENTATION</b></p>
--

*COMMENTARY: The US Department of Education passed new regulations implementing Title IX of the Civil Rights Act and specifically addressing sexual harassment in public schools and post-secondary schools. The regulations go into effect on August 14, 2020. They proscribe specific definitions that must be used, new terminology that is required and specific procedures that must be followed when a student/employee either makes a report of sexual harassment or files a formal complaint requesting a formal investigation into alleged sexual harassment. The definition of sexual harassment used in the regulations is much narrower than the definition of sexual harassment under Title VII, the Connecticut Fair Employment Practices Act and that which is generally accepted under state law. For example, the regulations limit Title IX sexual harassment to conduct that occurred at “locations, events, or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment is alleged to have occurred.” It also excludes students who have graduated from bringing claims of sexual harassment. Under Title VII (the employment discrimination statute) the definition of a hostile work environment includes conduct that is “severe, pervasive, or objectively offensive.” The definition under the Title IX regulations is “Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity.” As a result of these differences in the definition of “sexual harassment” we recommend that the Board – at least for the time being – maintain two separate sets of harassment policies – the existing policies (4118.112 & 5145.5) that address harassment pursuant to existing law – and these new policies that address sexual harassment pursuant to the definition contained in the new Title IX regulations.*

*Please note that if a student files a formal complaint, the regulations require a very regimented and adversarial process where all parties are allowed to be represented by an advocate, including an attorney, each party is required to be given equal access to all investigation materials and witness statements even if such information is confidential student information. There must be a formal appeal process and separate investigators, decision-makers and appeal decision makers. Significant training is required for all individuals who are part of the Title IX process.*

*There are currently at least four law suits against the US Department of Education challenging the new regulations. In light of this, it is recommended that the District adopt a stand-alone Title IX Sexual Harassment policy and retain the “regular” sexual harassment policy for non-Title IX complaints of sexual harassment. This will make it easier to amend or withdraw the Title IX policy if things change due to the litigation.*

**5145.7(a)**

## **Students**

### **Title IX Sexual Harassment of Students**

The District does not discriminate on the basis of sex in the education programs and activities that it operates. This requirement not to discriminate in the District’s education programs and activities extends to admission (as applicable) and employment. Sexual harassment is a form of sex discrimination and will not be tolerated among New Milford Public Schools’ students. It is the policy of the Board of Education that any form of sexual harassment is forbidden whether by students,

## Students

### Title IX Sexual Harassment of Students

supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the Board. Students are expected to adhere to a standard of conduct that is respectful and courteous to employees, to fellow students, and to the public. A student found to be a responsible party for sexual harassment in violation of Title IX may be subject to discipline up to and including expulsion. A finding that a student is not a responsible party for conduct that violates Title IX does not prevent discipline of the student if the conduct violates another Board policy or another provision of the student code of conduct. Student conduct that is not sexual harassment as defined under the Title IX regulations may still be found to be sexual harassment under Connecticut state law as set forth in Policy 5145.5.

### Definitions

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

1. An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education program or activity, or
3. Sexual assault, dating violence, domestic violence or stalking.

Actual Knowledge: notice of sexual harassment or allegations of sexual harassment to the District's Title IX coordinator or any employee of an elementary and/or secondary school. This standard is not met where the only District employee with actual knowledge is the respondent.

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Education Program or Activity: includes locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment is alleged to have occurred.

Formal Complaint: a document filed by a complainant or signed by the school-based Title IX coordinators alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

## **Students**

### **Title IX Sexual Harassment of Students**

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Assault: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation as set forth in 20 USC §1092(f)(6)(A)(v).

Dating Violence: means violence committed by a person (a) who has been in a social relationship of a romantic or intimate nature with the victim, and (b) where the existence of such relationship shall be determined based on consideration of the following factors (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship as set forth in 34 U.S.C. §12291(a)(10).

Domestic Violence: includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Connecticut, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction as set forth in 34 U.S.C. §12291(a)(8).

Stalking: means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress as set forth in 34 U.S.C. §12291(a)(30).

Supportive Measures: non-disciplinary, non-punitive individualized services offered, as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment.

### **Procedure**

It is the express policy of the Board of Education to encourage victims of sexual harassment or those who have knowledge of sexual harassment to report such claims. Students are encouraged to promptly report sexual harassment to the school-based Title IX coordinator or his/her designee. Victims of sexual harassment may file a report of sexual harassment and receive supportive measures. Victims of sexual harassment who want a formal investigation into the sexual harassment must file a written complaint of sexual harassment and request a formal investigation. Formal complaints will be investigated promptly and corrective action will be

## **Students**

### **Title IX Sexual Harassment of Students**

taken when the respondent is found, after an investigation, to be the responsible party. Retaliation against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding a claimed Title IX violation is prohibited and may result in disciplinary action against the retaliator.

Legal Reference: 20 U.S.C. § 1681 Title IX of the Education Amendments of 1972  
34 CFR Section 106 Regulations implementing Title IX  
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Policy adopted:

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

## FOR SECOND REVIEW

*COMMENTARY: If adopted by the Board the proposed amendments to this bylaw and bylaw # 9325 will limit the opportunity for public comment during Board meetings to “any resident of the Town of New Milford and any current employee of the New Milford Public Schools.” Under the First Amendment, governmental institutions such as the New Milford Board of Education are legally entitled to regulate the time, place and manner of public comment portions of meetings – or even eliminate public comment altogether – as long as the regulation is content-neutral – i.e. not directed at the speaker’s viewpoint.*

*Federal courts around the country have held that limiting public comment to relevant stakeholders is a reasonable and constitutionally permissible time, place and manner restriction. This bylaw and bylaw # 9325 limit public comment to residents and current employees, but the Board could expand the categories of eligible speakers if it wished to include other groups – for instance, all parents of NMPS’ students – which would include parents who live outside town.*

*In considering these proposed amendments, the Policy Committee and full Board should be aware that the enforceability of limiting the right to public comment to certain defined stakeholder groups may be quite challenging. Pursuant to the Freedom of Information Act, members of the public in general – not just New Milford stakeholders – are entitled to attend meetings of the Board and its subcommittee. Furthermore, the FOIA expressly prohibits public agencies from requiring members of the public from completing a “sign-in sheet” to attend a meeting. As such, it may be very difficult to verify that a person who wished to make a comment is in fact eligible to do so.*

*Additional language added in green following the July 21, 2020 BOE meeting.*

**9320(a)**

### **Bylaws of the Board**

#### **Meetings of the Board**

The Board of Education is a legal body which exists only when its members are assembled in official session. It is the responsibility of the Board to publicly convene for the purpose of conducting official business as required.

It is the policy of the Board to hold a regular meeting on the third Tuesday of each month. The Board shall also, when need dictates, conduct special meetings as called by the Board Chairperson, or upon request of three Board members. An agenda, prepared in accordance with the standards set forth in this policy, shall be publicly posted at least twenty-four hours prior to the time a meeting of the Board is to convene.

Official transactions of the Board shall ordinarily be conducted at the regular meeting. A special meeting, which has been called for a specific purpose, shall only address the specific order of business for which the meeting has been called.

1. So that the Board may be well prepared for meetings, all members shall receive the written agenda, as well as supporting information for items to be considered, at least two business days before a meeting of the Board.



## Bylaws of the Board

### Meetings of the Board

2. The Board shall meet in executive session as needed, in accordance with the circumstances prescribed by the Freedom of Information Act.
3. All meetings of the Board are open to the public. An “Opportunity For The Public To Be Heard” shall be scheduled at every meeting. During this portion of Board meetings any resident of the Town of New Milford, any parent of a child enrolled in New Milford Public Schools, and any current employee of the New Milford Public Schools may address the Board concerning any subject that lies within its jurisdiction.
4. The agenda of all meetings shall be prepared by the Superintendent in consultation with the Board Chairperson. Every effort should be made to prepare an agenda that will not require a meeting to extend more than three hours.
5. The following guidelines should be followed when listing agenda items; however, when necessary and reasonable, the Board may change the order of business on an agenda so that those items of particular interest to the public in attendance may be considered early in the meeting.
  - a. Recommended motions, including approval of minutes
  - b. Items for Discussion - reports, schedules, communications, etc.

(cf. 9323 – Construction/Posting of Agenda and 9325.2 – Order of Business)
6. All actions of the Board shall be recorded as the Board Minutes and kept on file as the permanent official record of the Board meeting proceedings.
7. A majority of the Board members (five) shall constitute a quorum for the transaction of business. (cf. 9325.1 – Quorum)
8. “Robert's Rules of Order, Revised” shall govern the proceedings of the Board except when in conflict with the Board Bylaws.
9. A meeting of the Board may be canceled by the agreement of a majority of the Board.
10. A listing of the regular meetings of the Board of Education shall be posted with the Town Clerk no later than January 31 of each year.

## Bylaws of the Board

### Meetings of the Board

Legal Reference: Connecticut General Statutes

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

1-225 Meetings of government agencies to be public.

1-227 Mailing of notice of meetings to persons filing written request.

1-228 Adjournment of meetings. Notice.

1-229 Continued hearings. Notice.

1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.

10-218 Officers. Meetings

Bylaw adopted by the Board:	January 9, 2001	NEW MILFORD PUBLIC SCHOOLS
Bylaw revised by the Board:	November 7, 2005	New Milford, Connecticut
Bylaw revised by the Board:	November 14, 2006	
Bylaw revised by the Board:	June 12, 2012	
Bylaw revised by the Board:	December 13, 2016 (effective date July 1, 2017)	

## FOR SECOND REVIEW

*COMMENTARY: If adopted by the Board the proposed amendments to this bylaw and bylaw # 9320 will limit the opportunity for public comment during Board meetings to “any resident of the Town of New Milford and any current employee of the New Milford Public Schools.” Under the First Amendment, governmental institutions such as the New Milford Board of Education are legally entitled to regulate the time, place and manner of public comment portions of meetings – or even eliminate public comment altogether – as long as the regulation is content-neutral – i.e. not directed at the speaker’s viewpoint.*

*Federal courts around the country have held that limiting public comment to relevant stakeholders is a reasonable and constitutionally permissible time, place and manner restriction. This bylaw and bylaw # 9320 limit public comment to residents and current employees, but the Board could expand the categories of eligible speakers if it wished to include other groups – for instance, all parents of NMPS’ students – which would include parents who live outside town.*

*In considering these proposed amendments, the Policy Committee and full Board should be aware that the enforceability of limiting the right to public comment to certain defined stakeholder groups may be quite challenging. Pursuant to the Freedom of Information Act, members of the public in general – not just New Milford stakeholders – are entitled to attend meetings of the Board and its subcommittee. Furthermore, the FOIA expressly prohibits public agencies from requiring members of the public from completing a “sign-in sheet” to attend a meeting. As such, it may be very difficult to verify that a person who wished to make a comment is in fact eligible to do so. Additional language added in green following the July 21, 2020 BOE meeting.*

**9325(a)**

### **Bylaws of the Board**

#### **Meeting Conduct**

Meetings of the Board of Education shall be conducted by the Chairperson of the Board of Education in a manner consistent with the adopted Bylaws of the Board.

All Board meetings shall commence at the stated time or as soon thereafter as a quorum is present and shall be guided by an Agenda which will have been prepared and delivered in advance to all Board Members and other designated persons.

The meetings shall, to the fullest possible extent, enable Members to conduct the business of the Board in an orderly, expeditious manner.

Provisions for permitting ~~any individual or group to~~ **resident of the Town of New Milford, any parent of a child enrolled in New Milford Public Schools, or any current employee of the New Milford Public Schools** to address the Board concerning any subject that lies within its jurisdiction shall be as follows:

1. A 3 minute time limit may be allowed to each speaker with a maximum of 20 minutes per meeting being allocated for any one item.

## Bylaws of the Board

### Meeting Conduct

2. The Chairperson shall not permit actions which disrupt or interrupt the orderly conduct of the Board meeting. A willful participant in such conduct will be asked to leave the meeting of the Board. In case of a general disturbance the meeting room may be cleared except for non-participating representatives of the press.
3. The Board may, by a majority vote, decide to cancel or extend the 20 minutes allotted per item.
4. Questions which can be answered during the meeting may be answered at the option of the Board. Other inquiries which may require analysis/investigation will, at the option of the Board, be answered at a future specified date.
5. If a ~~member of the public~~ **resident of the Town of New Milford or a current employee of the New Milford Public Schools** makes an oral presentation about the performance of a Board member or employee, whether named or not, including charges or complaints, the Board shall not discuss such performance – whether in public or executive session—unless the topic is an explicit item on the agenda and the employee or Board member has been provided the requisite notice and due process required by law. In such circumstances, the Board may inform the ~~member of the public~~ **Town resident or employee** that all such charges or complaints concerning individual Board members or the Superintendent should be sent to the Chairperson of the Board and to such other Members as deemed appropriate and all such charges or complaints concerning individual employees of the Board should be sent to the immediate superior of the person to whom the complaint relates. If a satisfactory answer is not received, then a written appeal may be filed with the next higher authority.

Bylaw adopted by the Board: January 9, 2001  
 Bylaw revised: May 12, 2015

NEW MILFORD PUBLIC SCHOOLS  
 New Milford, Connecticut

# **NEW MILFORD PUBLIC SCHOOLS**

**Accounting Department**

**50 East Street**

**New Milford, Connecticut 06776**

**(860) 210-2201ext 223 FAX (860) 355-4966**

To: Dr. Paul Smotas, Interim Superintendent  
From: Kathy Sanders, Accounting Manager  
Date: August 3, 2020  
Re: Authorized Signature Change – Exhibit B

---

The following action is recommended effective August 19, 2020:

The New Milford Board of Education hereby resolves that Dr. Paul Smotas, Interim Superintendent, is an authorized signatory on the following Webster Bank accounts for the New Milford Public Schools:

Hill and Plain Activity Master Fund  
Hill and Plain Operations Master Fund  
Northville Activity Master Fund  
Northville Operations Master Fund  
Sarah Noble Activity Master Fund  
Sarah Noble Operations Master Fund  
Schaghticoke Activity Master Fund  
Schaghticoke Operations Master Fund  
Schaghticoke Student Awards Master Fund  
NMHS Activity Master Fund  
NMHS Operations Master Fund  
NMHS Class of Master Fund  
NMHS Scholarship Account  
Noble B. Booth Scholarship Passbook Account  
School Lunch Activity Fund  
Adult Education Provider Account  
Adult Education Account  
NM School Building Use Fund  
NM Public Schools Central Office Operations  
Flexible Spending Account (FSA)  
BOE Medical Expenses  
Grants Account  
Capital Account

Comments:

Two signatures required on accounts.

The account numbers have been intentionally left blank.

**SUMMARY OF MATERIAL MODIFICATIONS**  
**for the**

New Milford Public Schools Cafeteria Plan  
(Name of Plan)

**I**  
**INTRODUCTION**

This is a Summary of Material Modifications regarding the New Milford Public Schools Cafeteria Plan ("Plan"). This is merely a summary of the most important changes to the Plan and information contained in the Summary Plan Description ("SPD") previously provided to you. It supplements and amends that SPD so you should retain a copy of this document with your copy of the SPD. If you have any questions, contact the Administrator. If there is any discrepancy between the terms of the Plan, as modified, and this Summary of Material Modifications, the provisions of the Plan will control.

**II**  
**SUMMARY OF CHANGES**

This amendment is effective January 1, 2020.

You may now request reimbursement for the purchase of "over the counter" drugs without a prescription.

You may now request reimbursement of the purchase of menstrual care products, including tampons, pads, and other products.

For the 2020 plan year, you may carryover amounts up to \$550 that are left in your Health Flexible Spending Account. This means that amounts you did not use during the 2020 Plan Year can be carried over to the 2021 Plan Year and used for expenses incurred in the 2021 Plan Year. This amount will be adjusted in future plan years.

If you did not spend all the amounts in your *[Health Flexible Spending Account]*, *[Dependent Care Flexible Spending Account]* by the end of the 2019 Plan Year, you may continue to incur claims for expenses for a 2019 calendar year or off calendar year plan ending within 2020 until December 31, 2020.

The deadlines for submitting claims, exercising HIPAA special enrollment rights, and electing COBRA coverage will be extended due to the pandemic. If you are submitting claims incurred after March 1, or electing special enrollment rights or electing COBRA coverage, you will have an extended period in which to submit claims or make these elections. Your Administrator will provide you with details.

## 2020 AMENDMENT FOR CARES ACT AND OTHER CHANGES

### ARTICLE 1 PREAMBLE; DEFINITIONS

- 1.1 **Adoption of Amendment.** The Employer adopts this Amendment to implement provisions of the Act and other regulations and Notices issued by the IRS or DOL which affect the Plan.
- 1.2 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any "Section" reference in this Amendment refers only to this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment and does not relate to the Plan article, section, or other numbering designations.
- 1.4 **Effect of restatement of Plan.** If the Employer restates the Plan then this Amendment shall remain in effect after such restatement unless the provisions in this Amendment are restated or otherwise become obsolete (e.g., if the Plan is restated onto a plan document which incorporates these provisions).
- 1.5 **Definitions.** Except as otherwise provided in this Amendment, terms defined in the Plan will have the same meaning in this Amendment. The following definition applies specifically to this Amendment:

The "Act" is the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act. This Amendment shall be interpreted and applied to comply with the Act.

### ARTICLE 2 IDENTIFYING INFORMATION; EMPLOYER ELECTIONS

- 2.1 **Identifying information.**
- A. Name of Employer: New Milford Public Schools
- B. Name of Plan: New Milford Public Schools Cafeteria Plan
- 2.2 **Medical Expenses.** Will the Plan reimburse any or all of the following amounts, as described in Article 3, for Participants?
- (a) ☒ **Over the Counter Medications.**
- (b) ☒ **Menstrual products.**
- (c) ☐ **Telehealth (to the extent not otherwise provided).**
- 2.6 **Carryover.** Will the Plan adopt the carryover provisions and/or the new adjustment for the carryover of amounts to be used in the health flexible spending account - \$550 for Plan Years beginning on or after January 1, 2020, and adjusted in future years, as described in Article 5.
- (a) ☒ **Yes.**
- (b) ☐ **No.**
- 2.7 **Grace Period and Extended Claims Period for Unused Amounts.** Will the Plan adopt the extension of time through December 31, 2020 to permit employees to apply unused amounts remaining in the Health Flexible Spending Account and/or Dependent Care Flexible Spending account as described in Article 6.3?
- (a) ☒ **Yes, and the extension will apply to:**
- (1) ☒ **Health Flexible Spending Account.**
- (2) ☒ **Dependent Care Flexible Spending Account.**
- (b) ☐ **No.**

- 2.8 **Effective Date.** This Amendment is effective as of January 1, 2020, or, if later, the following date: N/A. Expenses must be incurred after N/A. (Enter a date not earlier than December 31, 2019.)

### ARTICLE 3 MEDICAL EXPENSES REIMBURSED

- 3.1 **Application.** The Plan's definition of "Medical Expenses" under the Plan is amended by the addition of the following provisions as selected at Section 2.2.
- 3.2 **Over the Counter Medications.** This Section 3.2 applies if the Employer has made Election 2.2(a). Notwithstanding anything in the Plan to the contrary, a Participant may be reimbursed for the cost of any medicine or drug for medical care, within the meaning of the term "medical care" as defined in Code Section 213(d) and the rulings and Treasury regulations thereunder, determined without regard to whether medicines or drugs have been prescribed. Insulin remains a covered expense. The intention of this provision is to permit coverage for over the counter medications.
- 3.3 **Menstrual Products.** If the Employer has made Election 2.2(b), a Participant may be reimbursed for the purchase of menstrual care products as defined in Code Section 223(d)(2)(D) and as authorized in Code Section 106(f).

### ARTICLE 5 HEALTH FLEXIBLE SPENDING ACCOUNT CARRYOVER

- 5.1 **Application.** This Section 5.1 will apply if the Employer has made Election 2.6. A Participant in the Health Flexible Spending Account may carry over up to \$550 for a Plan Year beginning on or after January 1, 2020 of unused amounts in the Health Flexible Spending Account remaining at the end of one Plan Year to the immediately following Plan Year, subject to any further provisions or restrictions of the Plan. Such limit shall be adjusted in future years, as indexed to 20% of the statutory limit under Code Section 125(i) for health flexible spending accounts.

### ARTICLE 6 CLAIMS SUBMISSION AND OTHER DEADLINES

- 6.1 **Application.** The Plan's deadlines contained within its claims procedures, and various other statutory deadlines are temporarily extended by the "outbreak period" as set forth in IRS Notice 2020-23, EBSA Disaster Relief Notice 2020-01, the joint notice of the IRS and DOL published May 4, 2020, entitled "Extension of Certain Timeframes for Employee Benefit Plans, Participants, and Beneficiaries Affected by the COVID-19 Outbreak," and subsequent guidance. Such deadlines shall include but are not limited to HIPAA special enrollment, COBRA elections and claims procedure deadlines, including initial filing and appeal of adverse benefit determination.
- 6.2 **"Outbreak Period."** The "outbreak period" begins March 1, 2020 and extends until 60 days after the end of the National Emergency or such other date as announced by the IRS and DOL, or otherwise declared by the Federal government as a result of the national emergency due to the COVID 19 pandemic.
- 6.3 **Grace Period and Extension of Unused Amounts.** This Section 6.3 will apply if the Employer has made Election 2.7. If the Plan uses a grace period for the Health Flexible Spending Account and/or Dependent Care Flexible Spending Account, the grace period for a calendar year Plan now extends to December 31, 2020. For a grace period or plan year that ends within 2020, the Plan may permit expenses to be paid or reimbursed through December 31, 2020. Unless such Health Flexible Spending Account is a limited purpose flexible spending account, a Participant will not be permitted to contribute to a Health Savings Account (HSA) during the extended period.



### CERTIFICATE OF ADOPTING RESOLUTION

The undersigned authorized representative of New Milford Public Schools (the Employer) hereby certifies that the following resolution was duly adopted by Employer on August 18, 2020, and that such resolution has not been modified or rescinded as of the date hereof;

RESOLVED, this Amendment to the New Milford Public Schools Cafeteria Plan is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Plan Administrator the Amendment and to take any and all actions as it may deem necessary to effectuate this resolution.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

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

Signed: \_\_\_\_\_

\_\_\_\_\_  
[print name/title]

\* \* \* \* \*

This Amendment has been executed this 18 day of August, 2020.

Name of Plan: New Milford Public Schools Cafeteria Plan

Name of Employer: New Milford Public Schools

By: \_\_\_\_\_  
EMPLOYER



Smotas, Paul CO Superintendent Interim <smotasp@newmilfordps.org>

---

## Parking

1 message

---

**Shugrue, Greg HS Principal** <shugrueg@newmilfordps.org>

Wed, Aug 12, 2020 at 1:12 PM

To: "Smotas, Paul CO Superintendent Interim" <smotasp@newmilfordps.org>

Good Afternoon,

I'm respectfully asking the student parking fee of \$215 for the school year be temporarily suspended. I'm suggesting that we suspend for the 1st quarter which ends on November 13, 2020, or suspend for the entire 1st semester, which ends February 2, 2021. I think asking students/families to pay this fee when we are returning to school in a hybrid mode is excessive.

Thanks



Greg P. Shugrue  
Principal  
New Milford High School  
388 Danbury Rd.  
New Milford, CT 06776  
860-350-6647  
860-210-2256 (fax)  
Follow on Twitter:  
@MrShugrue  
@NMHS\_CT

The information contained in this communication may be confidential or legally privileged and is intended only for the recipient named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication or its contents is strictly prohibited. If you have received this communication in error, immediately advise the sender and delete the original and any copies from your computer system.

ENHANCE A COLOUR, CORP.

Estimate

15 OLD NEWTOWN RD  
DANBURY, CT 06810-6210

Date	Estimate #
8/13/2020	44945

Name / Address
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Ship To
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Terms	Rep	FOB
Deposit, bal. at...	RO	

Qty	Description	Rate	Total
	Company: New Milford Public Schools Contact: Kevin Munret Sales Rep: Ryan OConnor  Project- Add ons 2 Turn around: Approval August 19th Delivery September 4th Cafeteria Registers		
9	Visual:Cafeteria registers QUantity: 9 NMHS-4 SMS-3 HPS-1 NES-1 Size: 23" W x 42" H x 36" D FACE- Large teacher shield window Side- 28" W x 20" H Pass thru 16" W x 4" H Sides Material: Polycarbonate Clear White Plastic Provide 4 clips Finishing: Cut to size, assemble	260.00	2,340.00T
	Cash registrer Metal Sign		

<b>Subtotal</b>
<b>Sales Tax (0.0%)</b>
<b>Total</b>

ENHANCE A COLOUR, CORP.

Estimate

15 OLD NEWTOWN RD  
DANBURY, CT 06810-6210

Date	Estimate #
8/13/2020	44945

Name / Address
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Ship To
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Terms	Rep	FOB
Deposit, bal. at...	RO	

Qty	Description	Rate	Total
1	Visual: Metal frame Quantity: 1 size: 96" W x 42" H with a 8" H bottom pass thru 8" x 8" Base Bottoms Material: 1" Square aluminum with steel plate and polycarbonate window Finishing: Cut to size and fabricate Pricing: \$385.00	385.00	385.00T
141	SMS Straight Dividers Visual: 30" W x 23" H Straight dividers Quantity: 141 Size: 30" W x 23" H x 8" D Material: 4Mil Coroplast Polycarbonate Finishing: Cut to size and fabricate Pricing: Per Unit- \$30.00 140 Units- \$4200	30.00	4,230.00T

<b>Subtotal</b>
<b>Sales Tax (0.0%)</b>
<b>Total</b>

ENHANCE A COLOUR, CORP.

Estimate

15 OLD NEWTOWN RD  
DANBURY, CT 06810-6210

Date	Estimate #
8/13/2020	44945

Name / Address
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Ship To
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Terms	Rep	FOB
Deposit, bal. at...	RO	

Qty	Description	Rate	Total
11	Visual: 36" W x 23" H Straight dividers Quantity: 11 Size: 36" W x 23" H x 8" D Material: 4Mil Coroplast Polycarbonate Finishing: Cut to size and fabricate Pricing: Per Unit- \$35.00 11 Units- \$385.00	35.00	385.00T
55	Visual: 24" W x 23" H Straight dividers Quantity: 55 Size: 24" W x 23" H x 8" D Material: 4Mil Coroplast Polycarbonate Finishing: Cut to size and fabricate Pricing: Per Unit- \$25.00 55 Units- \$1,375.00 5ft Round 4 Way	25.00	1,375.00T

<b>Subtotal</b>
<b>Sales Tax (0.0%)</b>
<b>Total</b>

ENHANCE A COLOUR, CORP.

Estimate

15 OLD NEWTOWN RD  
DANBURY, CT 06810-6210

Date	Estimate #
8/13/2020	44945

Name / Address
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Ship To
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Terms	Rep	FOB
Deposit, bal. at...	RO	

Qty	Description	Rate	Total
11	Visual: 5ft Round 4 Way QUANTITY: 11 Size: 60" W x 60" H x 23" H Material: 4Mil Plastic with Polycarbonate Provide 4 Clips Finishing: Cut to size Pricing:  per Unit- \$150.00 11 Units- \$1650.00	150.00	1,650.00T
12	Horse SHoe High School Dividers Visual: High School Dividers Quantity: 12 Size: 23" W x 23" H x 11" D Material: 4Mil Plastic with Polycarbonate window Finishing: Assemble and cut to size Cafeteria Add Ons 5ft Round Tables 6 Way	30.00	360.00T

<b>Subtotal</b>
<b>Sales Tax (0.0%)</b>
<b>Total</b>

ENHANCE A COLOUR, CORP.

Estimate

15 OLD NEWTOWN RD  
DANBURY, CT 06810-6210

Date	Estimate #
8/13/2020	44945

Name / Address
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Ship To
New Milford Public Schools Kevin Murnett Facilities Manager 50 East Street, New Milford, CT 06776

Terms	Rep	FOB
Deposit, bal. at...	RO	

Qty	Description	Rate	Total
54	Visual: 6ft 6way Quantity: 54 SMHS-54 Size: 72" W x 72" L x 23" H See Drawing Material: Polycarbonate Window White Plastic Plastic Clips with foam tape (12 clips per unit) 3D Printed or Coroplast Center Finishing: EAC will cut and assemble and provide clips Pricing:  Per Unit- \$310.00 54 Units \$16,740.00	310.00	16,740.00T
1	Delivery to Customer	100.00	100.00T

<b>Subtotal</b>	\$27,565.00
<b>Sales Tax (0.0%)</b>	\$0.00
<b>Total</b>	\$27,565.00



# Memo from the Department of Human Resources - **REVISED**

TO: Dr. Paul Smotas, Interim Superintendent  
CC: Mrs. Laura Olson, Director of PPSS; Ms. Alisha DiCorpo, Assistant Superintendent;  
Mr. Kevin Munrett, Director of Facilities; Mr. Brandon Rush, Director of Technology;  
Mrs. Sandra Sullivan, Director of Nutrition and Food Services; Mr. Anthony Giovannone,  
Director of Fiscal Services and Operations  
FROM: Ellamae Baldelli, Director of Human Resources  
RE: Possible Staffing Requests for the 2020-2021 school year  
DATE: August 13, 2020

---

In light of the discussions that were had with Dr. Parker about the reopening of schools for the 2020-2021 school year and the need for additional staff and/or support, I have compiled a list of the staffing requests submitted by Mrs. Laura Olson, Ms. Alisha DiCorpo, Mr. Brandon Rush, and Mr. Kevin Munrett. Also included in this list are district-wide requests. Mrs. Olson, Ms. DiCorpo, Mr. Rush, and Mr. Munrett will speak to their requests on Tuesday evening.

## **Mrs. Laura Olson, Director of PPSS**

- There is a need to have an isolation room at each of the five schools. Mrs. Olson and Mr. Munrett worked together to designate an isolation room in each building. After discussions with the school nurses, Mrs. Olson suggested that there may be a possibility to staff those rooms with nurse paraeducators.
  - There is a concern with using nurse paraeducators in this position because they are not trained to perform this level of supervision and shouldn't be left alone in these rooms. Currently, our nurse paraeducators are in the Nurses' offices under the supervision of the school nurses;
  - If this is a viable option, then conversations with the Paraeducators' Union would be necessary. (This may result in a side letter, Memorandum of Understanding or impact bargaining may be necessary to address the changes in working conditions;
  - Another option would be to have a discussion with the Nurses' Union to see if they would be agreeable to the possibility of hiring LPNs. (This may result in a side letter, Memorandum of Understanding or impact bargaining may be necessary to address the changes in working conditions;
  - If neither of these options are feasible, then five (5) RNs would need to be hired;
- A part-time nurse for Adult Education Night Classes (four evenings per week).

Note: Nurses' salaries run from \$45,599 - \$54,512. That is salary only; no benefits.  
Nurse paraeducators' beginning salary is \$15.06/hour, seven (7) hours per day, approximately \$19,081.

**Recommendation:**

My recommendation is to seek Dr. Hack's guidance as to how to staff these rooms. Once we have that answer, we will know what our next steps will be. I am also recommending that these positions be temporary as we reopen with the hybrid model. Should we go to the all-in model at any time during the school year, then they should become full-time positions. Should we go to all remote learning then these positions will not be required.

**Final Recommendation: Mrs. Olson is checking with Dr. Hack as to whom should be supervising the isolation rooms in each building. Once we have that information a decision will be made as to what staffing is needed.**

**Mr. Kevin Munrett, Director of Facilities**

- There is a need for additional custodial help in all our schools and at Central Office to perform cleaning and sanitizing duties on a daily basis while students and staff are in the buildings. The following are options to consider:
  - The possibility of hiring temporary custodial substitutes who will work under 20 hours per week. This will require discussions with the Teamsters' Union which may result in either a side letter, a Memorandum of Understanding or the need to negotiate impact bargaining over working conditions;
  - The possibility of hiring an outside contracted cleaning company, and
  - The possibility of staggered shifts which would include overtime;
- We currently use outside services for certain HVAC issues or situations that arise. There has been discussion as to whether we want to reconsider adding this position back in light of COVID-19.

Note: The average salary for a custodian is approximately \$50,000. This is salary only; no benefits. The average salary for an HVAC position is approximately \$60,000. This is salary only; no benefits.

**Recommendation:**

My recommendation is that we collaborate with the Teamsters' Union to create these temporary part-time custodial positions as we reopen with the hybrid model. Should we go to the all-in model at any time during the school year, then they will be needed each day. Should we go to all remote learning then these positions will not be required.

**Final recommendation: A total of ten temporary sanitation attendant positions, 19 hours per week, will need to be hired. There will be two positions assigned to each building for sanitizing touch-points and cleaning bathrooms.**

**Ms. Alisha DiCorpo, Assistant Superintendent and  
Mr. Brandon Rush, Director of Technology**

- Nine (9) FTEs--Integrated Technology Specialists (Teachers) (1 each at H&P and NES; 2 each at SNIS and SMS and 3 at NMHS). Five additional days are requested for preparation.
  - One option would be to reduce the number of requested certified staff and then create some stipend positions; a stipend position would be paid by the hourly per diem rate depending on the number of hours designated for the position;
  - Another option would be to reassign certain certified staff if possible.

Note: The salary for these teacher positions could range from \$54,638 - \$64,279. This is salary only; no benefits.

**Recommendation:**

My recommendation is to create one of these positions at each school and add some stipend positions if necessary. If there is any possibility to reassign certified staff, this would be the best option with some stipend positions as needed. I believe these positions will be needed all year, no matter what model we are in.

**Final Recommendation: Five new positions, Integrated Technology Specialist, will need to be hired.**

**Mr. Brandon Rush, Director of Technology**

- An additional 1.0 Computer Technician position
- Eight hundred seventy ( 870) additional hours (OT) for work getting schools ready to open for Computer Technician I and Computer Technician II positions

Note: The salary for a Computer Tech I position ranges from \$21.82 - \$24.01/per hour/per a forty (40) hour week and for the Tech II position between \$23.61 - \$25.99 per hour/per a forty (40) hour week. OT wages would prevail for these 870 hours.

**Recommendation:**

My recommendation is that the request for an additional computer technician be temporary, based on the needs for opening the school year. The additional eight hundred seventy hours are also essential for the opening of the school year.

**Final recommendation: Eight hundred seventy additional hours will be necessary to assist with the reopening of schools. An additional temporary technical support position, 35 hours per week, will be needed to assist with more complex technological work.**

## **Mrs. Sandra Sullivan, Director of Food and Nutrition Services**

There are two options for serving lunches that were discussed:

- All students come to the cafeteria and are served their lunches. There would be no increase in staff.
- Grab and Go Bags - additional staffing and equipment will be needed. Cost to be determined.
- In addition, we are required to offer breakfast and lunch to both in school and remote learning students (paid, free and reduced). The pickup for remote learners, district wide, under the Hybrid plan would be from SNIS on Wednesdays where they would receive three days' worth of meals. This Wednesday meal pickup versus every day pick up will eliminate the need for additional staff.

### **Recommendation:**

It is my understanding that Mrs. Sullivan is recommending serving students in the cafeteria rather than going with bagged lunches and eating in classrooms. There would be no additional staffing needs for this scenario. Discussions are currently happening to decide what other locations in our school buildings beside the cafeteria will be needed to seat students during lunch.

**Final Recommendation: No additional staffing needed.**

### **District-wide**

The following topics were discussed:

- A Nurse Facilitator district-wide to deal with COVID-19 related issues/situations;
- The possibility of adding a Bus Transportation Liaison --NBU position. Salary to be determined;
- The possibility of adding bus monitors; conversations were had about the possibility of hiring temporary substitutes at minimum wage for morning and afternoon runs, hours to be determined. Not very feasible to find 60+ substitutes.
- The possibility for the need to provide New Milford Police coverage for the increase in traffic for parent drop off/pick up, cost TBD.
- The possibility of additional certified staff, cost TBD

**Recommendation:** More discussion needs to happen before I can make a recommendation.

The options around bus transportation, specifically the bus transportation liaison and bus monitors, as well as police coverage at our schools in the morning and at dismissal, were

suggestions that were made at the first Human Resources and Transportation Sub-Group committee meeting. I would be happy to speak about them at the Board's Operations' sub-committee meeting on Tuesday, August 11.

The option of a district-wide Nurse Facilitator for COVID-19 issues stemmed from several Administrative Cabinet meetings with Dr. Parker.

Any recommendation for additional staff, whether certified or non-certified, cannot be made at this time. I will be happy to speak to this on Tuesday night.

**Final Recommendation:**

**A Nurse Facilitator will be out sourced.**

**Bus Transportation Liaison will be handled with current Business Office staff.**

**Bus monitors are not an option.**

**Police presence at schools in the mornings and afternoons will be provided in collaboration with the NMPD.**

**No additional certified staffing is required at this time.**

I am available to meet with you to discuss this memo.

**NEW MILFORD PUBLIC SCHOOLS  
Office for Student Affairs  
50 EAST STREET  
NEW MILFORD, CONNECTICUT 06776  
(860) 354-2654 FAX (860) 210-2682**



**Laura M. Olson**  
**Director of Special Services and Pupil Personnel**

Date: August 13, 2020

TO: Dr. Paul Smotas, Interim Superintendent of Schools

From: Laura Olson, Director of Pupil Personnel and Special Services

Subject: Increase in staffing at Litchfield Hills Transition Center: A.R. vs Ct State Board of Education 3:16-cv-01197 (CSH)

---

Recently, the United States District for Connecticut published a decision granting summary judgement against the Connecticut State Board of Education. According to the decision, special education and related services under IDEA must remain available until the student's 22<sup>nd</sup> birthday.

Based on this decision, it is anticipated that students who may have recently exited from our LHTC program, could return for additional transition services until/up to their 22<sup>nd</sup> birthday. The program currently has twelve students enrolled with 1.5 FTE special education teachers. Due to the new legislation, I am requesting an additional .5 FTE teacher at LHTC for the 2020-2021 school year.

Cc: Ellamae Baldelli, Director of Human Resources  
Anne Bilko, Principal at SNIS

NEW MILFORD PUBLIC SCHOOLS

**EXHIBIT A**

Regular Meeting of the Board of Education  
New Milford, Connecticut  
August 18, 2020

ACTION ITEMS

A. Personnel

**1. CERTIFIED STAFF**

**a. RESIGNATIONS**

- 1. Ms. Marley Koschel**, EXCEL Special Education Teacher, Northville Elementary School effective July 15, 2020.
- 2. Mrs. Stephanie Sagaria**, Elementary Teacher, Northville Elementary School effective July 13, 2020.

Moved out of state

Personal Reasons

**2. CERTIFIED STAFF**

**b. NON-RENEWALS**

- 1. None currently**

**3. CERTIFIED STAFF**

**c. APPOINTMENTS**

- 1. Ms. Rachel Gall**, Science Teacher, Schaghticoke Middle School effective August 28, 2020.  
2020-2021 salary - \$64,279 (Step 8 Masters)
- 2. Mrs. Kimberly McCarthy**, TESOL Teacher, Hill and Plain School effective August 28, 2020.  
2020-2021 salary - \$58,817 (Step 5 Masters)
- 3. Mr. Daniel Miller**, TESOL Teacher, Hill and Plain School effective August 28, 2020.  
2020-2021 salary - \$54,638 (Step 2 Masters)

*Education History:*  
BA: Barnard College  
Major: Physics  
MS: University of Bridgeport  
Major: Secondary Education

*Work Experience:*  
3.5 yrs. Salisbury Central School  
2 yrs. North Canaan Schools  
1 yr. Massachusetts

Replacing: B. Hubbard

*Education History:*  
BA: CCSU  
Major: Communications  
MA: Manhattanville College  
Major: Elementary Education

*Work Experience:*  
4 yrs. New York  
2.5 yrs. EL Tutor Brookfield

New Budgeted

*Education History:*  
BS: Sacred Heart University  
Major: Math  
MA: Sacred Heart University  
Major: Secondary Education

*Work Experience:*  
7 yrs. China  
2 yrs. ESL Teacher – online California

New Budgeted

**4. MISCELLANEOUS STAFF**

**a. RESIGNATIONS**

1. None currently

**5. MISCELLANEOUS STAFF**

**b. APPOINTMENTS**

1. None currently

**6. NON-CERTIFIED STAFF AND LICENSED STAFF**

**a. RESIGNATIONS**

1. **Mrs. Thelxi Gladstone**, Part-Time Paraeducator, Northville Elementary School effective August 6, 2020.
2. **Mrs. Jenilyn Schweitzer**, General Food Services Worker, New Milford High School effective July 21, 2020.

Personal Reasons

Moving out of state

**7. NON-CERTIFIED AND LICENSED STAFF**

**b. APPOINTMENTS**

1. **Ms. Jobi Bieluch**, Co-Nurse Coordinator, District-wide effective September 8, 2020.  
2020-2021 stipend - \$3,000 (\$6,000 x 50%)
2. **Mrs. Kristin Saplio**, Part-Time Special Education Paraeducator, Northville Elementary School effective September 3, 2020.
3. **Mrs. Betsey Thibodeau**, Co-Nurse Coordinator, District-wide effective September 8, 2020.  
2020-2021 stipend - \$3,000 (\$6,000 x 50%)

Staff member since 2019

\$15.06 per hour - Hire Rate  
\$16.64 per hour – Job Rate  
(after completion of probationary period)  
3.5 hours per day/5 days per week

New Budgeted Position

Staff member since 2019

**8. ADULT EDUCATION STAFF**

**a. RESIGNATIONS**

1. None currently

**9. ADULT EDUCATION STAFF**

**b. APPOINTMENTS**

1. **Mr. Peter Caswell**, Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.

Hourly rate: \$36.41

*Education History:*  
BS: Univ. of Mass, Lowell  
Major: Meteorology  
MA: WCSU  
Major: Earth & Planetary Sciences



- |   |  |
|---|--|
| <b>2. Mr. Ryan Eberts</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.            | Hourly rate: \$36.41<br><br><i>Education History:</i><br>BA: Dickinson College<br>Major: Economics<br>MA: Sacred Heart University<br>Major: Education  |
| <b>3. Mr. Greg Garner</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.            | Hourly rate: \$36.41<br><br><i>Education History:</i><br>BA: WCSU<br>Major: History<br>MS: Mercy College<br>Major: Elementary Education<br><br>Current Staff Member  |
| <b>4. Mr. Brad Jones</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.             | Hourly rate: \$36.41<br><br><i>Education History:</i><br>BS: Clarkson University<br>Major: Engineering & Management<br>MS: University of Bridgeport<br>Major: Elementary Education<br><br>Current Staff Member |
| <b>5. Mrs. Jennifer LaCava</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.       | Hourly rate: \$36.41<br><br><i>Education History:</i><br>BA: Muhlenberg College<br>Major: English<br><br>Current Staff Member  |
| <b>6. Mrs. Megan Malizia-Boswell</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020. | Hourly rate: \$36.41<br><br><i>Education History:</i><br>BA: WSCU<br>Major: Psychology<br>MS: University of Bridgeport<br>Major: Education<br><br>Current Staff Member   |
| <b>7. Mrs. Theresa McGuinness</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.    | Hourly rate: \$36.41<br><br><i>Education History:</i><br>BS: WSCU<br>Major: Elementary Education<br><br>Current Staff Member   |

<b>8. Mr. Joseph Neff</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.	Hourly rate: \$36.41  <i>Education History:</i> BS: E. Kentucky University Major: Industrial Arts MS: WCSU Major: School Counseling
<b>9. Mr. Justin Ongley</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.	Hourly rate: \$36.41  <i>Education History:</i> BA: University of NH Major: English MA: Sacred Heart University Major: Education
<b>10. Mrs. Katelynn Oviatt</b> , Adult Education Mandated Teacher, Adult Education Program effective September 8, 2020.	Hourly rate: \$36.41  <i>Education History:</i> BS: WSCU Major: Secondary Education - Math
<b>10. BAND STAFF</b> <b>a. RESIGNATIONS</b> 1. None currently	Current Staff Member
<b>11. BAND STAFF</b> <b>b. APPOINTMENTS</b> 1. None	
<b>12. COACHING STAFF</b> <b>a. RESIGNATIONS</b> 1. <b>Mr. Evan Cassells</b> , Freshman Football Coach at New Milford High School effective June 18, 2020.	Current Staff Member
<b>13. COACHING STAFF</b> <b>b. APPOINTMENTS</b> 1. None currently	Personal Reasons
<b>14. LEAVES OF ABSENCE</b> 1. <b>Mrs. Allison Parke</b> , Music Teacher, Sarah Noble Intermediate School requests an unpaid personal leave of absence for the 2020-2021 school year.	Unpaid Leave of Absence



RANGE	MAJOR OBJECT CODE DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
100'S	SALARIES - CERTIFIED	29,661,381	0	29,661,381	309,162	27,256,633	2,095,586	92.93%
100'S	SALARIES - NON CERTIFIED	9,375,760	0	9,375,760	505,275	6,577,158	2,293,327	75.54%
200'S	BENEFITS	11,074,320	0	11,074,320	1,574,325	7,361,023	2,138,972	80.69%
300'S	PROFESSIONAL SERVICES	3,811,054	0	3,816,234	147,379	2,598,986	1,069,869	71.97%
400'S	PROPERTY SERVICES	917,680	0	917,680	31,259	331,476	554,946	39.53%
500'S	OTHER SERVICES	7,918,036	0	7,918,036	7,440	4,627,018	3,283,578	58.53%
600'S	SUPPLIES	2,604,719	0	2,599,539	58,852	1,673,910	866,777	66.66%
700'S	CAPITAL	10,627	0	10,627	-	-	10,627	0.00%
800'S	DUES AND FEES	91,305	0	91,305	27,796	6,539	56,970	37.60%
900'S	REVENUE	-1,000,107	0	-1,000,107	0	0	-1,000,107	0.00%
<b>GRAND TOTAL</b>		<b>64,464,776</b>	<b>0</b>	<b>64,464,776</b>	<b>2,661,488</b>	<b>50,432,743</b>	<b>11,370,545</b>	<b>82.36%</b>

**SALARIES - NON CERTIFIED BREAKOUT**

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
51180	SALARIES - NON CERT - STIPENDS	516,890	0	516,890	992	0	515,898	0.19%
51201	SALARIES - NON CERT - PARA EDUCATOR	2,049,757	0	2,049,757	5,370	1,914,567	129,820	93.67%
51202	SALARIES - NON CERT - SUBSTITUTES	894,478	0	894,478	0	0	894,478	0.00%
51210	SALARIES - NON CERT - SECRETARY	1,871,103	0	1,871,103	164,109	1,592,814	114,180	93.90%
51225	SALARIES - NON CERT - TUTORS	275,695	0	275,695	0	0	275,695	0.00%
51240	SALARIES - NON CERT - CUSTODIAL	1,909,059	0	1,909,059	204,286	1,486,833	217,939	88.58%
51250	SALARIES - NON CERT - MAINTENANCE	920,442	0	920,442	96,509	702,913	121,020	86.85%
51285	SALARIES - NON CERT - TECHNOLOGY	471,446	0	471,446	34,007	429,149	8,290	98.24%
51336	SALARIES - NON CERT - NURSES	466,890	0	466,890	0	450,883	16,007	96.57%
<b>TOTAL</b>		<b>9,375,760</b>	<b>0</b>	<b>9,375,760</b>	<b>505,275</b>	<b>6,577,158</b>	<b>2,293,327</b>	<b>75.54%</b>

**BENEFIT BREAKOUT**

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
52200	BENEFITS - FICA	610,906	0	610,906	34,518	0	576,388	5.65%
52201	BENEFITS - MEDICARE	522,583	0	522,583	11,777	0	510,806	2.25%
52300	BENEFITS - PENSION	879,067	0	879,067	0	0	879,067	0.00%
52600	BENEFITS - UNEMPLOYMENT COMP	15,000	0	15,000	0	15,000	0	100.00%
52810	BENEFITS - HEALTH INSURANCE	8,323,495	0	8,323,495	1,510,990	6,812,505	0	100.00%
52820	BENEFITS - DISABILITY INSURANCE	125,000	0	125,000	8,470	94,276	22,254	82.20%
52830	BENEFITS - LIFE INSURANCE	142,000	0	142,000	8,570	96,567	36,863	74.04%
52900	BENEFITS - OTHER EMPLOYEE BENEFITS	456,269	0	456,269	0	342,675	113,594	75.10%
<b>TOTAL</b>		<b>11,074,320</b>	<b>0</b>	<b>11,074,320</b>	<b>1,574,325</b>	<b>7,361,023</b>	<b>2,138,972</b>	<b>80.69%</b>



## EXPENDITURES

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
51110	CERTIFIED SALARIES	29,661,381	0	29,661,381	309,162	27,256,633	2,095,586	92.93%
51200	NON-CERTIFIED SALARIES	9,375,760	0	9,375,760	505,275	6,577,158	2,293,327	75.54%
52000	BENEFITS	11,074,320	0	11,074,320	1,574,325	7,361,023	2,138,972	80.69%
53010	LEGAL SERVICES	218,945	0	218,945	0	191,625	27,320	87.52%
53050	CURRICULUM DEVELOPMENT	85,000	0	85,000	1,240	0	83,760	1.46%
53200	PROFESSIONAL SERVICES	2,070,915	0	2,076,095	83,710	1,516,342	476,043	77.07%
53201	MEDICAL SERVICES - SPORTS	30,500	0	30,500	0	0	30,500	0.00%
53210	TIME & ATTENDANCE SOFTWARE	11,500	0	11,500	0	485	11,016	4.21%
53220	IN SERVICE	117,175	0	117,175	0	13,756	103,419	11.74%
53230	PUPIL SERVICES	597,574	0	597,574	1,565	550,592	45,417	92.40%
53300	OTHER PROF/ TECH SERVICES	58,470	0	58,470	0	6,799	51,671	11.63%
53310	AUDIT/ACCOUNTING	45,000	0	45,000	0	45,000	0	100.00%
53500	TECHNICAL SERVICES	248,490	0	248,490	42,760	76,361	129,369	47.94%
53530	SECURITY SERVICES	214,385	0	214,385	0	198,026	16,359	92.37%
53540	SPORTS OFFICIALS SERVICES	113,100	0	113,100	18,105	0	94,996	16.01%
54101	CONTRACTUAL TRASH PICK UP	94,853	0	94,853	0	47,218	47,635	49.78%
54301	REPAIRS & MAINTENANCE	468,423	0	468,423	30,890	165,359	272,174	41.90%
54302	FIRE / SECURITY MAINTENANCE	2,500	0	2,500	0	1,074	1,426	42.96%
54303	GROUPS MAINTENANCE	13,000	0	13,000	369	3,524	9,107	29.95%
54310	GENERAL REPAIRS	44,440	0	44,440	0	2,053	42,387	4.62%
54320	TECHNOLOGY RELATED REPAIRS	32,847	0	32,847	0	49	32,798	0.15%
54411	WATER	68,195	0	68,195	0	53,353	14,842	78.24%
54412	SEWER	15,559	0	15,559	0	11,488	4,071	73.83%
54420	LEASE/RENTAL EQUIP/VEH	177,863	0	177,863	0	47,359	130,504	26.63%
55100	PUPIL TRANSPORTATION - OTHER	88,250	0	88,250	0	0	88,250	0.00%
55101	PUPIL TRANS - FIELD TRIP	25,450	0	25,450	0	0	25,450	0.00%
55110	STUDENT TRANSPORTATION	4,693,947	0	4,693,947	0	3,647,295	1,046,652	77.70%
55190	STUDENT TRANSPORTATION PURCHAS	750	0	750	0	0	750	0.00%
55200	GENERAL INSURANCE	287,493	0	287,493	0	0	287,493	0.00%
55300	COMMUNICATIONS	50,240	0	50,240	3,957	40,617	5,666	88.72%
55301	POSTAGE	33,255	0	33,255	0	32,731	524	98.42%
55302	TELEPHONE	78,498	0	78,498	2,766	59,900	15,833	79.83%



## EXPENDITURES

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
55400	ADVERTISING	6,000	0	6,000	717	0	5,283	11.95%
55505	PRINTING	52,129	0	52,129	0	0	52,129	0.00%
55600	TUITION	35,000	0	35,000	0	0	35,000	0.00%
55610	TUITION TO IN STATE DIST	790,273	0	790,273	0	33,211	757,062	4.20%
55630	TUITION TO PRIVATE SOURCES	1,727,602	0	1,727,602	0	804,279	923,324	46.55%
55800	TRAVEL	49,149	0	49,149	0	8,986	40,163	18.28%
56100	GENERAL INSTRUCTIONAL SUPPLIES	167,326	0	167,326	0	27,724	139,602	16.57%
56110	INSTRUCTIONAL SUPPLIES	405,132	0	403,952	46,965	46,975	310,012	23.26%
56120	ADMIN SUPPLIES	29,788	0	29,788	0	1,066	28,722	3.58%
56210	NATURAL GAS	188,000	0	188,000	0	188,000	0	100.00%
56220	ELECTRICITY	974,971	0	974,971	0	935,578	39,393	95.96%
56230	PROPANE	3,870	0	3,870	0	2,949	921	76.19%
56240	OIL	207,901	0	207,901	0	141,263	66,638	67.95%
56260	GASOLINE	27,186	0	27,186	0	19,536	7,650	71.86%
56290	FACILITIES SUPPLIES	311,190	0	311,190	11,888	208,263	91,040	70.74%
56291	MAINTENANCE COMPONENTS	15,650	0	15,650	0	0	15,650	0.00%
56292	UNIFORMS/ CONTRACTUAL	13,000	0	13,000	0	3,372	9,628	25.94%
56293	GROUNDKEEPING SUPPLIES	23,060	0	23,060	0	5,844	17,216	25.34%
56410	TEXTBOOKS	57,036	0	57,036	0	358	56,678	0.63%
56411	CONSUMABLE TEXTS	102,146	0	102,146	0	81,125	21,021	79.42%
56420	LIBRARY BOOKS	31,000	0	31,000	0	8,207	22,793	26.48%
56430	PERIODICALS	16,559	0	12,559	0	982	11,577	7.82%
56460	WORKBOOKS	2,650	0	2,650	0	2,620	30	98.87%
56500	SUPPLIES - TECH RELATED	28,254	0	28,254	0	47	28,207	0.17%
57345	INSTRUCTIONAL EQUIPMENT	4,500	0	4,500	0	0	4,500	0.00%
57400	GENERAL EQUIPMENT	6,127	0	6,127	0	0	6,127	0.00%
58100	DUES & FEES	91,305	0	91,305	27,796	6,539	56,970	37.60%
<b>EXPENDITURE TOTAL</b>		<b>65,464,883</b>	<b>0</b>	<b>65,464,883</b>	<b>2,661,488</b>	<b>50,432,743</b>	<b>12,370,652</b>	<b>81.10%</b>



## REVENUES

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	BALANCE	% USED
43103	EXCESS COSTS	-625,225	0	-625,225	0	0	-625,225	0.00%
43105	MEDICAID REIMBURSEMENT	-60,507	0	-60,507	0	0	-60,507	0.00%
44105	FOI & FINGERPRINTING FEES	-1,900	0	-1,900	0	0	-1,900	0.00%
44705	BUILDING USE FEES (BASE RENTAL)	-55,000	0	-55,000	0	0	-55,000	0.00%
49102	BUILDING USE FEES (CUSTODIAL)	-27,951	0	-27,951	0	0	-27,951	0.00%
44800	REGULAR ED TUITION	-114,400	0	-114,400	0	0	-114,400	0.00%
44822	SPECIAL ED TUITION	-29,900	0	-29,900	0	0	-29,900	0.00%
44860	ADMISSIONS/ATHLETIC GATE RECEIPTS	-25,400	0	-25,400	0	0	-25,400	0.00%
44861	PARKING PERMIT FEES	-59,824	0	-59,824	0	0	-59,824	0.00%
<b>REVENUE TOTAL</b>		<b>-1,000,107</b>	<b>0</b>	<b>-1,000,107</b>	<b>0</b>	<b>0</b>	<b>-1,000,107</b>	<b>0.00%</b>

<b>GRAND TOTAL</b>	<b>64,464,776</b>	<b>0</b>	<b>64,464,776</b>	<b>2,661,488</b>	<b>50,432,743</b>	<b>11,370,545</b>	<b>82.36%</b>
--------------------	-------------------	----------	-------------------	------------------	-------------------	-------------------	---------------

<u>BOE Capital Reserve Acct #43020000-10101</u>	
Total as of 7/31/20	549,897

<u>Turf Field Replacement Acct #43020000-10130</u>	
CONTRIBUTION - <u>FROM BOE 17.18 FYE BALANCE</u>	50,000
CONTRIBUTION - <u>FROM BOE 18.19 FYE BALANCE</u>	50,000
CONTRIBUTION - <u>FROM BOE COLLECTED TEAM FEE'S &amp; BANNER SALES</u>	10,225
CONTRIBUTION - <u>FROM TOWN DATED 6/4/20</u>	50,000
Total as of 7/31/20	160,225



PURCHASE RESOLUTION D - 737  
REVISED

AGENDA ITEM 4B-2  
AUGUST 2020 MEETING

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

Funding	Location	Vendor Name	Description	Amount	Object Code
GENERAL	DISTRICT	2080 MEDIA INC	FEE FOR HARDWARE AND SOFTWARE ACCESS POINT TO POINT SYSTEM	\$ 6,500.00	53540
GENERAL	FACILITIES	AIR TEMP MECHANICAL SERVICES	20/21 YEARLY - HVAC SERVICE DISTRICT WIDE	\$ 18,000.00	54301
GENERAL	FACILITIES	AIR TEMP MECHANICAL SERVICES	20/21 YEARLY - CHILLER MAINTENANCE @ NMHS	\$ 10,000.00	54301
GENERAL	FACILITIES	AIREX FILTER CORP	20/21 YEARLY - HVAC FILTRATION PRODUCTS FOR DISTRICT	\$ 5,000.00	56290
GENERAL	DISTRICT	ALL-STAR TRANSPORTATION	20/21 YEARLY - STUDENT TRANSPORTATION	\$ 3,491,352.00	55110
GENERAL	DISTRICT	ALL-STAR TRANSPORTATION	20/21 YEARLY - SPED TRANSPORTATION	\$ 103,100.00	55110
GENERAL	DISTRICT	AMERICAN FAMILY LIFE ASSURANCE CO	20/21 YEARLY - SHORT TERM DISABILITY INSURANCE	\$ 15,613.56	52810
GENERAL	SPED	AMERICAN SCHOOL FOR THE DEAF	20/21 YEARLY - TUITION	\$ 34,736.00	55630
GENERAL	SPED	AMERICAN SCHOOL FOR THE DEAF	20/21 YEARLY - AUDIOLOGY SERVICES	\$ 18,000.00	53230
GENERAL	FACILITIES	APPLE HILL ENTERPRISES, LLC	20/21 YEARLY - DOOR HARDWARE AND LOCKSMITH SERVICES	\$ 32,000.00	54301
GENERAL	DISTRICT	AQUARION WATER	20/21 YEARLY - WATER FEES @ 5 SCHOOLS PLUS C.O.	\$ 68,195.00	54411
GENERAL	SPED	BIG SKY ACADEMY, INC	20/21 YEARLY - TUITION PER SETTLEMENT AGREEMENT	\$ 90,000.00	55630
GENERAL	SPED	BRIDGEPORT BOARD OF EDUCATION	20/21 YEARLY - TUTORIAL SERVICES	\$ 5,000.00	55610
GENERAL	SPED	CANDLEWOOD VALLEY PEDIATRICS	20/21 YEARLY - MEDICAL CONSULTATIONS	\$ 5,000.00	53230
GENERAL	SPED	CAPITOL REGION EDUCATION COUNCIL	20/21 YEARLY - TUTORIAL SERVICES	\$ 5,000.00	55630
<b>GRANT- TITLE I</b>	<b>DISTRICT</b>	<b>CDW GOVERNMENT INC</b>	<b>CHROMEBOOKS WITH LICENSES (143)</b>	<b>\$ 28,171.00</b>	<b>53300</b>
GENERAL	DISTRICT	CHARTER COMMUNICATIONS	20/21 YEARLY - COAX, INTERNET AND SCHOOL PHONE SERVICE	\$ 83,853.50	55300/55302
GENERAL	DISTRICT	CHARTER COMMUNICATIONS	20/21 YEARLY - FIBER, WEB HOSTING & C.O. PHONE SERVICE	\$ 6,976.67	55300/55302
GENERAL	NMHS	CHESTER TECHNICAL SERVICE	20/21 YEARLY - VIRTUOSO SYSTEM SUPPORT	\$ 5,548.64	53300
GENERAL	DISTRICT	CIGNA BEHAVIORAL HEALTH	20/21 YEARLY - EMPLOYEE ASSISTANCE PROGRAM	\$ 12,000.00	52810
GENERAL	DISTRICT	CONN INTERLOCK RISK MGMT AGENCY	20/21 YEARLY - WORKERS COMPENSATION	\$ 366,623.00	52900
GENERAL	DISTRICT	CONNECTICUT ASSOC OF BOE, INC	20/21 YEARLY - DISTRICT MEMBERSHIP DUES	\$ 16,275.00	58100
GENERAL	NMHS	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - ELECTRIC SERVICE FOR LOCATION	\$ 419,441.00	56220
GENERAL	SNIS	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - ELECTRIC SERVICE FOR LOCATION	\$ 241,339.00	56220
GENERAL	SMS	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - ELECTRIC SERVICE FOR LOCATION	\$ 134,014.00	56220
GENERAL	NMHS	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - GAS SERVICE FOR LOCATION	\$ 114,000.00	56210
GENERAL	NES	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - ELECTRIC SERVICE FOR LOCATION	\$ 75,362.00	56220
GENERAL	SNIS	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - GAS SERVICE FOR LOCATION	\$ 74,000.00	56210
GENERAL	HPS	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - ELECTRIC SERVICE FOR LOCATION	\$ 65,708.00	56220
GENERAL	C.O.	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - ELECTRIC SERVICE FOR LOCATION	\$ 21,068.00	56220
GENERAL	FACILITIES	CONNECTICUT LIGHT AND POWER	20/21 YEARLY - ELECTRIC SERVICE FOR LOCATION	\$ 18,039.00	56220
GENERAL	SPED	CT JUNIOR REPUBLIC	20/21 YEARLY - TUITION	\$ 52,725.00	55630
GENERAL	SPED	CT MUSIC THERAPY SERVICES	20/21 YEARLY - MUSIC THERAPY	\$ 7,000.00	53230
GENERAL	SPED	CT PEDIATRIC NEUROPSYCH ASSOCIATES	20/21 YEARLY - EVALUATIONS & CONSULTATIONS	\$ 7,000.00	53230
GENERAL	SPED	CT PSYCHIATRIC AND WELLNESS CENTER	20/21 YEARLY - EVALUATIONS & CONSULTATIONS	\$ 9,000.00	53230
GENERAL	DISTRICT	DANBURY PUBLIC SCHOOLS ADMIN. CTR	20/21 YEARLY - MAGNET SCHOOL TUITION	\$ 37,800.00	55610



PURCHASE RESOLUTION D - 737  
REVISED

AGENDA ITEM 4B-2  
AUGUST 2020 MEETING

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

Funding	Location	Vendor Name	Description	Amount	Object Code
GENERAL	FACILITIES	DANBURY WINSUPPLY	20/21 YEARLY - FACILITIES SUPPLIES	\$ 9,000.00	56290
GENERAL	FACILITIES	DAVID J HULL	20/21 YEARLY - FIRE ALARM MONITORING	\$ 6,132.96	54301
GENERAL	FACILITIES	DEER AND TICK GUARD	20/21 YEARLY - PEST CONTROL SERVICES	\$ 5,540.00	54301
GENERAL	TECHNOLOGY	DELL MARKETING	POWER EDGE R730 UPGRADES AND EXTENSIONS	\$ 13,025.60	53500
GENERAL	FACILITIES	DUMOUCHEL PAPER COMPANY	20/21 YEARLY - FACILITIES SUPPLIES	\$ 10,000.00	54310
GENERAL	SPED	EAGLE HILL FOUNDATION, INC	20/21 YEARLY - TUITION	\$ 38,110.00	55630
GENERAL	SPED	EDADVANCE	20/21 YEARLY - STUDENT CARE WORKERS	\$ 927,250.14	53200
GENERAL	SPED	EDADVANCE	20/21 YEARLY - TUITION	\$ 17,055.00	55630
GENERAL	SPED	EDADVANCE	20/21 YEARLY - TRANSPORTATION	\$ 7,650.00	55110
GENERAL	SPED	EFFECTIVE SCHOOL SOLUTIONS	20/21 YEARLY - THERAPY PROGRAM	\$ 155,000.00	53230
GENERAL	FACILITIES	ELECTRICAL WHOLESALERS	20/21 YEARLY - FACILITIES SUPPLIES	\$ 9,000.00	56290
GENERAL	FACILITIES	F W WEBB	20/21 YEARLY - FACILITIES SUPPLIES	\$ 7,000.00	56290
GENERAL	FACILITIES	F&M ELECTRIC SUPPLY CO, INC	20/21 YEARLY - FACILITIES SUPPLIES	\$ 9,000.00	56290
GENERAL	FACILITIES	FAIRFIELD FAMILY BATTERY COMPANY	20/21 YEARLY - FACILITIES SUPPLIES	\$ 5,500.00	56290
GENERAL	FACILITIES	FIRE EQUIPMENT HEADQUARTERS	20/21 YEARLY - FACILITIES SUPPLIES	\$ 5,000.00	54301
GENERAL	DISTRICT	FOLLETT SCHOOL SOLUTIONS	20/21 YEARLY - DESTINY ONLINE SERVICE	\$ 5,212.50	53200
GENERAL	SPED	FOUR WINDS HOSPITAL	20/21 YEARLY - TUITON	\$ 10,000.00	55630
GENERAL	DISTRICT	FRONTIER COMMUNICATIONS	20/21 YEARLY - DISTRICT INTERNET	\$ 66,295.60	55302
GENERAL	DISTRICT	FRONTLINE TECHNOLOGIES GROUP	20/21 YEARLY - TIME/ATTENDANCE AND APPLITRACK LICENSE FEE	\$ 27,651.69	53200
GENERAL	SPED	FRONTLINE TECHNOLOGIES GROUP	20/21 YEARLY - IEP DIRECT LICENSE FEE	\$ 19,429.66	53230
GENERAL	DISTRICT	FRONTLINE TECHNOLOGIES GROUP	20/21 YEARLY - RTIM LICENSE FEE	\$ 10,141.55	56110
GENERAL	FACILITIES	FUSS & O'NEILL, INC	20/21 YEARLY - REPAIRS	\$ 10,000.00	54301
GENERAL	FACILITIES	H.H. TAYLOR AND SON	20/21 YEARLY - FACILITIES SUPPLIES	\$ 5,000.00	56290
GENERAL	SPED	HALL-BROOKE BEHAVIORAL HEALTH	20/21 YEARLY - TUTORIAL SERVICES	\$ 5,000.00	55630
GENERAL	FACILITIES	HAT CITY PAPER COMPANY	20/21 YEARLY - FACILITIES SUPPLIES	\$ 83,500.00	56290
GENERAL	DISTRICT	HUMANA INSURANCE CO	20/21 YEARLY - VISION INSURANCE	\$ 18,512.00	52810
GENERAL	TECHNOLOGY	IBOSS, INC	20/21 YEARLY - MALWARE DEFENSE SUBSCRIPTION	\$ 9,882.85	53500
GENERAL	TECHNOLOGY	IFS CONSULTING SERVICES, LLC	20/21 YEARLY - ANNUAL MAINTENANCE	\$ 9,691.33	53500
GENERAL	SPED	INST OF PROF PRACTICE	20/21 YEARLY - ABA/AUTISM SERVICES	\$ 325,000.00	53200
GENERAL	SPED	INST OF PROF PRACTICE	20/21 YEARLY - BEHAVIORAL CONSULTATIONS	\$ 56,000.00	53200
GENERAL	DISTRICT	INTECH HEALTH VENTURES	20/21 YEARLY - ACA REPORTING SERVICES	\$ 13,200.00	53200
GENERAL	SPED	INTERPRETERS & TRANSLATORS	20/21 YEARLY - TRANSLATORS FOR PARENT MEETINGS	\$ 5,500.00	53230
GENERAL	DISTRICT	IXL LEARNING, INC	20/21 YEARLY - LICENSE FEE FOR GRADES K-5	\$ 11,550.00	53200
GENERAL	SPED	JEFFREY LANDAU	20/21 YEARLY - EVALUATIONS & CONSULTATIONS	\$ 10,000.00	53230
GENERAL	SPED	JEFFREY WICKLINE	20/21 YEARLY - OCCUPATIONAL THERAPY SERVICES	\$ 236,000.00	53230
GENERAL	SPED	JOHN G. GELINAS, MD. PC.	20/21 YEARLY - PSYCH EVALUATIONS	\$ 7,000.00	53230





PURCHASE RESOLUTION D - 737  
REVISED

AGENDA ITEM 4B-2  
AUGUST 2020 MEETING

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

Funding	Location	Vendor Name	Description	Amount	Object Code
GENERAL	SPED	KINNEY MANAGEMENT SERVICES	20/21 YEARLY - KSYSTEMS ANNUAL LICENSE FEE	\$ 15,200.00	53200
GENERAL	SPED	KRISTI SACCO ADORANTE	20/21 YEARLY - NEUROPSYCH EVALUATIONS	\$ 11,500.00	53230
GENERAL	DISTRICT	LEARNING A-Z	20/21 YEARLY - DISTRICT LICENSES	\$ 40,293.73	53200
GENERAL	DISTRICT	LEN TOMASELLO	20/21 YEARLY - PER DOI PROGRAMS @ SMS, SNIS, NES AND HPS	<del>\$ 35,000.00</del>	<del>53200</del>
GENERAL	DISTRICT	MCKELLAN GROUP	20/21 YEARLY - LIFE & LONG TERM DISABILITY INSURANCE	\$ 246,000.00	52820/52830
GENERAL	FACILITIES	MODERN PLUMBING SUPPLY	20/21 YEARLY - FACILITIES SUPPLIES	\$ 6,000.00	56290
GENERAL	DISTRICT	MURPHY ROAD HOLDINGS, INC	20/21 YEARLY - TRASH AND RECYCLING PICKUPS FOR DISTRICT	\$ 47,217.84	54101
GENERAL	DISTRICT	NEW MILFORD SEWER COMMISSION	20/21 YEARLY - SEWER USE FEES @ SNIS, NMHS & C.O.	\$ 11,671.25	54412
GENERAL	DISTRICT	NEWSOLA, INC	20/21 YEARLY - LICENSE FEE FOR GRADES K-5	\$ 14,000.00	53200
GENERAL	FACILITIES	NEXT GEN SUPPLY GROUP INC	20/21 YEARLY - FACILITIES SUPPLIES	\$ 60,000.00	56290
GENERAL	NMHS & SNIS	NORBERT E MITCHELL CO	20/21 YEARLY - PROPANE FOR LOCATION(S)	\$ 270,000.00	55110
GENERAL	SMS	NORBERT E MITCHELL CO	20/21 YEARLY - OIL FOR LOCATION	\$ 91,777.00	56240
GENERAL	HPS	NORBERT E MITCHELL CO	20/21 YEARLY - OIL FOR LOCATION	\$ 47,440.00	56240
GENERAL	NES	NORBERT E MITCHELL CO	20/21 YEARLY - OIL FOR LOCATION	\$ 35,599.00	56240
GENERAL	C.O.	NORBERT E MITCHELL CO	20/21 YEARLY - OIL FOR LOCATION	\$ 26,250.00	56240
GENERAL	DISTRICT	NORBERT E MITCHELL CO	20/21 YEARLY - FUEL FOR FACILITIES	\$ 19,536.00	56260
GENERAL	DISTRICT	NWEA	DISTRICT MAP TESTING	\$ 36,823.00	56110
GENERAL	TECHNOLOGY	OMNI DATA LLC	20/21 YEARLY - HARDWARE AND SOFTWARE SUPPORT	\$ 12,225.54	53500
GENERAL	FACILITIES	OMNI DATA LLC	20/21 YEARLY - SECURITY SYSTEMS MANAGEMENT & SUPPORT	\$ 8,063.16	54301
GENERAL	FACILITIES	OTIS ELEVATOR COMPANY	20/21 YEARLY - SMS ELEVATOR MAINTENANCE SERVICE	\$ 7,000.00	54301
GENERAL	DISTRICT	OXFORD HEALTH PLANS	20/21 YEARLY - HEALTH INSURANCE	\$ 7,243,155.00	52810
GENERAL	DISTRICT	PANORAMA EDUCATION	20/21 YEARLY - PANORAMA PLATFORM SERVICE	\$ 13,756.25	53220
GENERAL	SPED	PATRICIA BRADBURY	20/21 YEARLY - BCBA SERVICES (GENERAL FUND PIECE)	\$ 37,200.00	53230
<b>GRANT- IDEA</b>	<b>SPED</b>	<b>PATRICIA BRADBURY</b>	<b>20/21 YEARLY - BCBA SERVICES (GRANT FUNDED PIECE)</b>	<b>\$ 6,000.00</b>	<b>53230</b>
GENERAL	SPED	PEDIATRIC NEUROPSYCH. SERVICES	20/21 YEARLY - NEUROPSYCH EVALUATIONS	\$ 10,000.00	53230
GENERAL	DISTRICT	PEARSON EDUCATION	20/21 YEARLY - INVESTIGATIONS, STUDENT EDITION	\$ 49,916.71	56110
GENERAL	FACILITIES	PEN MAR BOILER CLEANING INC	20/21 YEARLY - BOILER SERVICE	\$ 12,950.00	54301
GENERAL	FACILITIES	PLIMPTON AND HILLS CORP.	20/21 YEARLY - FACILITIES SUPPLIES	\$ 8,500.00	56290
GENERAL	DISTRICT	PROHEALTH PHYSICIANS	20/21 YEARLY - PRE-EMPLOYMENT PHYSICALS	\$ 8,500.00	53200
GENERAL	DISTRICT	PULLMAN & COMLEY LLC	20/21 YEARLY - RETAINER FOR LEGAL SERVICES	\$ 191,625.00	53010
GENERAL	TECHNOLOGY	REDIKER SOFTWARE	20/21 YEARLY - ADMINPLUS SUBSCRIPTION	\$ 48,510.00	53500
GENERAL	SPED	ROBERT A DAVIS	20/21 YEARLY - SUPPORT TRAINING SERVICES	\$ 9,000.00	53230
GENERAL	FACILITIES	RUWET-SIBLEY EQUIP CORP	20/21 YEARLY - REPAIRS TO EQUIPMENT	\$ 5,000.00	54301
GENERAL	SNIS	SCHOOL SPECIALTY	INSTRUCTIONAL SUPPLIES	\$ 8,461.50	56110
GENERAL	SMS	SCHOOL SPECIALTY	INSTRUCTIONAL SUPPLIES	\$ 7,989.01	56110
GENERAL	TECHNOLOGY	SEVERIN INTERMEDIATE HOLDINGS	20/21 YEARLY - POWERSCHOOL SIS SUBSCRIPTION	\$ 34,850.00	53200



PURCHASE RESOLUTION D - 737  
REVISED

AGENDA ITEM 4B-2  
AUGUST 2020 MEETING

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

Funding	Location	Vendor Name	Description	Amount	Object Code
GENERAL	FACILITIES	SHERWIN WILLIAMS	20/21 YEARLY - FACILITIES SUPPLIES	\$ 12,000.00	56290
GENERAL	FACILITIES	SIEMENS INDUSTRY INC	20/21 YEARLY - BUILDING AUTOMATION SERVICE & REPAIRS	\$ 50,000.00	54301
GENERAL	FACILITIES	SITEONE LANDSCAPE SUPPLY	20/21 YEARLY - LANDSCAPING SUPPLIES	\$ 5,000.00	56293
GENERAL	SPED	SOLTERRA ACADEMY	20/21 YEARLY - TUITION	\$ 268,046.00	55630
GENERAL	DISTRICT	TEAMSTERS LOCAL 677	20/21 YEARLY - HEALTH INSURANCE - CUST./MAINT.	\$ 778,773.00	52810
GENERAL	NMHS	CONNECTICUT ASSOC OF SCHOOLS	20/21 YEARLY - DISTRICT MEMBERSHIP	\$ 5,200.00	58100
GENERAL	SPED	THE GOW SCHOOL	20/21 YEARLY - TUITION	\$ 275,000.00	55630
GENERAL	FACILITIES	THE TRANE COMPANY	20/21 YEARLY - CHILLER MAINTENANCE @ SNIS	\$ 9,324.00	54301
GENERAL	FACILITIES	THE TRANE COMPANY	20/21 YEARLY - CHILLER MAINTENANCE @ SMS	\$ 5,500.00	54301
GENERAL	FACILITIES	THYSSENKRUPP ELEVATOR	20/21 YEARLY - SNIS ELEVATOR MAINTENANCE SERVICE	\$ 10,000.00	54301
GENERAL	DISTRICT	TOWN OF NEW MILFORD	MUNIS SOFTWARE FEE FOR 20/21 (BOE PORTION)	\$ 61,500.00	53200
GENERAL	DISTRICT	TOWN OF NEW MILFORD	AUDITOR FEE FOR 20/21 (BOE PORTION)	\$ 45,000.00	53310
GENERAL	DISTRICT	TOWN OF NEW MILFORD	20/21 YEARLY - POSTAGE FOR DISTRICT	\$ 32,731.00	55301
GENERAL	DISTRICT	TOWN OF NEW MILFORD	20/21 YEARLY - GASOLINE FUEL	\$ 21,596.00	56260
GENERAL	TECHNOLOGY	TREBON COMPANY INC	SOPHOS ENDPOINT PROTECTION SERVICE	\$ 5,960.00	53500
GENERAL	DISTRICT	UNEMPLOYMENT COMP. ADMIN.	20/21 YEARLY - UNEMPLOYMENT INSURANCE	\$ 15,000.00	52600
GENERAL	DISTRICT	UNITED HEALTHCARE	20/21 YEARLY - MEDICARE	\$ 7,071.84	52810
GENERAL	DISTRICT	VERIZON WIRELESS	20/21 YEARLY - CELL PHONE SERVICE	\$ 19,241.51	55302
GENERAL	SPED	VILLA MARIA EDUCATION CENTER	20/21 YEARLY - TUITION	\$ 35,000.00	55630
GENERAL	SPED	WASHINGTON MONTESSORI	20/21 YEARLY - TUITION	\$ 17,500.00	55630
GENERAL	DISTRICT	WILCO SALES & SERVICE INC	20/21 YEARLY - OPERABLE WALLS SERVICE DISTRICT WIDE	\$ 12,000.00	54301

Funding	Location	Vendor Name	Description	Amount	Object Code
COVID EXP	TECHNOLOGY	CDW GOVERNMENT INC	CHROMEBOOKS, LICENSES, HEADSETS, MICE	\$ 461,517.40	57999
COVID EXP	TECHNOLOGY	CDW GOVERNMENT INC	CHROMEBOOKS, LICENSES, HEADSETS, MICE	\$ 189,141.40	57999
COVID EXP	TECHNOLOGY	MOHAWK USA, LLC	CHROMEBOOK CASES	\$ 78,534.72	57999
COVID EXP	FACILITIES	ENHANCE A COLOUR CORP	STUDENT & STAFF DIVIDERS	\$ 50,000.00	56999
COVID EXP	TECHNOLOGY	CDW GOVERNMENT INC	335 WEBCAMS	\$ 23,115.00	57999
COVID EXP	FACILITIES	STATE EDUCATION RESOURCE CENTER	PPE SUPPLIES	\$ 17,815.63	56999
COVID EXP	TECHNOLOGY	PEAR DECK, INC	PREMIUM SERVICE FOR DISRTICT	\$ 11,840.00	55999
COVID EXP	TECHNOLOGY	MOHAWK USA, LLC	ADDITIONAL CHROMEBOOK CASES	\$ 10,482.03	57999
COVID EXP	TECHNOLOGY	DELL MARKETING	6 LAPTOPS	\$ 8,685.27	57999
COVID EXP	TECHNOLOGY	CDW GOVERNMENT INC	LAPTOP EXTENSION CABLES	\$ 5,250.00	57999



# BUDGET TRANSFER REQUESTS

AGENDA ITEM 4B-3  
AUGUST 2020 MEETING

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

Informational Within Major Object Code	DETAIL			FROM (-)			TO (+)		
	#	REASON	AMOUNT	LOCATION	ORG	OBJECT	LOCATION	ORG	OBJECT
				NONE AT THIS TIME					

<b>ITEM OF INFORMATION REGULATION</b>
---

**4118.113/4218.113(a)**

## **Personnel**

### **Title IX Sexual Harassment**

Sexual harassment is prohibited within the New Milford Public Schools. Examples of conduct that may be sexual harassment include, but are not limited to, the following:

1. Where submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.
2. Where a person is subjected to unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a District education program or activity.
3. Where submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the District.
4. Suggestive or obscene letters, notes, invitations, slurs, jokes, epithets, or gestures, derogatory comments, assault, touching, impeding or blocking movement, leering, display of sexually suggestive objects, pictures or cartoons.
5. Continuing to express sexual interest after being informed that the interest is unwelcome.
6. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of students, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).
7. Inappropriate attention of a sexual nature from peer(s), i.e. student to student, employee to employee.
8. Sexual assault, dating violence, domestic violence or stalking.

### **How to Report Sexual Harassment**

Any person may report sexual harassment, whether or not the person reporting is a person who is alleged to be the victim of conduct that could constitute sexual harassment. Such report may be made in person, by mail, by telephone or by electronic mail to a school-based Title IX coordinator or his/her designee. Such reports may be made anonymously. Individuals who believe that they have been sexually harassed at a District education program or activity, or those who have knowledge of sexual harassment occurring at or during a District education program or activity should report the same to the school-based Title IX coordinator for the school at which the harassment is alleged to have occurred.

## **Personnel**

### **Title IX Sexual Harassment**

School employees who receive reports of sexual harassment should immediately send the report to the school-based Title IX coordinator with a copy to the school principal.

Upon receipt of a report of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the wishes of the complainant with regard to supportive measures, inform the complainant of the availability of supportive measures whether or not the complainant files a formal complaint, and explain to the complainant the process for filing a formal complaint.

Supportive measures may include, but are not limited to:

1. Separating the parties as much as possible during the school day;
2. Provision of support through the District's Employee Assistance Program;
3. Increased monitoring, supervision or security in locations or activities where the alleged misconduct occurred; and
4. Other similar measures.

Supportive measures provided must be kept confidential unless disclosure is necessary for the supportive measure's effectiveness.

The Title IX Coordinator must document that they have taken measures designed to restore or preserve equal access to the District's education program or activity and such documentation should address why the response was not deliberately indifferent. The Title IX Coordinator must document all supportive measures offered to and/or provided to the complainant. If the Title IX Coordinator does not provide supportive measures to a complainant, the Title IX Coordinator must document why such a response was not clearly unreasonable in light of the known circumstances.

A report of sexual harassment or sex discrimination is not a request for a formal Title IX complaint investigation. A complainant who wants a formal complaint investigation must file a formal written complaint with the District-wide Title IX Coordinator as outlined in the formal grievance procedure below.

### **Formal Grievance Procedure**

The formal grievance procedure is designed to provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by Title IX and its implementing

## **Personnel**

### **Title IX Sexual Harassment**

regulations. The grievance procedure applies only to claims of sex discrimination occurring in the District's education programs or activities. The formal grievance procedure is only initiated if the complainant or the complainant's parent/guardian signs a formal complaint or the Districtwide Title IX Coordinator signs a formal complaint alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

The Title IX Coordinator, investigator, decision-maker and any person designated to facilitate an informal resolution process will recuse themselves if they have a conflict of interest or a bias for or against complainants or respondents generally or to an individual complainant or respondent.

There is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. "Responsible for the alleged conduct" is determined by the preponderance of the evidence standard whereby the respondent is responsible for the conduct if there is more than a 50% chance that they engaged in the alleged conduct.

The grievance process will be completed within a reasonable time frame. Although each complaint is different, a reasonable time frame generally means that the grievance process will be completed within sixty (60) days of when the formal complaint is filed. Time frames may be extended for good cause. Both the complainant and respondent should be informed in writing of any extension of the time frame and the reason for the extension. Good cause may include, but is not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity or Department of Child and Family investigation; or the need for language assistance or accommodation of disabilities.

If a respondent is found to be responsible for the alleged conduct and the alleged conduct is found to be a violation to Title IX, the respondent may be subject to discipline up to and including termination of employment. If the respondent is found to be responsible for the alleged conduct and it is determined that the conduct does not violate Title IX as set forth in the regulations implementing Title IX but the conduct violates another Board policy, rule or code of conduct, and/or federal, state or local law, the respondent also may be subject to discipline up to and including termination from employment.

1. A written formal complaint should include:
  - a. The name of the complainant,
  - b. The date of the complaint,

## Personnel

### Title IX Sexual Harassment

- c. The date of the alleged harassment,
  - d. The name or names of the harasser or harassers (if known),
  - e. Identification of the location where such harassment occurred,
  - f. A detailed statement of the circumstances constituting the alleged harassment.
2. Upon receipt of a formal complaint, the Title IX Coordinator must provide the following written notice to the parties who are known:
  - a. Notice of the District's grievance process including any informal resolution processes that are available.
  - b. Notice of the allegations of sexual harassment including sufficient details known at the time including the identifies of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment in violation of Title IX, and the date and location of the alleged incident (if known).
  - c. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process.
  - d. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
  - e. A statement that each party will have the opportunity to inspect and review evidence provided.
  - f. A statement that parties who knowingly make false statements or knowingly submit false information during the grievance process may be disciplined.
3. If, during the course of the investigation, the investigator decides to investigate allegations not included in the original notice, the investigator will provide notice of the additional allegations to the parties whose identities are known.
4. Risk Assessment: Upon receipt of a formal Title IX written complaint, the Districtwide Title IX Coordinator and/or designee will undertake an individualized safety and risk analysis. If the Districtwide Title IX Coordinator and/or their designee determines that there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment that justifies removal of the respondent from the school setting, the Title IX Coordinator and/or their designee, in

## Personnel

### Title IX Sexual Harassment

conjunction with the Director of Human Resources, will immediately remove the respondent from the school setting. If the respondent is a student, any decision to suspend or expel the student will follow the District's normal suspension/expulsion process. If the respondent is an employee, the District will follow its normal exclusionary proceedings for employees, including but not limited to placement on administrative leave.

5. The Title IX Coordinator will evaluate whether a report must be made to the Connecticut Department of Children and Families.
6. The District may consolidate two or more formal complaints where the allegations of sexual harassment arise out of the same facts or circumstances.
- 7a. Mandatory Dismissal of Formal Complaint: If, during the course of the investigation, it is determined that the respondent's conduct, even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, pursuant to the Title IX Regulations, the District is required to dismiss the formal complaint with regard to that conduct. Such dismissal must be approved by the Superintendent and/or designee or the Director of Human Resources. Such a dismissal does not preclude discipline under another provision of the District's Code of Conduct or another District policy including but not limited to Board Policy 4118.112/4218.112 (Sexual and Other Unlawful Harassment - Personnel).
- 7b. Permissive Dismissal of Formal Complaint: The District may dismiss the formal complaint or specific allegations therein, if (a) any time during the investigation or decision-making process, the complainant notifies the Districtwide Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, (b) the respondent is no longer enrolled or employed by the District, or (c) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. Such dismissal must be approved by the Superintendent and/or designee or the Director of Human Resources. Such a dismissal does not preclude discipline under another provision of the District's Code of Conduct or another District policy including but not limited to Board Policy 4118.112/4218.112 (Sexual and Other Unlawful Harassment - Personnel).
8. Upon mandatory or permissive dismissal, the District must promptly send simultaneous written notice of the dismissal to all parties.
9. The exercise of rights protected under the First Amendment does not constitute sexual harassment under Title IX.



## Personnel

### Title IX Sexual Harassment

#### Formal Investigation Process:

1. The investigator must be free from bias and conflicts of interest and trained to serve impartially.
2. The investigator must ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District, not the parties.
3. The investigator and decision makers cannot access, consider, disclose or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment of the party, unless the investigator or decision maker obtains that party's parent's/guardian's voluntary, written consent to do so (or the written consent of the party if the party is over the age of eighteen).
4. The investigator will provide an equal opportunity for all parties to present witnesses, including fact and expert witnesses, and other evidence.
5. No party will be prohibited from discussing the allegations under investigation or gathering and presenting relevant evidence.
6. Each party may be accompanied to any meeting or proceeding by an advisor of their choosing. The advisor, however, is merely there to provide advice to the party and may not actively participate in the meeting or proceeding. The advisor will not be allowed to ask or answer questions during the meeting or proceeding.
7. Each party will be given written notice of the date, time, location, participants and purpose of all hearings, investigative interview or other meetings to which the party is invited, at least two days in advance in order to provide the party sufficient time to prepare to participate.
8. To the extent the documents and information are not protected from disclosure by the Family Educational Rights and Privacy Act (FERPA), the Americans with Disabilities Act, the Individuals with Disabilities in Education Act or any other federal law, both parties will be given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. *[NOTE – the actual language of the*

## Personnel

### Title IX Sexual Harassment

*regulation would require the district to violate FERPA and potentially the ADA and IDEA by providing all evidence received whether relied upon or not, which could include confidential student information protected by other laws]*

9. Prior to completing the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will be given a minimum of ten (10) calendar days to submit a written response to that information. The investigator must consider any written response prior to completing the investigative report.
10. After completing the investigation, the investigator must create an investigative report that fairly summarizes the relevant evidence and, at least ten (10) days before the decision maker makes a determination of responsibility, send a copy of the investigation report to each party and the party's advisor, if any, in an electronic format or hard copy, for their review and written response.
11. Credibility determinations may not be based on a person's status as a complainant, respondent or witness.
12. The investigative report must include the following:
  - a. The identity of the parties;
  - b. The conduct potentially constituting sexual harassment;
  - c. A list of the evidence reviewed; and
  - d. Findings of fact.

The Formal Decision-Making Process The Decision maker will be the Superintendent of Schools.

1. The Decision maker cannot be the same person as the Title IX Coordinator or the investigator.
2. Before making a decision, the decision maker must give each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness. After posing the relevant questions to the party or witness, the decision-maker must provide each party with the answers and allow for additional, limited follow-up questions from each party.

## **Personnel**

### **Title IX Sexual Harassment**

3. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's sexual behavior with respect to the respondent and are offered to prove consent.
4. The Decision maker may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privileged has waived the privilege.
5. If the Decision maker chooses to exclude any requested questions, the decision-maker should explain to the party proposing the questions the decision to exclude a question as not relevant. To the extent that explanation is given verbally, the Decision maker should document the decision in writing.
6. The Decision maker must make a determination regarding whether the respondent is responsible for sexual harassment in violation of Title IX. To reach the determination, the Decision maker must use the preponderance of the evidence standard. This standard is met if there is more than a fifty percent (50%) chance that the respondent is responsible for sexual harassment in violation of Title IX.
7. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
8. The Decision maker must issue a written determination that includes:
  - a. Identification of the allegations potentially constituting sexual harassment;
  - b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence and hearings held;
  - c. Findings of fact supporting the determination;
  - d. Conclusions regarding the application of the District's code of conduct to the facts;

## Personnel

### Title IX Sexual Harassment

- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility. The formal report also must include any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant. To the extent that the District does not have permission from the relevant party to reveal the discipline, remedies provided, or other information protected by FERPA, the IDEA, the ADA or other federal law, such portion of the report must be redacted before providing it to the other party. *[NOTE - the Title IX regulations require the discipline, the remedies and other protected information to be included in the report provided to each party, but this would be a violation of FERPA, and could violate the IDEA and/or ADA]*
  - f. The District's appeal procedures and permissible bases for the complainant and respondent to appeal the decision.
- 9. The written decision must be provided to both parties simultaneously.
  - 10. The decision is not considered final until after the date the District provides a written determination of any appeal or the deadline for appeal passes.
  - 11. To the extent that the Decision maker determines that the conduct in question meets the District's criteria for expulsion, the provisions of C.G.S. §10-233d and Board policy must be followed prior to the institution of an expulsion.
  - 12. The Title IX coordinator is responsible for effective implementation of any remedies.
  - 13. Conduct that is not found to rise to the level of a Title IX violation may still constitute prohibited discrimination on the basis of sex or another protected category as defined in federal, state or local law, Board policy or the school's code of conduct. A finding of no responsibility under Title IX does not prohibit the District from investigating and determining that the respondent's conduct violated another provision of Board policy and/or code of conduct including but not limited to Board Policy 4118.112/4218.112 (Sexual and Other Unlawful Harassment - Personnel).

The Formal Appeal Process The Board of Education Student and Personnel Hearing Committee will make the final appeal decision.

Both parties have a right to appeal the determination of responsibility and/or the District's decision to dismiss the formal complaint or any allegations thereon. Appeals are only available on the following bases:

## **Personnel**

### **Title IX Sexual Harassment**

1. Procedural irregularities that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, and that could affect the outcome of the matter; and/or
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The appeal Decision maker will not be the same individual as the original Decision maker, the investigator and/or the Title IX Coordinator.

If an appeal is received, the appeal Decision maker will notify the other party in writing.

Before issuing his/her decision, the Decision maker must give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Decision maker must provide his/her/their written decision simultaneously to both parties. The written decision must describe the results of the appeal and the rationale for the result.

### **Informal Resolution Process**

After a formal complaint has been filed, the parties may voluntarily agree to participate in the District's informal resolution process. The parties may not be required to participate in the informal resolution process as a condition of continued enrollment or employment or the enjoyment of any right to an investigation and/or adjudication of the formal complaint of sexual harassment.

Prior to participating in any informal resolution process, the parties will be provided with written notice disclosing the following:

1. The allegations;
2. The circumstances under which the informal resolution process would preclude the parties from resuming a formal complaint arising from the same allegations;
3. The right of any party to withdraw from the informal resolution process at any time prior to the parties agreeing to a resolution and to require the resumption of the formal complaint process after such withdrawal; and
4. The consequences resulting from participating in the informal resolution process, including whether records will be maintained or could be shared.

## **Personnel**

### **Title IX Sexual Harassment**

Each party must give written consent to engage in the informal resolution process. Such consent may be withdrawn at any time.

The informal resolution process may not be used to resolve allegations that an employee sexually harassed a student.

The District provides the following types of informal resolution processes:

1. Mediation,
2. An agreement to truncate the steps of the grievance procedure where the parties agree to some or all of the facts,

### **Recordkeeping**

The District must maintain the following records for a minimum of seven years from the end of the grievance process:

1. The records of each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

The District must maintain for a minimum of seven years all materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District will make such training materials publicly available on its website.

### **Prohibition on Retaliation**

Retaliation against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding a claimed Title IX violation is prohibited. Retaliation shall include intimidation,

## **Personnel**

### **Title IX Sexual Harassment**

threats, coercion or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment if the purpose is to interfere with any right or privilege secured by Title IX.

Complaints of retaliation must be filed through the formal complaint process.

The exercise of rights protected under the First Amendment does not constitute prohibited retaliation.

### **Confidentiality**

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing or other proceedings arising thereunder.

### **Materially False Statements**

A complainant, respondent or witness who is found to have made a materially false statement in bad faith during the grievance process shall be subject to discipline up to and including expulsion from school. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation. A determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **Title IX Coordinator**

The Title IX Coordinator(s) for the New Milford Board of Education are:

**STUDENTS:**

Ms. Alisha DiCorpo  
Assistant Superintendent  
50 East Street  
New Milford, CT 06776  
Phone number: 860-354-3235  
[dicorpoa@newmilfordps.org](mailto:dicorpoa@newmilfordps.org)

**STAFF:**

Ms. Ellamae Baldelli  
Director of Human Resources  
50 East Street  
New Milford, CT 06776  
860-210-2200  
[baldellie@newmilfordps.org](mailto:baldellie@newmilfordps.org)

## **Personnel**

### **Title IX Sexual Harassment**

#### **Publication**

A copy of this regulation must be provided to all students, parents or legal guardians of elementary and secondary school students, employees, and all unions holding collective bargaining agreements with the District.

#### **Training**

All Title IX coordinators, investigators, decision-makers and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment in 34 C.F.R. §106.30, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision makers will receive training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behaviors are not relevant. Investigators will receive training on issues of relevance to create an investigation report that fairly summarizes relevant evidence.

Legal Reference:      20 U.S.C. § 1681 Title IX of the Education Amendments of 1972  
                             34 CFR Section 106 Regulations implementing Title IX  
                             Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Regulation adopted:

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut



<b>ITEM OF INFORMATION REGULATION</b>
---

**5145.7(a)**

## **Students**

### **Procedures for Reports and Complaints of Sexual Harassment of Students**

Sexual harassment is prohibited within the New Milford Public Schools. Examples of conduct that may be sexual harassment include, but are not limited to, the following:

1. Where submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.
2. Where a person is subjected to unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a District education program or activity.
3. Where submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the District.
4. Suggestive or obscene letters, notes, invitations, slurs, jokes, epithets, or gestures, derogatory comments, assault, touching, impeding or blocking movement, leering, display of sexually suggestive objects, pictures or cartoons.
5. Continuing to express sexual interest after being informed that the interest is unwelcome.
6. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of students, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).
7. Inappropriate attention of a sexual nature from peer(s), i.e. student to student, employee to employee.
8. Sexual assault, dating violence, domestic violence or stalking.

### **How to Report Sexual Harassment**

Any person may report sexual harassment, whether or not the person reporting is a person who is alleged to be the victim of conduct that could constitute sexual harassment. Such report may be made in person, by mail, by telephone or by electronic mail to a school-based Title IX coordinator or his/her designee. Such reports may be made anonymously. Individuals who believe that they have been sexually harassed at a District education program or activity, or those who have knowledge of sexual harassment occurring at or during a District education program or activity should report the same to the school-based Title IX coordinator for the school at which the harassment is alleged to have occurred.

## **Students**

### **Procedures for Reports and Complaints of Sexual Harassment of Students**

School employees who receive reports of sexual harassment should immediately send the report to the school-based Title IX coordinator with a copy to the school principal.

Upon receipt of a report of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the wishes of the complainant with regard to supportive measures, inform the complainant of the availability of supportive measures whether or not the complainant files a formal complaint, and explain to the complainant the process for filing a formal complaint.

Supportive measures may include, but are not limited to:

1. A change in class schedule;
2. Additional time to make up assignments/tests missed due to the alleged harassment;
3. Ability to withdraw from elective classes without penalty;
4. Separating the parties as much as possible during the school day;
5. Provision of support by the guidance counselor, school social worker or other designated individual;
6. Increased monitoring, supervision or security in locations or activities where the alleged misconduct occurred; and
7. Other similar measures.

Supportive measures provided must be kept confidential unless disclosure is necessary for the supportive measure's effectiveness.

The Title IX Coordinator must document that they have taken measures designed to restore or preserve equal access to the District's education program or activity and such documentation should address why the response was not deliberately indifferent. The Title IX Coordinator must document all supportive measures offered to and/or provided to the complainant. If the Title IX Coordinator does not provide supportive measures to a complainant, the Title IX Coordinator must document why such a response was not clearly unreasonable in light of the known circumstances.

A report of sexual harassment or sex discrimination is not a request for a formal Title IX complaint investigation. A complainant who wants a formal complaint investigation must file a formal written complaint with the District-wide Title IX Coordinator as outlined in the formal grievance procedure below.

## **Students**

### **Procedures for Reports and Complaints of Sexual Harassment of Students**

#### Formal Grievance Procedure

The formal grievance procedure is designed to provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by Title IX and its implementing regulations. The grievance procedure applies only to claims of sex discrimination occurring in the District's education programs or activities. The formal grievance procedure is only initiated if the complainant or the complainant's parent/guardian signs a formal complaint or the Districtwide Title IX Coordinator signs a formal complaint alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

The Title IX Coordinator, investigator, decision-maker and any person designated to facilitate an informal resolution process will recuse themselves if they have a conflict of interest or a bias for or against complainants or respondents generally or to an individual complainant or respondent.

There is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. "Responsible for the alleged conduct" is determined by the preponderance of the evidence standard whereby the respondent is responsible for the conduct if there is more than a 50% chance that they engaged in the alleged conduct.

The grievance process will be completed within a reasonable time frame. Although each complaint is different, a reasonable time frame generally means that the grievance process will be completed within sixty (60) days of when the formal complaint is filed. Time frames may be extended for good cause. Both the complainant and respondent should be informed in writing of any extension of the time frame and the reason for the extension. Good cause may include, but is not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity or Department of Child and Family investigation; or the need for language assistance or accommodation of disabilities.

If a respondent is found to be responsible for the alleged conduct and the alleged conduct is found to be a violation to Title IX, the respondent may be subject to discipline up to and including expulsion from school. If the respondent is found to be responsible for the alleged conduct and it is determined that the conduct does not violate Title IX as set forth in the regulations implementing Title IX but the conduct violates another Board policy or school rule, the respondent also may be subject to discipline up to and including expulsion from school if the respondent is a student or termination of employment if the respondent is an employee.

1. A written formal complaint should include:
  - a. The name of the complainant,

## Students

### Procedures for Reports and Complaints of Sexual Harassment of Students

- b. The date of the complaint,
  - c. The date of the alleged harassment,
  - d. The name or names of the harasser or harassers (if known),
  - e. Identification of the location where such harassment occurred,
  - f. A detailed statement of the circumstances constituting the alleged harassment.
2. Upon receipt of a formal complaint, the Title IX Coordinator must provide the following written notice to the parties who are known:
  - a. Notice of the District's grievance process including any informal resolution processes that are available.
  - b. Notice of the allegations of sexual harassment including sufficient details known at the time including the identifies of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment in violation of Title IX, and the date and location of the alleged incident (if known).
  - c. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process.
  - d. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
  - e. A statement that each party will have the opportunity to inspect and review evidence provided.
  - f. A statement that parties who knowingly make false statements or knowingly submit false information during the grievance process may be disciplined.
3. If, during the course of the investigation, the investigator decides to investigate allegations not included in the original notice, the investigator will provide notice of the additional allegations to the parties whose identities are known.
4. Risk Assessment: Upon receipt of a formal Title IX written complaint, the Districtwide Title IX Coordinator and/or designee will undertake an individualized safety and risk analysis. If the Districtwide Title IX Coordinator and/or their designee determines that there is an immediate threat to the physical health or safety of any student or other individual arising from the

## Students

### Procedures for Reports and Complaints of Sexual Harassment of Students

allegations of sexual harassment that justifies removal of the respondent from the school setting, the Title IX Coordinator and/or their designee, in conjunction with the School Principal, if the respondent is a student, or the Director of Human Resources, if the respondent is an employee, will immediately remove the respondent from the school setting. If the respondent is a student, any decision to suspend or expel the student will follow the District's normal suspension/expulsion process. If the respondent is an employee, the District will follow its normal exclusionary proceedings for employees, including but not limited to placement on administrative leave.

5. The Title IX Coordinator will evaluate whether a report must be made to the Connecticut Department of Children and Families.
6. The District may consolidate two or more formal complaints where the allegations of sexual harassment arise out of the same facts or circumstances.
- 7a. Mandatory Dismissal of Formal Complaint: If, during the course of the investigation, it is determined that the respondent's conduct, even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, pursuant to the Title IX Regulations, the District is required to dismiss the formal complaint with regard to that conduct. Such dismissal must be approved by the Superintendent and/or designee. Such a dismissal does not preclude discipline under another provision of the District's Code of Conduct or another District policy including but not limited to Board Policies 4118.112/4218.112 (Sexual and Other Unlawful Harassment – Personnel) and 5145.5 (Sexual and Other Unlawful Harassment of Students).
- 7b. Permissive Dismissal of Formal Complaint: The District may dismiss the formal complaint or specific allegations therein, if (a) any time during the investigation or decision-making process, the complainant notifies the Districtwide Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, (b) the respondent is no longer enrolled or employed by the District, or (c) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. Such dismissal must be approved by the Superintendent and/or designee. Such a dismissal does not preclude discipline under another provision of the District's Code of Conduct or another District policy including but not limited to Board Policies 4118.112/4218.112 (Sexual and Other Unlawful Harassment – Personnel) and 5145.5 (Sexual and Other Unlawful Harassment of Students).
8. Upon mandatory or permissive dismissal, the District must promptly send simultaneous written notice of the dismissal to all parties.

## Students

### Procedures for Reports and Complaints of Sexual Harassment of Students

9. The exercise of rights protected under the First Amendment does not constitute sexual harassment under Title IX.

#### Formal Investigation Process:

1. The investigator must be free from bias and conflicts of interest and trained to serve impartially.
2. The investigator must ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District, not the parties.
3. The investigator and decision makers cannot access, consider, disclose or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment of the party, unless the investigator or decision maker obtains that party's parent's/guardian's voluntary, written consent to do so (or the written consent of the party if the party is over the age of eighteen).
4. The investigator will provide an equal opportunity for all parties to present witnesses, including fact and expert witnesses, and other evidence.
5. No party will be prohibited from discussing the allegations under investigation or gathering and presenting relevant evidence.
6. Each party may be accompanied to any meeting or proceeding by an advisor of their choosing. The advisor, however, is merely there to provide advice to the party and may not actively participate in the meeting or proceeding. The advisor will not be allowed to ask or answer questions during the meeting or proceeding.
7. Each party will be given written notice of the date, time, location, participants and purpose of all hearings, investigative interview or other meetings to which the party is invited, at least two days in advance in order to provide the party sufficient time to prepare to participate.
8. To the extent the documents and information are not protected from disclosure by the Family Educational Rights and Privacy Act (FERPA), the Americans with Disabilities Act, the Individuals with Disabilities in Education Act or any other federal law, both parties will be given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. *[NOTE – the actual language of the regulation would require the district to violate*

## Students

### Procedures for Reports and Complaints of Sexual Harassment of Students

*FERPA and potentially the ADA and IDEA by providing all evidence received whether relied upon or not, which could include confidential student information protected by other laws]*

9. Prior to completing the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will be given a minimum of ten (10) calendar days to submit a written response to that information. The investigator must consider any written response prior to completing the investigative report.
10. After completing the investigation, the investigator must create an investigative report that fairly summarizes the relevant evidence and, at least ten (10) days before the decision maker makes a determination of responsibility, send a copy of the investigation report to each party and the party's advisor, if any, in an electronic format or hard copy, for their review and written response.
11. Credibility determinations may not be based on a person's status as a complainant, respondent or witness.
12. The investigative report must include the following:
  - a. The identity of the parties;
  - b. The conduct potentially constituting sexual harassment;
  - c. A list of the evidence reviewed; and
  - d. Findings of fact.

The Formal Decision-Making Process The Decision maker will be the Superintendent of Schools.

1. The Decision-maker be the same person as the Title IX Coordinator or the investigator.
2. Before making a decision, the decision-maker must give each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness. After posing the relevant questions to the party or witness, the decision-maker must provide each party with the answers and allow for additional, limited follow-up questions from each party.
3. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents

## Students

### Procedures for Reports and Complaints of Sexual Harassment of Students

of the complainant's sexual behavior with respect to the respondent and are offered to prove consent.

4. The Decision maker may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privileged has waived the privilege.
5. If the Decision maker chooses to exclude any requested questions, the decision-maker should explain to the party proposing the questions the decision to exclude a question as not relevant. To the extent that explanation is given verbally, the Decision maker should document the decision in writing.
6. The Decision maker must make a determination regarding whether the respondent is responsible for sexual harassment in violation of Title IX. To reach the determination, the Decision maker must use the preponderance of the evidence standard. This standard is met if there is more than a fifty percent (50%) chance that the respondent is responsible for sexual harassment in violation of Title IX.
7. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
8. The Decision maker must issue a written determination that includes:
  - a. Identification of the allegations potentially constituting sexual harassment;
  - b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence and hearings held;
  - c. Findings of fact supporting the determination;
  - d. Conclusions regarding the application of the District's code of conduct to the facts;
  - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility. The formal report also must include any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant. To the extent that the District does not have permission from the relevant party to reveal the discipline, remedies provided, or other information protected by FERPA,



## Students

### Procedures for Reports and Complaints of Sexual Harassment of Students

the IDEA, the ADA or other federal law, such portion of the report must be redacted before providing it to the other party. *[NOTE - the Title IX regulations require the discipline, the remedies and other protected information to be included in the report provided to each party, but this would be a violation of FERPA, and could violate the IDEA and/or ADA]*

- f. The District's appeal procedures and permissible bases for the complainant and respondent to appeal the decision.
9. The written decision must be provided to both parties simultaneously.
10. The decision is not considered final until after the date the District provides a written determination of any appeal or the deadline for appeal passes.
11. To the extent that the Decision maker determines that the conduct in question meets the District's criteria for expulsion, the provisions of C.G.S. §10-233d and Board policy must be followed prior to the institution of an expulsion.
12. The Title IX coordinator is responsible for effective implementation of any remedies.
13. Conduct that is not found to rise to the level of a Title IX violation may still constitute prohibited discrimination on the basis of sex or another protected category as defined in federal, state or local law, Board policy or the school's code of conduct. A finding of no responsibility under Title IX does not prohibit the District from investigating and determining that the respondent's conduct violated another provision of Board policy and/or the student code of conduct including but not limited to Board Policies 4118.112/4218.112 (Sexual and Other Unlawful Harassment – Personnel) and 5145.5 (Sexual and Other Unlawful Harassment of Students).

The Formal Appeal Process The Board of Education Student and Personnel Hearing Committee will make the final appeal decision.

Both parties have a right to appeal the determination of responsibility and/or the District's decision to dismiss the formal complaint or any allegations thereon. Appeals are only available on the following bases:

1. Procedural irregularities that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, and that could affect the outcome of the matter; and/or

## **Students**

### **Procedures for Reports and Complaints of Sexual Harassment of Students**

3. The Title IX Coordinator, investigator(s), or decision maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The appeal Decision maker will not be the same individual as the original Decision maker, the investigator and/or the Title IX Coordinator.

If an appeal is received, the appeal Decision maker will notify the other party in writing.

Before issuing his/her decision, the Decision maker must give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Decision maker must provide his/her/their written decision simultaneously to both parties. The written decision must describe the results of the appeal and the rationale for the result.

### **Informal Resolution Process**

After a formal complaint has been filed, the parties may voluntarily agree to participate in the District's informal resolution process. The parties may not be required to participate in the informal resolution process as a condition of continued enrollment or employment or the enjoyment of any right to an investigation and/or adjudication of the formal complaint of sexual harassment.

Prior to participating in any informal resolution process, the parties will be provided with written notice disclosing the following:

1. The allegations;
2. The circumstances under which the informal resolution process would preclude the parties from resuming a formal complaint arising from the same allegations;
3. The right of any party to withdraw from the informal resolution process at any time prior to the parties agreeing to a resolution and to require the resumption of the formal complaint process after such withdrawal; and
4. The consequences resulting from participating in the informal resolution process, including whether records will be maintained or could be shared.

Each party must give written consent to engage in the informal resolution process. Such consent may be withdrawn at any time.

The informal resolution process may not be used to resolve allegations that an employee sexually harassed a student.

## **Students**

### **Procedures for Reports and Complaints of Sexual Harassment of Students**

The District provides the following types of informal resolution processes:

1. Mediation,
2. An agreement to truncate the steps of the grievance procedure where the parties agree to some or all of the facts,

### **Recordkeeping**

The District must maintain the following records for a minimum of seven years from the end of the grievance process:

1. The records of each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

The District must maintain for a minimum of seven years all materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District will make such training materials publicly available on its website.

### **Prohibition on Retaliation**

Retaliation against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding a claimed Title IX violation is prohibited. Retaliation shall include intimidation, threats, coercion or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment if the purpose is to interfere with any right or privilege secured by Title IX.

## **Students**

### **Procedures for Reports and Complaints of Sexual Harassment of Students**

Complaints of retaliation must be filed through the formal complaint process.

The exercise of rights protected under the First Amendment does not constitute prohibited retaliation.

### **Confidentiality**

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing or other proceedings arising thereunder.

### **Materially False Statements**

A complainant, respondent or witness who is found to have made a materially false statement in bad faith during the grievance process shall be subject to discipline up to and including expulsion from school. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation. A determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **Title IX Coordinator**

The Title IX Coordinator(s) for the New Milford Board of Education are:

**STUDENTS:**

Ms. Alisha DiCorpo  
Assistant Superintendent  
50 East Street  
New Milford, CT 06776  
Phone number: 860-354-3235  
[dicorpoa@newmilfordps.org](mailto:dicorpoa@newmilfordps.org)

**STAFF:**

Ms. Ellamae Baldelli  
Director of Human Resources  
50 East Street  
New Milford, CT 06776  
860-210-2200  
[baldellie@newmilfordps.org](mailto:baldellie@newmilfordps.org)

### **Publication**

A copy of this regulation must be provided to all students, parents or legal guardians of elementary and secondary school students, employees, and all unions holding collective bargaining agreements with the District.

## **Students**

### **Procedures for Reports and Complaints of Sexual Harassment of Students**

#### **Training**

All Title IX coordinators, investigators, decision-makers and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment in 34 C.F.R. §106.30, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision makers will receive training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behaviors are not relevant. Investigators will receive training on issues of relevance to create an investigation report that fairly summarizes relevant evidence.

Legal Reference:      20 U.S.C. § 1681 Title IX of the Education Amendments of 1972  
                             34 CFR Section 106 Regulations implementing Title IX  
                             Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

**New Milford Board of Education  
Facilities Sub-Committee Minutes  
August 11, 2020  
New Milford High School Library Media Center**

RECEIVED  
TOWN CLERK

2020 AUG 12 P 2:37

NEW MILFORD, CT

**Present:** Mr. Brian McCauley, Chairperson (via Zoom)  
Mr. Pete Helmus  
Mrs. Olga I. Rella (via Zoom)  
Mrs. Angela C. Chastain, Alternate  
Mrs. Wendy Faulenbach, Alternate

**Absent:** Mrs. Eileen P. Monaghan

**Also Present:** Dr. Paul Smotas, Interim Superintendent  
Mr. Kevin Munrett, Facilities Director  
Mr. Nestor Aparicio, Assistant Facilities Director  
Ms. Ellamae Baldelli, Director of Human Resources  
Mr. Brandon Rush, Technology Director  
Mrs. Laura Olson, Director of Pupil Personnel and Special Services

<b>1.</b>	<b>Call to Order</b>  The meeting of the New Milford Board of Education Facilities Sub-Committee was called to order at 6:49 p.m. by Mr. McCauley. Mrs. Chastain was seated for Mrs. Monaghan.	<b>Call to Order</b>
<b>2.</b>	<b>Public Comment</b>  <ul style="list-style-type: none"> <li>Kim Foss requested an explanation of how air exchange works in ventilating rooms in schools without air conditioning.</li> </ul>	<b>Public Comment</b>
<b>3.</b>	<b>Items for Information and Discussion</b>  <b>A. NV5 Update</b>  <ul style="list-style-type: none"> <li>Mr. Munrett said NV5 continues their work and the project is moving forward, with weekly meetings.</li> </ul> <p>At 6:57 p.m., Mr. McCauley and Mrs. Rella lost contact due to technical issues with the Zoom and YouTube Live feeds. Mrs. Chastain took over as Chair and seated Mrs. Faulenbach as second alternate so that the meeting could continue with a quorum.</p>	<b>Items for Information and Discussion</b>  <b>A. NV5 Update</b>

	<p><b>B. SNIS Air Conditioner - Cafeteria</b></p> <ul style="list-style-type: none"> <li>• Mr. Munrett said this project is complete and they have filed for the \$6,250 rebate from Eversource.</li> <li>• Mrs. Faulenbach asked when they could expect to receive the check and Mr. Munrett said he did not have a timeframe.</li> </ul> <p><b>C. Elevators – SNIS, SMS</b></p> <ul style="list-style-type: none"> <li>• Mr. Munrett said the SNIS elevator had a valve problem occur after inspection, which the contractor replaced at their expense. Now the state has to come back to inspect it again and it is inactive until then.</li> <li>• Mrs. Chastain asked if it will be active by September 8. Mr. Munrett said he hopes so but there are very few state inspectors.</li> <li>• Mr. Helmus asked if a federal inspector could be used. Mr. Munrett said it is a state function.</li> <li>• Mr. Munrett said the SMS elevator is leaking oil and service has been called to troubleshoot.</li> <li>• Mrs. Chastain asked if that means the elevator is inactive and Mr. Munrett said that is correct.</li> <li>• Mrs. Faulenbach asked if the repair is covered under contract. Mr. Munrett said it is not and will need to come out of the contracted services budget line.</li> </ul> <p><b>D. NMHS Tennis Courts</b></p> <ul style="list-style-type: none"> <li>• Mr. Munrett said he reached out to the Mayor at the end of July regarding this project and the Mayor told him that the project will proceed after the auditors approve the transfer of funds.</li> <li>• Mr. Helmus asked if the repair window is closing. Mr. Munrett said the window is dependent on rain and temperature and there is some time still.</li> <li>• Mrs. Faulenbach asked what vendor is doing the work. Mr. Munrett said it is Hinding, the same vendor who did the Youngsfield courts, and who has the state contract. The vendor has said</li> </ul>	<p><b>B. SNIS Air Conditioner - Cafeteria</b></p> <p><b>C. Elevators – SNIS, SMS</b></p> <p><b>D. NMHS Tennis Courts</b></p>
--	---	--

	they will honor the original bid.	
<b>E.</b>	<b>Update on 2019-20 Capital Projects</b>	<b>E. Update on 2019-20 Capital Projects</b>
	<ul style="list-style-type: none"> <li>Mr. Munrett said the high school fire alarm project that was approved for use of these funds will begin next week.</li> </ul>	
<b>F.</b>	<b>Air Conditioning – HPS, NES, SMS</b>	<b>F. Air Conditioning – HPS, NES, SMS</b>
	<ul style="list-style-type: none"> <li>Mr. Munrett said the packet includes background information for SMS, with pricing from several years ago. NV5 is looking at the air conditioning area in general as a project, but they are many months away from even making suggestions.</li> <li>Mrs. Faulenbach noted that the information in 2016 was all from one vendor and that additional power units would also have been needed, at additional cost.</li> <li>Mrs. Chastain asked what options there are for students and staff this September. Mr. Munrett said they are looking to install ceiling mounted fans in rooms, where possible.</li> <li>Mrs. Chastain asked that staff be reminded to keep blinds down and windows closed as well.</li> <li>Mrs. Faulenbach said she thought quite a few fans would be needed and asked if it was Mr. Munrett's intent to take funding from the COVID-19 account. Mr. Munrett said yes. He said the majority will be for SMS, as NES and HPS are in pretty good shape.</li> <li>Mrs. Chastain noted that at one point guidance prohibited fans. Mr. Munrett said the prohibition is against floor mounted fans. Window fans are okay, as are ceiling fans as long as they draw air from the floor to the ceiling.</li> </ul>	
<b>G.</b>	<b>School Reopening Guidelines for 2020-21</b>	<b>G. School Reopening Guidelines for 2020-21</b>
	<ul style="list-style-type: none"> <li>Mr. Munrett said the guidelines continue to change and they are learning more every day. He and Mr. Aparicio attended two state</li> </ul>	



	<p>webinars, one focused on HVAC and one on cleaning. Custodial training will take place August 20.</p> <p><b>H. Municipal Building Committee (MBC) Projects</b></p> <ul style="list-style-type: none"> <li>Mr. Munrett said the MBC did not meet last week. The high school roof project is on hold until November when it will be eligible for a higher reimbursement due to its age. In the meantime, Mr. Munrett is updating the school security plan which is a necessary piece when applying for the reimbursement. The SNIS oil tank project continues to move along. He has also had meetings with the Town regarding sharing services where feasible.</li> </ul>	<b>H. Municipal Building Committee (MBC) Projects</b>
<b>4.</b>	<p><b>Public Comment</b></p> <ul style="list-style-type: none"> <li>Megan Byrd said she would like to see information made available to the public on the district website regarding the ventilation systems in general, detailing last cleaning, type of filtration system used, and the cleaning schedule for the fall.</li> </ul>	<b>Public Comment</b>
<b>5.</b>	<p><b>Adjourn</b></p> <p>Mrs. Faulenbach moved to adjourn the meeting at 7:13 p.m., seconded by Mr. Helmus and passed unanimously.</p>	<p><b>Adjourn</b></p> <p><b>Motion made and passed unanimously to adjourn the meeting at 7:13 p.m.</b></p>

Respectfully submitted:



Angela C. Chastain, Chairperson  
Board of Education

**New Milford Board of Education  
Operations Sub-Committee Minutes  
August 11, 2020  
New Milford High School Library Media Center**

RECEIVED  
TOWN CLERK  
2020 AUG 12 P 2:37

NEW MILFORD, CT

**Present:** Mrs. Wendy Faulenbach, Chairperson  
Mr. Pete Helmus  
Mrs. Olga I. Rella (via Zoom)  
Mrs. Tammy McInerney, Alternate

**Absent:** Mrs. Eileen P. Monaghan

**Also Present:** Dr. Paul Smotas, Interim Superintendent  
Ms. Ellamae Baldelli, Director of Human Resources  
Mr. Anthony Giovannone, Director of Fiscal Services and Operations  
Mrs. Laura Olson, Director of Pupil Personnel and Special Services  
Mr. Kevin Munrett, Facilities Director  
Mr. Brandon Rush, Director of Technology

<b>1.</b>	<b>Call to Order</b>  The meeting of the New Milford Board of Education Operations Sub-Committee was called to order at 7:30 p.m. by Mrs. Faulenbach. Mrs. McInerney was seated in the absence of Mrs. Monaghan.	<b>Call to Order</b>
<b>2.</b>	<b>Public Comment</b>  <ul style="list-style-type: none"> <li>There was none.</li> </ul>	<b>Public Comment</b>
<b>3.</b>	<b>Discussion and Possible Action</b>  <b>A. Authorization of Signatory on School District Accounts – Exhibit B</b>  <ul style="list-style-type: none"> <li>Mrs. Faulenbach said this adds Dr. Smotas as a signatory on all the accounts listed.</li> </ul> Mr. Helmus moved to bring the Authorization of Signatory on School District Accounts – Exhibit B to the full Board for approval.  Motion seconded by Mrs. McInerney.  Motion passed unanimously.  <b>B. Flexible Spending Account Amendments</b>  <ul style="list-style-type: none"> <li>Mrs. Faulenbach said these changes are for</li> </ul>	<b>Discussion and Possible Action</b>  <b>A. Authorization of Signatory on School District Accounts – Exhibit B</b>  <b>Motion made and passed unanimously to bring the Authorization of Signatory on School District Accounts – Exhibit B to the full Board for approval.</b>  <b>B. Flexible Spending Account Amendments</b>

	<p>Board approval.</p> <p>Mr. Helmus moved to bring the Amendment to the New Milford Public Schools Cafeteria Plan to the full Board for approval.</p> <p>Motion seconded by Mrs. McInerney.</p> <p>Motion passed unanimously.</p> <p><b>C. COVID-19 Related Staffing Requests</b></p> <ul style="list-style-type: none"> <li>• Mrs. Faulenbach said the Board approved materials based expenditures last month. Now the conversation starts regarding staffing for the various phases. The discussion will continue at the full Board for transparency and recommendations will become more definitive as the plan evolves.</li> <li>• Ms. Baldelli provided an overview. She said the Cabinet has been working since June regarding the impact of different models. Requests are broken down into different areas. Supervision of the isolation rooms is needed; there is one in each school. They will be talking to Dr. Hack for his recommendation but more than likely an LPN or RN will be needed. The use of an LPN will require discussion with the union. The recommendation is to plan for staffing for a month to start until we see how conditions evolve. Ms. Baldelli said a nurse will also be needed for the isolation room during Adult Education hours.</li> <li>• Mrs. Faulenbach said she thought the month to month makes sense since the situation is so fluid. That way adjustments can be made as the plan choice changes.</li> <li>• Mrs. Olson is requesting an additional 0.5 Special Education teacher for LHTC, due to a legal ruling increasing coverage to 22 year olds. The program is also moving from the MAXX to SNIS.</li> <li>• Mrs. Faulenbach asked if this is a more permanent request. Mrs. Olson said it is, for the</li> </ul>	<p><b>Motion made and passed unanimously to bring the Amendment to the New Milford Public Schools Cafeteria Plan to the full Board for approval.</b></p> <p><b>C. COVID-19 Related Staffing Requests</b></p>
--	--	--

full year.

- Mrs. Faulenbach suggested this request be considered separately since it is not COVID related and will come from the operating budget. She asked if there is grant funding available. Mrs. Olson said the IDEA grant could be used but that would mean taking funds away from somewhere else.
- Ms. Baldelli said she would make the revision.
- Mr. Helmus asked what precipitated the move to SNIS. Ms. Olson said that it is COVID related, due to the need for an isolation room with separate bathroom.
- Ms. Baldelli said they are requesting additional custodial help in all buildings for every day sanitizing and cleaning. The recommendation is for temporary 19 hour per week positions at each school. Once the hybrid plan is set, they can finalize the total number needed.
- Mrs. Faulenbach said that is a good point. Requests can and will change with the plan designation.
- Ms. Baldelli said Mr. Rush and Ms. DiCorpo are requesting a new position: Integrated Tech Specialist to assist students, staff and even parents in the Technology area. They are asking for a total of nine positions to be deployed based on the size of the school. Ms. Baldelli said that is quite an expense and she said they are looking to see if it can be reduced to a more manageable number, perhaps one per school, or to stipend hours. She said she does not believe these will be temporary positions, since there will be some variety of remote learning throughout the year.
- Mrs. Faulenbach asked to see a job description. Ms. Baldelli said that is coming and she is also checking certification requirements.
- Mrs. McInerney asked about the note on the memo regarding reassigning staff. Ms. Baldelli said positions may change with the model.
- Ms. Baldelli said there is a request for a temporary computer tech position for the beginning of the year at least, to get up and

running. There is also a request for 870 additional hours for existing techs.

- Mr. Rush said the requested computer tech position would work district-wide to focus on Chromebook cleaning, repair and management.
- Mrs. McInerney said she thinks these positions are needed now and is concerned about waiting for Board discussion next week. Ms. Baldelli said they could post them as anticipated in the meantime to get things moving.
- Dr. Smotas suggested some services could be contracted out as well.
- Mrs. Faulenbach said she thought there would be much of this the Board may adopt.
- Regarding food service, Ms. Baldelli said no additional costs are incurred for cafeteria service. If the district goes to a “grab and go” model, there would be additional costs for staff and equipment. She said the building principals are currently evaluating their building spaces for social distancing. In addition, Food Services is required to offer breakfast and lunch to in school and remote students. Pick up for remote learners will take place at SNIS on Wednesday.
- Ms. Baldelli said other potential district-wide needs have been discussed including a nurse facilitator, a bus transportation liaison, bus monitors and police coverage due to increased traffic. There are no recommendations at this time for these positions, but they are on the radar as potential. Ms. Baldelli there are no recommendations for remote teaching positions at this time.
- Mrs. McInerney said she thinks the nurse facilitator position is a definite need for coordination and communication. She also feels strongly that bus monitors are needed so the bus driver can concentrate on driving. Police help with traffic control will also be crucial with increased parent drop off, since that is already an issue for some schools.
- Mrs. Faulenbach noted that while they are all big concerns, they are not feasible in some

	<p>cases, such as trying to hire over 60 bus monitors.</p> <ul style="list-style-type: none"> <li>• Mrs. Rella said paraeducators were paid extra in the past to ride buses and asked if they and the child care workers can be used for this. Mrs. Olson said in the past it was always short term and for just a handful of students.</li> <li>• Dr. Smotas said there will be ramifications within unions too. MOUs will be required for any job description changes. He said he had met with Jeff Woods of All Star and Jeff's main concern right now is that he is short three drivers. Dr. Smotas said we don't know the numbers yet to justify this kind of hiring. We will have to see who rides the buses first.</li> <li>• Mrs. Faulenbach said we do know that the transportation piece will be different, so it will be important to work with the police and staff for safety.</li> <li>• Being new to the position, Dr. Smotas asked for clarity regarding his authority to hire.</li> <li>• Mrs. Faulenbach said the Board had given authority to the superintendent to hire within the operating budget during the summer months. Expenses to be charged to the COVID-19 account are different however and require Board approval.</li> <li>• Dr. Smotas expressed concern about timing for some of these hires.</li> <li>• Mrs. Faulenbach said she was confident that the Board and Board Chair would do whatever needed to be done, including holding special meetings as necessary. She suggested there might be more definitive conversation at next Tuesday's Board meeting.</li> </ul> <p>Mr. Helmus moved to bring the COVID-19 Related Staffing Requests topic to the full Board for discussion and possible action.</p> <p>Motion seconded by Mrs. McNerney.</p> <p>Motion passed unanimously.</p>	<p><b>Motion made and passed unanimously to bring the COVID-19 Related Staffing Requests topic to the full Board for discussion and possible action.</b></p>
--	--	--

<p>4.</p>	<p><b>Items of Information</b></p> <ul style="list-style-type: none"> <li>Mrs. Faulenbach said the Board has authorized the Superintendent to approve personnel decisions and purchasing over the summer months so Exhibit A and the Monthly Reports are Items of Information in the summer.</li> </ul> <p><b>A. Exhibit A: Personnel — Certified, Non-Certified Appointments, Resignations and Leaves of Absence</b></p> <ul style="list-style-type: none"> <li>Mrs. McInerney noted the nurse co-coordinators on the exhibit and asked if they would be asked to take on the role of nurse facilitator if that position was not approved. Ms. Baldelli said she did not have an answer to that question at this time.</li> </ul> <p><b>B. Monthly Reports</b></p> <ol style="list-style-type: none"> <li><b>Budget Position dated July 31, 2020</b></li> <li><b>Purchase Resolution D-737</b></li> <li><b>Request for Budget Transfers</b></li> </ol> <ul style="list-style-type: none"> <li>Mrs. Faulenbach said that she would be happy to speak to the monthly reports in Mr. Giovannone's absence or members could wait for the full Board meeting.</li> <li>Mrs. Faulenbach asked Mr. Munrett about the \$9,000 charge for Danbury Winn. He said that is an annual encumbrance for plumbing supplies.</li> <li>Mr. Giovannone commented from Zoom. He said the Purchase Resolution had an error on page 3 of 4. The Tomasello purchase order should not have been on this report because they are not sure yet if it will be funded. The Department of Instruction may need those funds for restorative practices instead. He said there will be a revision for the full Board meeting.</li> <li>Mrs. Faulenbach said she had a question on the COVID related tech piece. She said the dollars listed for Chromebooks were not adding up to the numbers approved. Mr. Giovannone said he</li> </ul>	<p><b>Items of Information</b></p> <p><b>A. Exhibit A: Personnel — Certified, Non-Certified Appointments, Resignations and Leaves of Absence</b></p> <p><b>B. Monthly Reports</b></p> <ol style="list-style-type: none"> <li><b>Budget Position dated July 31, 2020</b></li> <li><b>Purchase Resolution D-737</b></li> <li><b>Request for Budget Transfers</b></li> </ol>
-----------	--	---

**New Milford Board of Education  
Operations Sub-Committee Minutes  
August 11, 2020  
New Milford High School Library Media Center**

**Page 7**

	would double check. He said these items are purchase orders as of August 1, and there are more to come from what was approved.	
<b>5.</b>	<b>Public Comment</b> <ul style="list-style-type: none"><li>• There was none.</li></ul>	<b>Public Comment</b>
<b>6.</b>	<b>Adjourn</b>  Mrs. McInerney moved to adjourn the meeting at 8:22 p.m. seconded by Mr. Helmus and passed unanimously.	<b>Adjourn</b>  <b>Motion made and passed unanimously to adjourn the meeting at 8:22 p.m.</b>

Respectfully submitted:



Wendy Faulenbach, Chairperson  
Operations Sub-Committee