

WESTPORT BOARD OF EDUCATION**AGENDA ***

(Agenda Subject to Modification in Accordance with Law)

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to the Governor's Executive Order No. 7B, there will not be a physical location for this meeting. This meeting will be held electronically and live streamed on westportps.org and shown on Optimum Government Access Channel 78 and Frontier Channel 6021. Emails to BOE members can be sent to BOE@westportps.org. Comments to be read during the public comment period must be submitted to the meeting's Googledoc during the submission period. Please see the following link for instructions and guidelines: https://www.westportps.org/uploaded/Procedures_and_Guidelines_for_Public_Participation_in_Remote_Board_Meetings.pdf. We will use our best efforts to read public comments if they are received during the public comment period and if they state your full name and address. Meeting materials will be available at westportps.org along with the meeting notice posted on the Meeting Agenda page.

PUBLIC SESSION/PLEDGE OF ALLEGIANCE

7:00 p.m., Held Remotely Via Zoom Pursuant to Executive Order 7B

RECOGNITION OF RETIREES**RECOGNITION OF PTA CO-PRESIDENTS****RECOGNITION OF DR. DAVID ABBEY, INTERIM SUPERINTENDENT OF SCHOOLS****ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION****PUBLIC QUESTIONS/COMMENTS ON NON-AGENDA ITEMS (15 MINUTES)****MINUTES:** June 1, 2020, *pages 3-5***DISCUSSION**

- | | | |
|---|---------|--------------------------------------|
| 1. Update on Entry Plan and Goals, pages 6-10 | (Encl.) | Mr. Tom Scarice |
| 2. Update from the Coleytown Middle School Building Committee | | Mr. Don O'Day |
| 3. Update from the School Reopening Committee | | Dr. Anthony Buono
Mr. John Bayers |
| 4. Update on Summer School | | Dr. David Abbey |

DISCUSSION/ACTION

- | | | |
|---|---------|------------------|
| 1. Authorization to Sign Contracts | | Dr. David Abbey |
| 2. Second Reading of the Following Policies and Regulations: | (Encl.) | Ms. Karen Kleine |
| <ul style="list-style-type: none"> • Policy 4138/4238 Non-School Employment (new) , <i>page 11</i> • Regulation 4138/4238 Non-School Employment (revised), <i>pages 12-14</i> • Policy 4151.5/4215.5 Legal and Civic Duties (revised), <i>pages 15-16</i> • Policy 4118.24 Staff/Student Relations/Non-Fraternization (revised), <i>pages 17-19</i> | | |

ADJOURNMENT

* A 2/3 vote is required to go to executive session, to add a topic to the agenda of a regular meeting, or to start a new topic after 10:30 p.m. The meeting can also be viewed on Cablevision on channel 78; Frontier channel 6021 and by video stream @www.westportps.org

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

- Public comment will be accepted via a Google doc and the comments will be read aloud at the meeting. A link will be provided on Monday, prior to the meeting.
- There will be no in-person public comment due to public health concerns.
- A maximum of 15 minutes will be provided for public comments.
- Comments on agenda items are limited to 1 minute each.

It is the policy of the Town of Westport that all Town-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in a meeting or event due to a disability as defined under the Americans with Disabilities Act, please contact Westport's ADA Coordinator at 203-341-1043 or efluq@westportct.gov at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Westport Board of Education

Candice Savin, Chair

Jeannie Smith, Vice Chair

Elaine Whitney, Secretary

Karen Kleine

Vik Muktavaram

Youn Su Chao

Lee Goldstein

IN RECOGNITION OF OUR RETIRING COLLEAGUES



The Mission of the Westport Public Schools is to prepare all students to reach their full potential as life-long learners and socially responsible contributors to our global community.

JUNE 8, 2020

OUR RETIREES

Mary Alvarez

*Secretary – Twenty-Five Years
Central Office*

Wendy Bitler

*Teacher – Thirty-Five Years
Kings Highway Elementary
School*

Linda Cataudo

*Secretary – Twenty-Eight Years
Facilities*

David Deitch

*Teacher – Thirty-Seven Years
Bedford Middle School*

Sandra Evangelista

*Transportation Coordinator –
Fourteen Years
Central Office*

Paul Ferrante

*Teacher – Twenty Years
Bedford Middle School
Coleytown Middle School*

Bobbie Flynn-Johnson

*Teacher – Thirty-Seven Years
Coleytown Elementary School*

Richard Franzis

*Administrator – Fourteen Years
Staples High School*

Lori Gazerro

*Paraprofessional – Twenty Years
Greens Farms Elementary
School*

Adolfo Hernandez

*Custodian – Twenty Years
Greens Farms Elementary
School*

Constance Jones

*Teacher – Forty Years
Bedford Middle School
Coleytown Middle School*

Paula Lacy

*Paraprofessional – Thirteen Years
Bedford Middle School*

Lisa Lewis

*Teacher – Twenty-Four Years
Greens Farms Elementary
School*

Patricia O'Brien

*Teacher – Twenty-Seven Years
Greens Farms Elementary
School*

Nimade Werahaspati

*Paraprofessional – Nineteen Years
Bedford Middle School
Coleytown Middle School*

*The Board of Education owes much to the men
and women being honored tonight.
Together these professionals represent 373 years
of service to public education.*

*We thank you all for your lengthy service. We
can count the years, but your value has been
beyond measure. We wish you well as you move
on to another phase of your lives. May the next
chapter be long and healthy, and bring you
personal satisfaction.*

WESTPORT BOARD OF EDUCATION

Board Members Present:

Candice Savin Chair
Jeannie Smith Vice Chair
Elaine Whitney Secretary
Karen Kleine
Vik Muktavaram
Youn Su Chao
Lee Goldstein

Administrators Present:

David Abbey Interim Superintendent
Anthony Buono Asst. Superintendent, Teaching and Learning
Elio Longo Chief Financial Officer
John Bayers Director of Human Resources and General Admin.
Ann Leffert Interim Director, Pupil Personnel Services

Administrators Absent:

Tina Mannarino, Assistant Superintendent, Pupil Personnel Services

PUBLIC CALL TO ORDER: 7:00 p.m.

Held Remotely Pursuant to Executive Order 7B,
via Zoom and Google Docs

RECOGNITION OF ANN LEFFERT, Interim Director of Pupil Personnel Services

ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION

Dr. Abbey announced that Dr. Valerie Babich has been appointed as the Interim Director of Pupil Personnel Services for the period from June 8, 2020 through June 30, 2020. Dr. Babich will serve in this role for the period between the retirement of Ann Leffert and the onboarding of Mr. Michael Rizzo as Assistant Superintendent for Pupil Personnel Services effective July 1, 2020.

PUBLIC QUESTIONS/COMMENTS ON NON-AGENDA ITEMS

MINUTES: May 18 and 21, 2020

Elaine Whitney moved to approve the minutes of May 18 and 21, 2020; seconded by Jeannie Smith and passed unanimously.

DISCUSSION

Update from the Coleytown Middle School Building Committee

Update from the School Reopening Committee

Update from Policy Committee and First Reading of the Following Policies and Regulations:

- Policy 4138/4238 Non-School Employment (new) ,
- Regulation 4138/4238 Non-School Employment (revised),
- Policy 4151.5/4215.5 Legal and Civic Duties (revised),
- Policy 4118.24 Staff/Student Relations/Non-Fraternization

DISCUSSION/ACTION

Appointment of Interim Superintendent of Schools

Note: Candice Savin noted that Board counsel advised that it was not necessary to appoint an interim Superintendent of Schools for the period of Dr. Abbey's upcoming vacation and instead, upon the advice of counsel, made the motion below.

Be it resolved, that the Board of Education authorizes Dr. Anthony Buono to perform the actions set forth in Board Policy #3293.1 during the period from June 17 through June 30, 2020.

MOTION: Candice Savin
SECOND: Jeannie Smith
RESULT: Passed Unanimously
VOTE: 7-0

Approval of Tentative Agreement with Westport School Custodians

Be it resolved, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the tentative agreement dated May 21, 2020, between the Westport Board of Education and the Westport School Custodians, a copy of which will be appended to the minutes of the Board of Education meeting of June 1, 2020.

MOTION: Candice Savin
SECOND: Karen Kleine
RESULT: Passed Unanimously
VOTE: 7-0

FY 2021 - FY 2022 School Year Calendar

Be it resolved, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the FY 2021 - FY 2022 school year calendar as presented on June 1, 2020.

MOTION: Lee Goldstein
SECOND: Karen Kleine
RESULT: Passed Unanimously
VOTE: 7-0

Non-Union Personnel Compensation 2020-2021

Be it resolved, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the salaries for its non-represented employees in accordance with the schedule on file in the office of the Superintendent of Schools, said salaries, exclusive of that of the Superintendent of Schools, collectively comprising an increase of \$109,584, which represents a 2.25% increase over the FY 2019 - FY 2020 fiscal year.

MOTION: Elaine Whitney
SECOND: Vik Muktavaram
RESULT: Passed Unanimously
VOTE: 7-0

ADJOURNMENT: Vik Muktavaram moved to adjourn at 9:04 p.m.; seconded by Jeannie Smith and passed unanimously.

Respectfully submitted,

Elaine Whitney, Secretary, Board of Education
(minutes written by Lisa Marriott)

To: Westport Board of Education Members

From: Thomas Scarice, Incoming Superintendent of Schools

Date: June 4, 2020

Re: Strategic Entry Plan: Draft Transition Goals for 2020-2021 School Year

I would like to thank the Board for their support of the concept of a formal strategic entry plan for the initial year (2020-2021) of my tenure as the new Superintendent of the Westport Public Schools. I am confident that this plan can not only ensure a successful leadership transition, but also begin to address targeted pressing issues facing the Board while positioning the system for long-term success in advance of the development and implementation of a long-term comprehensive district strategic plan.

As promised, I have provided the Board with a reasonable set of six draft transition goals for the 2020-2021 school year which include an emphasis on a successful beginning to my tenure.

Following consensus on the goals for 2020-2021, I will provide the Board with appropriate qualitative and quantitative outcome measures, and initiatives, which are key actions formulated to achieve our agreed upon goals.

As stated in my prior correspondence to the Board, “while this plan will represent the essence of the district’s primary strategy for the 2020-2021 school year, I would like to assure the Board that I will simultaneously execute a commonly agreed upon entry plan while performing the expected duties and responsibilities associated with leading the school district, including any urgent needs before us.”

Review of Rationale and Process

As stated in my prior memo, I have framed the district challenge around an essential strategic question, and I have outlined phases and timelines for the 2020-2021 school year.

Essential Strategic Question

To frame this challenge, an essential strategic question to consider is:

- If we must continually change, adapt, and improve our system to confront the challenges of educating in the 21st Century, how do we position the district to do so effectively at this critical stage of leadership transition?

Phases/Timeline of a Strategic Entry Plan

A formal strategic entry plan would replicate the features of a comprehensive, long-term, 3-5 year strategic plan. A draft entry plan for 2020-2021 would include multiple phases over the course of the year, as well as specific transition goals, outcomes and initiatives.

- **Phases/Timeline**
 - **Phase I**
 - Introduction to the School Community
 - July 1, 2020-August 31, 2020
 - **Phase II**
 - Listen and Learn to Understand: Systematically Generate Data
 - September 1, 2020-December 31, 2020

- **Phase III**
 - Make Sense of Data: Private to Public Sense-Making Meetings/Presentations
 - January 1, 2021-March 31, 2021
- **Phase IV**
 - Engage and Plan: “Revisioning” of District, Refresh District Vision/Mission, Development and Board Adoption of Comprehensive Long-Term Strategic Plan
 - April 1, 2021-August 1, 2021

Transition Goals

Clear, specific transition goals communicate a commitment to action. The draft goals below would serve to ensure a successful transition while enabling opportunities for establishing trust and generating valuable, accurate data and evidence about the system. In addition, I have included goals to address the pressing, urgent matters before the community.

As I stated in my prior memo, the number of goals ought to be ambitious, but manageable. This is critical to the success of this transition. I have proposed six transition goals, two reflecting the leadership transition and four reflecting pressing matters before the school community.

In full disclosure, I would have recommended four or five goals, but the challenges as a result of the COVID closures, as well as the need for a decisive response and sustained action to combat centuries of systemic and institutional racism warrant the full and complete attention of the school district.

Draft Strategic Entry Plan: Transition Goals

Goal #1:

Develop and strengthen the Board of Education/Superintendent relationship to enable effective structures and agreements to guide communication processes and expectations, decision-making, and future planning.

- Goal #1 Objectives:
 - Review and confirm strategic entry plan goals for 2020-2021 school year
 - Identify and agree upon ground rules, norms, and procedures for meetings and BOE/Superintendent collaborative working relationship
 - Conduct a series of work focused, relationship-building retreats to establish strong affiliation to the BOE/Superintendent partnership
 - Conduct one on one Board member/Superintendent interview meetings
 - Define and establish appropriate roles and responsibilities of BOE/Superintendent working relationship
 - Discuss and agree upon communication processes to meet the needs of the Board, Superintendent and wider school community

Goal #2:

Create listen and learn opportunities to build relationships and credibility among the school community in order to promote and ensure a positive, collaborative working culture while gaining valuable feedback from stakeholders that informs the identification of appropriate short and long term system priorities

- Goal #2 Objectives:
 - Conduct interviews with a broad range of individuals to uncover deeply held values, norms, and forces that account for individual and group performance and behavior
 - Determine patterns of key issues and tasks as identified by Board of Education members, central office administration, building administration, teachers, a variety of support staff across the entire system, parents, students, and key municipal leaders, elected officials and civic leaders
 - Develop a transparent process and schedule for 1-2 hour interviews with questions provided in advance and available for public review
 - Provide a written report illustrating cross-constituent views about system goals, challenges, and actions needed to raise performance to “next level” work
 - Conduct “sense-making” meetings and presentations, first internally, then publicly with a broad range of stakeholders, feeding back themes and patterns in the interview data to develop consensus of system goals, challenges and actions to be taken
 - Revise and update written report to incorporate “sense-making” meetings consensus feedback and input
 - Formalize written report in order to serve as foundation of long-term strategic plan to be developed prior to the 2021-2022 school year which would include educational and facility priorities

Goal #3

Develop and execute a comprehensive plan to reopen schools in the fall following the coronavirus pandemic closure with fully developed contingency plans and models in the event of future prolonged school closures or school day modifications.

- Goal #3 Objectives
 - Employ School Reopening Steering Committee to develop and execute protocols and processes which address:
 - Infection control
 - Physical plant modifications
 - School building access and space
 - Student and staff technology
 - Student transportation
 - Food service program
 - Responsive instructional models based on distance programming, on-site schooling, or a hybrid
 - Staff and student training
 - Student activities
 - Special education and intervention services

- Develop and use continuous improvement feedback loops to modify approaches as necessary across all identified areas (see list above)
- Apply decision tools in conjunction with public health and medical professionals to inform actions during the school year related to the identified areas above

Goal #4

Successfully reopen Coleytown Middle School and plan for future school configurations and instructional models in response to enrollment trends

- Goal #4 Objectives
 - In conjunction with town planning authorities, professional demographers, and real estate professionals, refresh the demographic analysis and enrollment projections, including imbalances across K-8 schools, based on recent external events and real estate trends
 - Develop range of K-8 configuration models based on refreshed demographic and enrollment projections for BOE consideration for future implementation
 - Conduct analysis of middle school teaming model efficacy with professional organization (e.g. National Middle School Association, New England League of Middle Schools, etc.)

Goal #5

Review the district's budgeting process and financial projections, to potentially recommend modifications to the communication and/or resource allocation process where appropriate to reflect district priorities.

- Goal #5 Objectives
 - Consult with Chief Financial Officer to review key district budget reports, projections, processes and allocations
 - Review current budget development process
 - Review current budget communication and engagement process
 - Consult with Director of Human Resources to review collective bargaining agreements and budget implications
 - Provide analysis of district budgeting process to inform any recommended modifications where appropriate

Goal #6

I am not prepared to fully formulate this goal and would request further consultation with the Board, the administrative team and faculty, and outside partners such as TEAM Westport, the ADL, and other thought partners.

I feel compelled to put forth a goal, one that ought to live beyond this one year plan, to bring action to our collective efforts in Westport to combat systemic and institutional racism. Perhaps the front of this centuries old battle nests in communities like ours in how we are not only developing policies and systems to combat inequities in our institutions, but also in how we are fostering the capacities of our children to advance the cause for a more just, anti-racist society.

I propose further discussion on this goal and strongly recommend thoughtful deliberation with the thought partners above before committing to a formal goal. Additionally, I maintain that any such goal ought to commit to sustained action as defined in collaboration with critical partners.

Closing Comments

Again, I am appreciative of the Board's thoughtful consideration of the draft transition goals presented above. I look forward to deliberation and discussion at the June 8 Board of Education meeting. I remain committed to the "draft" nature of these proposed goals until consensus is reached. At that time, I will begin the process of formulating measures and initiatives to support these goals for 2020-2021 with the understanding that if the Board supports the concept of Goal #6, I will commit to engaging internal and external partners to further specify this priority in terms of a stated goal.

Personnel -- Certified/Non-Certified

Non-School Employment

Personnel of the schools may receive compensation for outside activities as long as these activities do not interfere with the proper discharge of their assigned duties, do not constitute a conflict of interest, or do not cause poor public relations within the community. It is expected that any outside activity should be carried on in a business-like and ethical manner.

(cf. 4118.23/4218.13 – Conflict of Interest)

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Personnel -- Certified/Non-Certified

Non-School Employment

Outside Work Activities of Special Education Pupil Personnel Staff

The following are recommended ethical practices for Westport ~~PPS~~ [Pupil Personnel Services](#) staff members who wish to work outside of the system in jobs related to their school positions.

A. **Medical, Psychiatric and Psychological Consultants, and Private Professional Involvement with Westport and Regional Students**

1. The role of consultant does not prohibit private professional contact with Westport students.
2. If a student is a current patient of a consultant, that consultant should communicate with the school staff as the student's physician and/or psychotherapist. If the school needs a formal consultation, another consultant should be engaged.
3. If the ~~PPS~~ [Pupil Personnel Services](#) staff member(s) feel that any consultant is an appropriate private referral, they may include that person's name on the list of three referral sources.
4. The consultant may not suggest himself or herself as a referral source.

B. **Pupil Personnel Staff (Counselor, Psychologist, Social Worker)**

1. No Pupil Personnel staff member (counselor, psychologist, social worker) may provide for a fee any assessment, evaluation, or short-term counseling services to a student eligible for receiving these through Westport school services (students enrolled in any Westport public, private, parochial, or nursery school, or non-enrolled pre-schoolers or drop-outs under 21, where eligible for services under Special Education law).
2. No Pupil Personnel staff member (counselor, psychologist, social worker) may provide therapy to any Westport or regional students in their assigned case load or a family member of a student in their case load.
3. In no instance should any member of the Pupil Personnel staff initiate with the parents discussion of private purchase of their own services for any students currently being serviced by the Pupil Personnel Department.

Additionally, no counselor or other staff member shall refer to parents for private outside services without first exhausting, through the divisional coordinators and the Central Planning and Placement Team, the student's eligibility for services

during the school day.

**R-4138(b)
4238**

~~Personnel--Certified/Non-Certified~~

~~Non-School Employment~~

~~Outside Work Activities of Special Education Pupil Personnel Staff (continued)~~

~~B. Pupil Personnel Staff (Counselor, Psychologist, Social Worker) (continued)~~

4. There are no restrictions on the professional services that may be offered to students not attending public, private, parochial, or nursery schools in Westport, or to students who reside outside of Westport and who are not attending Westport school programs.

C. Special Education Teachers and Speech Therapists

1. Special Education teachers and Special Education speech therapists may ~~not~~ not provide teaching, tutoring, or therapy services to any Special Education student in his/her school privately during the school year.
2. Special Education teachers s or speech therapists s may teach, tutor, or provide speech therapy privately to any non-Special Education student during the school year (including students in his/her building).
3. A Special Education teacher may teach or tutor privately any Special Education or non-Special Education student outside of the school year at the request of the parent. However, in no instance should any member of the Special Education staff initiate with the parents a discussion of the private purchase of their own teaching or tutoring services for any student currently being serviced by the Special Education Department.
4. Unusual circumstances require permission from the Assistant Superintendent ~~of~~ for ~~Special Education and~~ Pupil Personnel Services.
5. The Westport staff member should insist that the school be informed that parents are seeking private tutoring. If the parent refuses, it is not appropriate for that staff member to work with that child.
6. Diagnostic labels and special education related issues should not be discussed with the parent. Parents should be referred to the child's counselor or school psychologist.

(cf. 4118.23/4218.13 – Conflict of Interest)

Regulation re-reviewed: 2006
[Revised:](#)

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Personnel – Certified/Non-Certified

Participation in Political Activity

A. Participation

Professional employees of the Westport school system may participate in political activities and may hold political office, with the following provisions and/or exceptions, and

1. In compliance with Connecticut General Statutes, Section 10-232, a professional employee elected to the Westport Board of Education must resign from the school system upon taking office.
2. A professional employee must comply with other existing town ordinances and state statutes.

B. Leaves of Absence:

~~The following leave policies will be applied to professional employees of the Westport Board of Education who participate in campaigning or who seek political office:~~

- ~~1. A professional employee may be granted a leave of absence during the campaign period for a political office for which he is a candidate.~~
- ~~2. A professional employee who is elected to a political office may be granted a leave of absence (unless required by ordinance or statute to resign from the system).~~
- ~~3. Length of Leave~~
 - ~~a. Leaves of absence for political office holding shall be considered as long-term leave and will normally extent to the end of a given school year, unless a shorter period is mutually agreed upon by the employee and the Superintendent or the Superintendent's designee.~~
 - ~~b. Leaves for campaigning shall be considered as routine leaves and shall be subject to the policy governing leaves of this type.~~

The Westport Board of Education will not discriminate against, discipline, or discharge any employee because such employee is a candidate for the Office of Representative or Senator in the Connecticut General Assembly or because he/she is elected to or holds such office or because he/she loses time from work in order to perform duties as such Representative, Senator, or member elect, provided the failure to pay wages or salaries for any such time lost shall not be considered discrimination. Any employee elected to said office may request, in writing, an unpaid personal leave of absence from the Board for a designated time period of consecutive school days in a given school year not to exceed two consecutive terms of such office. During the unpaid leave the employee may maintain his/her health and life insurance benefits by paying

the premiums on a stipulated schedule at the Board rate. The request for the leave must be forwarded to the Board no later than 45 days prior to the beginning of the requested leave. No employee on such leave shall lose any seniority status retirement, fringe benefits and other service credits which may have accrued to him/her, unless the circumstances have so changed as to make it impossible or unreasonable to do so.

(cf. 4118.23/4218.13 – Conflict of Interest)

Policy adopted: February 20, 1967
Policy revised: 2003
Policy revised:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Personnel - Certified

Staff/Student Non-Fraternization

Staff members who have contact with children and adolescents through school activities have the responsibility not to betray or misuse their privileged position. Students develop a special trust in school staff by virtue of the school system's authority and the important role the schools play in their lives. Staff members must never take advantage of students' vulnerability or of their confidence that staff members in school will behave appropriately in relationships with them. While the Board encourages employees to be warm and supporting of students, personnel may not allow students to regard them as peers.

It is the policy of the Westport Board of Education to prohibit any sexual relationship, contact or sexually nuanced behavior or communication (verbal or non-verbal) between a staff member and a student, while the student is enrolled in the school system. The prohibition extends to students of the opposite sex or the same sex as the staff member, and applies regardless of whether the student or the staff member is the initiator of the behavior and whether or not the student welcomes or reciprocates the attention.

Further, school system personnel (employees, contractors, and agents of the school system), shall provide no assistance to an employee in finding another job, beyond the routine transmittal of personnel or administrative files, if the employee engaged in sexual misconduct with a minor or student in violation of the law (ESEA, 20 U.S.C. 7926(a)).

Definitions:

Staff Members: part-time and full-time employees, and those individuals who are employed as substitutes, consultants, coaches, tutors, bus drivers, bus monitors, student-teachers, interns, volunteers and others who work with or have contact with children under the auspices of or through contract with, the Board of Education. This term shall include all professional employees.

Professional Employee: a person employed by a school who (A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school.

Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the latter's employment.

Prohibited Behavior: includes, but is not limited to: flirting and bantering with sexual overtones, dating, courting or engaging in a personal relationship on or off campus that is sexually motivated or nuanced, having any physical sexual contact or sexual intercourse with any student.

Complaints: should be reported to the Principal, who will investigate to determine whether a violation has occurred. The Principal will inform the Superintendent that the investigation is being conducted.

Violations: will result in disciplinary action up to and including dismissal. Employees' due process

rights will be safeguarded.

P-4118.24(b)

~~**Personnel-Certified**~~

~~**Staff/Student Non-Fraternization (continued)**~~

The Principal will consult with the ~~Assistant~~ Superintendent ~~for Pupil Personnel~~ or his/her designee to determine whether any alleged violation falls into the category of sexual harassment and/or child abuse or sexual abuse; if so it might need to be addressed according to those policies and/or also reported to the police or another agency.

Procedures: Procedures for filing complaints and for conducting investigations will be developed by the Superintendent or his/her designee.

Professional Communications

Prompt and open home-school communications and understanding have been and will continue to be central to the philosophy of the Westport schools.

Connecticut law provides that professional employees “shall not be required to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student...” Specifically excluded from this provision of law is information of a criminal nature which, when learned by a professional employee, is required to be reported to appropriate law enforcement officials.

This law makes it possible for a student to share certain problems with or seek help from a trusted adult without fear of immediate incrimination. This protection to applies only to professional communications between a student and a professional employee that concern alcohol or drug abuse or any alcohol or drug problem of the student. In responding to this plea for help, and in recognition of their professional obligations to continue to maintain good home-school communications, and to protect a child's health and welfare, professional employees who elect to maintain this confidence should use the following guidelines to provide that help as effectively as possible.

- a. Inform the student that, if in their judgment, maintaining the confidence is not in the student's best interest they will feel obliged to break it.
- b. Encourage the student to discuss the matter with his/her parents.
- c. If not the student's counselor, encourage the student to confer with his/her counselor.
- d. Make the student aware of the school's supportive and rehabilitative interest and inform him/her of the school and community resources available to him/her.
- e. Make the student aware of the potential hazard to his/her health and inform him/her about the laws pertaining to drug and alcohol use and abuse.

2. Every member of the school staff bears a professional and personal obligation as an adult to act wisely and responsibly in the best interest of a child.

If the point is reached at which the professional employee feels he/she has failed in his/her efforts to persuade the student to seek the help he/she needs, fear for the student's health and safety or of the danger posed to others, and elects to break the confidence, the following procedures are recommended:

- a. Inform the student of his/her strong concern for his/her welfare and need to divulge the confidence.
 - b. Arrange for a conference to include the student, his/her parents, his/her Principal and his/her school counselor.
3. Each principal will arrange to inform his/her faculty, student and parent body about Connecticut General Statutes 10-154a and these administrative guidelines.
 4. **Notwithstanding anything contained in this policy**, if the professional employee receives physical evidence that a crime has been or is being committed by the student, such evidence must be turned over to school administrations or to law enforcement officials within two days from when it is received. In turn, a school administrator receiving such evidence must turn it over to either the Commissioner of Consumer Protection or the appropriate law enforcement officials within three days of receipt.

[\(cf. 4118.112/4218.112 - Sexual Harassment\)](#)

Legal Reference: Connecticut General Statutes

[10-53a-71 Sexual assault in the second degree: Class C or B felony.](#)

[10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal](#)

[PA 15-205 An Act Protecting School Children](#)

[17a-106 Cooperation in relation to prevention, identification, and treatment of child abuse/neglect](#)

[Elementary and Secondary Education Act \(ESEA\), as amended ESSA, 20 U.S.C. 7926\(a\); Prohibition on aiding and abetting sexual abuse \(aka "don't pass the trash"\)](#)

~~[10-154a Professional communication between teacher or nurse and student. Surrender of physical evidence obtained from students.](#)~~