

AGENDA

SHERMAN BOARD OF EDUCATION

REGULAR MEETING

WEDNESDAY - NOVEMBER 4, 2020

7:00 PM

Faculty Lounge - Board Members Only

ZOOM for Public Participants

<https://shermanschool.zoom.us/j/8603553793>

Dial Into meeting: +1-929-205-6099

Meeting ID: 860 355 3793

Vision Statement

**We enable all Sherman Students to become the best possible version of themselves.
We provide an environment where our children develop into empathetic, self-directed,
critical thinkers who don't give up when faced with challenges.**

1. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE
2. CELEBRATIONS
3. PUBLIC COMMENTS
4. ADDITIONS TO THE AGENDA
5. CONSENT AGENDA
 - 5.1 Review of Minutes:
 - Minutes - Board Retreat, March 7, 2020
 - Minutes - Special Meeting, April 27, 2020
 - Minutes - Executive Session, May 6, 2020
 - Minutes - Executive Session - July 21, 2020
 - Minutes - Special Meeting - August 14, 2020
 - Minutes - Board Retreat - September 19, 2020
 - Minutes - Monthly Meeting - October 7, 2020
 - Minutes - Special Meeting - October 15, 2020
 - Minutes - Policy Meeting - October 21, 2020
 - 5.2 Personnel Actions
 - New Hire
 - Vanessa Cotto, Para, Effective 10/13/20
 - Grace DiPonio, Building Substitute, Effective 10/13/20
 - Courtney Onofer, School Secretary, Effective 11/9/20
 - Resignation
 - Vanessa Cotto, Para, Effective 10/27/20
 - 5.3 Monthly Enrollment Report
 - 5.4 Monthly Budget Report 2020-2021 Budget by Function & Summary of Funds
 - 5.5 Removal of Damaged and Unusable Equipment/Furniture
6. APPROVAL OF CURRENT BILLS
 - 6.1 Monthly 2020-2021 Current Bills

7. ORAL REPORTS
 - 7.1 SPTO Update
 - 7.2 Sub-Committee
 - 7.3 Chair
 - 7.4 Superintendent Update

8. PRESENTATIONS
 - 8.1 Summer Curriculum Work Update

9. NEW BUSINESS
 - 9.1 First Reading Policy 5145 Civil and Legal Rights and Responsibilities Enc 9.1
 - 9.2 First Reading Policy 4152.6 Personnel-Certified/Non-Certified, Personal Leaves, FMLA Enc 9.2
 - 9.3 Timeline for 2021-2022 Budget Development Enc 9.3

10. UNFINISHED BUSINESS
 - 10.1 Discussion and Possible Action Regarding Conceptual Design Services Project
 - 10.2 Discussion and Possible Action to Approve Playground Design
 - 10.3 Second Reading Policy 4131 - Certified Staff Development Enc 10.3
 - 10.4 Second Reading Policy 5131.911 - Student Bullying Enc 10.4
 - 10.5 Second Reading Policy 5141.6 - Students Emergency Preparedness Policy Enc 10.5
 - 10.6 Second Reading Policy 5145.12 - Student Searches/Desks and Lockers Enc 10.6
 - 10.7 Second Reading Policy 4118.237/4218.237/5141.8 Face Mask/Coverings Enc 10.7

11. COMMUNICATIONS

12. PUBLIC COMMENTS

13. BOARD OF EDUCATION COMMENTS

14. FUTURE MEETING AND TOPICS
 - 14.1 Board of Education Meeting - Wednesday, December 2, 2020 at 7:00 PM

15. ADJOURNMENT

REMINDER: Agenda suggestions for the next business meeting are due to the Chairperson or Superintendent by 12:00 noon November 16, 2020. Copies of the agenda enclosure are available for examination at the Superintendent's Office at the Sherman School during business hours: 8:00 AM to 4:00 PM

DRAFT

P5145

Students

Civil and Legal Rights and Responsibilities

The District recognizes its responsibility to provide a free, appropriate public education to students with disabilities under Section 504 of the Rehabilitation Act of 1973, (Section 504). Accordingly, no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any District program or activity, including extra-curricular athletics or other non-academic activities, or those provided by the District through contractual or other arrangements. District aids, benefits and services will afford qualified students with disabilities equal opportunity to obtain the same result, gain the same benefit or reach the same level of achievement as students without disabilities in the most integrated setting appropriate to the student's needs. Programs and activities shall be accessible to and usable by individuals with disabilities as prescribed by law.

The District, in order to fulfill its obligation under Section 504, recognizes its responsibility to avoid discrimination in policies and practices regarding its personnel, students, parent/guardians and members of the public who participate in school-sponsored programs.

A qualified individual with disabilities under Section 504 is an individual who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment or is regarded as having such an impairment.

Major life activities, as defined by the Americans with Disabilities Act Amendments of 2008, include caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major bodily functions, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

In compliance with the provisions of Section 504, the District will:

1. Provide written assurance of nondiscrimination in accordance with application procedures whenever the District receives federal money;
2. Designate an employee to coordinate compliance with Section 504;
3. Provide procedures to resolve complaints of discrimination under Section 504;
4. Provide notice to students, parents, employees, including those with vision or hearing impairments, of the District's policy and compliance with law assuring nondiscrimination in admission or access to, or treatment, in District programs, activities or employment. Notice will be included in student/parent and staff handbooks and other materials as appropriate;
5. Annually identify and locate all Section 504 qualified students with disabilities in the District who are not receiving a free appropriate, public education;
6. Ensure that tests and other evaluation materials have been validated, are administered by trained personnel, are tailored to assess educational need and are not solely based on IQ scores, and reflect what the tests purport to measure;
7. Provide nonacademic and extracurricular services and activities in such a manner as to afford qualified students with disabilities an equal opportunity for participation in such services and activities by making reasonable modifications* and provide those aids and services that are necessary to ensure an equal opportunity to participate, unless the District can show that doing so would be a fundamental alteration to its programs;

*If a modification is necessary, the District must allow it unless doing so would result in a fundamental alteration of the extracurricular-athletic activity. A modification might constitute a fundamental alteration if it alters such an essential aspect of the activity or game that it would be unacceptable even if it affected all competitors equally (such as adding an extra base in baseball.) Alternatively, a change that has only a peripheral impact on the activity or game might nevertheless give a particular player with a disability an unfair advantage over others and, for that reason, fundamentally alter the character of the competition.

Nonacademic and extracurricular services and activities may include, but are not limited to, counseling services, transportation, health services, athletics, intramurals, clubs or organization activities, referrals to agencies which provide assistance to persons with disabilities and employment of students, including both employment by the district and assistance by the district in making available outside employment.

8. Annually notify students with disabilities and their parents or guardians of the District's responsibilities under Section 504, including those with limited proficiency in English and those with vision or hearing impairments;
9. Provide parents or guardians with procedural safeguards, including notification of their right:
 - a. To be notified in writing of any decisions made by the District concerning the identification, evaluation or educational placement of their student pursuant to Section 504. (The District will request parental consent prior to conducting an evaluation of the student);
 - b. To examine, copy and request amendments of the student's educational records;
 - c. To request an impartial hearing, with opportunity for participation by the student's parents or guardian and representation by counsel regarding District decisions concerning identification, evaluation or educational placement of their student. A review procedure will be provided. In addition, a complaint may be filed with the Office for Civil Rights, U.S. Department of Education (OCR) (617-289-0111) Office for Civil Rights, Boston Office).
10. Students with disabilities who cannot participate in the school's existing extracurricular athletics program, even with reasonable modifications or aids and services, still have an equal opportunity to receive the benefits of extracurricular athletics. If a request to participate is made by a student or family, the district therefore may create additional opportunities for such students, such as creating disability-specific teams for sports like wheelchair tennis or basketball. (If numbers are insufficient, districts can develop regional teams, mix male and female students with disabilities on teams together, and offer "allied" or "unified" sports teams mixing disabled and non-disabled students.)

Students identified as qualified individuals with disabilities under Section 504 shall be placed in the regular educational environment unless it is demonstrated by the District that the education of the student with the use of related aids and services in such a placement cannot be achieved satisfactorily. All placement decisions will be made by an evaluation team comprised of persons designated by the Superintendent or designee, knowledgeable about the student, the meaning of the evaluation data and placement options.

Students will be reevaluated periodically, but no less than every three years. Additionally, before implementing discipline that constitutes a significant change in the placement (i.e., expulsion, serial suspensions which exceed 10 school days in a school year, a series of suspensions each of which is 10 or fewer school days in duration but that creates a pattern of

exclusion), the District shall conduct a reevaluation of the student to determine whether the misconduct in question is caused by the student's disability and, if so, whether the student's current educational program and placement is appropriate.

If it is determined that the misconduct of the student is caused by the disability, the District's team will continue the evaluation, following the requirements of Section 504 and the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA) for evaluation, programming and placement to determine whether the student's current educational program and placement is appropriate. Due process procedures that meet the requirements of the IDEA may be used to meet the procedural safeguards of law.

If it is determined that the misconduct is not caused by the student's disability, the student may be excluded from school in the same manner as are similarly situated students who do not have disabilities.

A student identified as a qualified individual with disabilities under Section 504, who is also covered by the Individuals with Disabilities Education Act, will be disciplined in accordance with Board policy #[5144.3](#), "Discipline of Students with Disabilities."

A reevaluation will also be required before any other significant change in program and/or placement (i.e., transferring a student to alternative education, significantly changing the composition of the student's class schedule, such as from regular education to the resource room, etc.).

Legal Reference: Connecticut General Statutes

[10-15c](#) Discrimination in public schools prohibited.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§791, 793-794 (2006), (34 Code of Federal Regulations Part 104)

Americans with Disabilities Act of 1990, 42 U.S.C. §§12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006)

Americans with Disabilities Amendments Act of 2008

U.S. Department of Education, Office for Civil Rights, "Dear Colleague Letter," 113 LRP 3326 (OCR 1/25/13)

Policy adopted:

DRAFT**P4152.6****4252.6****Personnel -- Certified/Non-Certified****Personal Leaves****Family and Medical Leave Act**

The Board will provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA) as amended and the Family Medical Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances) and 2013 Final Rules. Eligible employees (employment for at least one-year and at least 1,250 hours actually worked in the twelve-month period immediately preceding the commencement of the leave) are entitled to up to 12 work weeks of unpaid family and medical leave in any 12-month period. The District will continue to pay the district's share of the employee's health benefits during the leave. In addition, the District will restore the employee to the same or an equivalent position with equivalent benefits, pay and other conditions of employment after the termination of the leave in accordance with Board policy and collective bargaining agreements.

Paraprofessionals are also eligible to benefits equal to those under the federal FMLA if such paraprofessional was employed for at least one year and for at least 950 hours over the previous twelve-month period preceding the commencement of the leave. A paraprofessional is defined as a school employee who performs duties that are instructional in nature or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and services.

Eligible employees are entitled to take unpaid leave for a covered family member's service in the Armed Forces, for any one or for a combination of the following reasons:

- ☐ A "qualifying exigency" as defined by Department of Labor regulations arising out of a covered family member's covered active duty or Federal call to covered active duty (including as a member of the National Guard or Reserves) in the Armed Forces including deployment to a foreign country or to international waters;
- ☐ To care for a covered family member who has incurred a serious injury or illness in the line of duty while on covered active duty in the Armed Forces (includes National Guard and Reserves) provided that such duty or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating; and/or
- ☐ To care for a covered family member who is a veteran who is undergoing medical treatment, recuperation or therapy for a service related illness or injury that was incurred or aggravated while on active duty and manifested itself before or after the member became a veteran, within five years after a veteran leaves service.
- ☐ To care for a parent of a military member called to active duty provided the military member is the spouse, (including same-sex marriages*), parent or child of the employee.

When leave is due to a "qualifying exigency" of a service member, an eligible employee may take up to 12 work weeks of leave during any 12-month period. When such leave is to care for an injured or ill service member, an eligible employee may take up to 26 work weeks of leave during a single 12-month period to care for the service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period.

Employees will not be deprived of any employment benefits accrued before taking FMLA leave.

The District will maintain health insurance benefits at the same basis as is provided to other similarly situated

Enclosure 9.2

employees. Conversely, employees on FMLA leave are not entitled to accrue any seniority or benefits during the leave unless determined otherwise due to a collective bargaining agreement. When an employee returns from FMLA leave, benefits will be resumed in the same manner as provided prior to taking the leave, subject to any changes in benefit levels that may have occurred during the FMLA leave period and which affect the entire work force. Leave available for eligible employees under FMLA is not intended to supplement leave otherwise provided to such employees. The District may require the eligible employee substitute any accrued vacation or sick leave for any part of the twelve-week period that may be taken for the serious health condition of a spouse, child or parent, or for the employee's own serious health condition.

In complying with the FMLA, the District will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

The Board, in compliance with state statute, shall provide to its employees who are a party to a civil union with the same family and medical leave benefits under the federal Family Medical Leave Act (FMLA) as are provided to employees who are party to a marriage. The term "marriage" includes a same-sex marriage which all states must now recognize, or common law marriages that either was entered into in Connecticut or another state that recognizes such marriages or if entered into out of Connecticut is valid in the place where entered into and could have been entered into in at least one state. In addition, the Board shall allow its employees leave time under this policy to serve as organ or bone marrow donors.

The District, in compliance with FMLA's regulations, will post and keep posted on its premises, in conspicuous places where employees are employed, a notice explaining the provisions of the FMLA and providing information concerning the procedures for filing complaints of violations of the Act. Electronic posting may be utilized.

(cf. [4118.14](#) - Disabilities)

(cf. 4151.2 - Family Illness)

(cf. [4152.3](#) - Maternity; Adoptive; Child Care)

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

Legal Reference: P.L. 103-3 and 29 CFR Part 825 - The Family and Medical Leave Act of 1993, as amended by H.R. 4986, the National Defense Authorization Act for Fiscal Year 2008, Section 585. 29 U.S.C. §2601 et seq. and the National Defense Authorization act for Fiscal Year 2010, Public Law 111-84, section 565, Title V

Final Rule - published in Federal Register, Vol. 60, Nov. 4, Friday, January 6, 1995, as amended on February 3, 1995, March 30, 1995, and on November 17, 2008. Rules and Regulations (29 CFR Part 825).

Final Rule - published in Federal Register, Vol. 78, Wed. February 6, 2013

Final Rule - published in Federal Register, Vol. 80, No. 37 Wednesday, February 25, 2015

Connecticut General Statutes

[46b-3800](#) Applicability of statutes to civil unions and parties to a civil union.

PA 07-245 An Act Concerning Family and Medical Leave for Municipal Employees.

PA 07-245 An Act Concerning Family and Medical Leave for Municipal Employees

PA 12-43 An Act Concerning Family and Medical Leave Benefits for Certain Municipal Employees

United States v. Windsor, U.S. 133 S. Ct. 2675 (2013)

Obergefell v. Hodges, No. 14-556, 135 S. Ct. 2584 (2015)

Policy adopted:



SHERMAN SCHOOL DISTRICT

Timeline for 2021-2022 Budget Development

2021-2022	ACTIVITY
November 4, 2020	Propose 2021-2022 Budget Development Timeline to Board
November 18, 2020	Initial budget prep meeting BOE Chair and Budget Chair, Vice-Chair, and Director of Finance, Superintendent
December 7, 2020	Informal Budget Prep meeting with BOE Chair and Budget Chair, Vice-Chair, and Director of Finance, Superintendent and BOS/BOF.
December 14, 2020	Budget workshop # 1 Initial discussion regarding Strategic Plan; Overall walkthrough, staffing, special education
January 6, 2021	First Budget Transfers Report for 2021-2022 at Regular BOE Meeting
January 18, 2021	Budget Workshop # 2 Review of all other budget topics
February 15, 2021	Budget Workshop # 3 Overall budget review
February 20, 2021	Draft Budget Presentation to BOS/BOF for Feedback
February 22, 2021	Budget Workshop # 4 (If needed following feedback from BOS)
March 3, 2021	2021-2022 Recommended Draft Budget Presented at Regular BOE Meeting
March 31, 2021	Town of Sherman Public Hearing on School Budget
April 24, 2021	Formal adoption of BOE's 2021-2022 Final Recommended Budget
May 1, 2021	Town of Sherman Budget Referendum Voting

DRAFT

P4131

Personnel — Certified

Staff Development

“Staff development” is viewed by the Board of Education (Board) as a continuous systematic effort to improve educational programs in this school district through (1) staff involvement in organized program planning, implementation and evaluation efforts, and (2) activities to upgrade the skills, knowledge and ability of educators to improve student learning.

Each certified employee, shall annually participate in a program of professional development, of not fewer than eighteen hours in length, of which a preponderance is in a small group or individual group setting. The professional development program shall:

1. be a comprehensive, sustained and intensive approach to improving teacher and administrator effectiveness in increasing student knowledge achievement;
2. focus on refining and improving various effective teaching methods that are shared between and among educators;
3. foster collective responsibility for improved student performance;
4. be comprised of professional learning that is aligned with rigorous state student academic achievement standards, conducted at the school among educators and facilitated by principals, coaches, mentors and distinguished educators or other appropriate teachers, occurs frequently on an individual basis or among groups of teachers in a job-embedded process of continuous improvement, and includes a repository or best practices for teaching methods developed by educators within each school that is continuously available to such educators for comment and updating; and
5. include training in culturally responsive pedagogy and practice.

Staff development experiences, made available by the Board directly, or through a RESC, with another Board of Education or through a provider approved by the Commissioner, and shall be consistent with any goals identified by the certified employees and the Board.

Enclosure 10.3

The Board believes that staff development experience should be comprehensive, sustained, and intensive enough to improve teacher and administrator effectiveness in raising student performance, and foster collective responsibility for improved student performance.

Teachers must constantly review curricular content, teaching methods and materials, educational philosophy and goals, social change and other topics related to education to enhance the capabilities of educators to improve student learning. The Board of Education recognizes that it shares with its certified staff responsibility for the upgrading and updating of teacher performance and attitudes. The Board of Education and teachers' organizations support the principle of continuing training of teachers and the improvement of instruction.

All employees shall be provided opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties.

The Board, in order to determine its professional development program seeking the advice and assistance of teachers, shall establish a professional development and evaluation committee, consisting of certified employees, including representatives of the exclusive bargaining representative for such employees. Committee membership shall consist of at least one representative from each of the teachers' and administrators' unions and other school personnel the Board deems appropriate. The duties of the committee shall include, but not be limited to, participation in the development of a teacher evaluation and support program for the District, the development, evaluation and annual updating of a comprehensive local professional development plan, in fulfillment of the statutes, for certified employees of the District. Such plan shall (1) be directly related to the educational goals proposed by the Board pursuant to C.G.S. [10-220\(b\)](#), (2) be developed in full consideration of the priorities and needs related to student outcomes as determined by the State Board of Education, and (3) provide for the ongoing and systematic assessment and improvement of both teacher evaluation and professional development of the Board's professional staff members, including personnel management and evaluation training or experiences for administrators, shall be related to regular and special student needs and may include provisions concerning career incentives and parent involvement.

Special effort shall be made to prepare teachers and other school personnel to meet the needs of students of diverse cultural and ethnic backgrounds. Planning and implementation of such programs shall be done cooperatively by administration, teachers and parent advisory groups. Special effort shall also be given to administrators and/or supervisors in training pursuant to their obligations in the evaluation of the teacher.

Staff development activities should respond directly to the educational needs of the student body. The in-service program shall fulfill all applicable statutory requirements, especially those delineated in CGS [10-220a](#), as amended.

Such in-service training program for certified staff shall provide information on (1) the nature and the relationship of drugs and alcohol to health and personality development and procedures for discouraging their abuse, (2) health and mental health risk reduction education that includes, but need not be limited to, the prevention of risk-taking behavior by children and the relationship of such behavior to substance abuse, pregnancy, sexually transmitted diseases, including HIV-infection and AIDS, violence, teen dating

violence, domestic violence and child abuse, (3) school violence prevention, conflict resolution, the prevention of an response to youth suicide and the identification, prevention of and response to bullying, (4) cardiopulmonary resuscitation and other emergency life-saving procedures, (5) the requirements and obligations of a mandated reporter, and (6) the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as define in CGS [10-3d](#).

The Board will allow any paraprofessional or non certified employee of the District to participate, on a voluntary basis, in any in-service training program provided to certified staff on those topics mandated per C.G.S. [10-220a](#), subsection (a).

The Superintendent is to report annually to the Board of Education on the professional development program and its effect with recommendations for changes as needed.

Professional Development Pertaining to Human Trafficking

The Board, in compliance with PA 17-32, shall provide training pertaining to human trafficking to those staff members who have contact with students. These individuals must complete the initial educational training by July 1, 2018 and refresher training annually thereafter. New hires must complete the initial training within six months after their start date, or by July 1, 2018, whichever is later. This training shall use the training program, which includes a video presentation developed by the Department of Children and Families (DCF) pertaining to the awareness of human trafficking issues and how to accurately and promptly identify and report suspected human trafficking.

(cf. [4115](#) - Evaluation)

Legal Reference: Connecticut General Statutes

[10-27](#) Exchange of professional personnel and students.

[10-220a](#) In-service training. (amended by PA 04-227, PA 08-160, June 19 Special Session, Public Act No. 09-1, PA 10-91, PA 12-116, PA 13-145, PA 15-215, PA 17-37 and PA 19-100)

[10-153b](#) Selection of teachers' representatives

[10-226f](#) Coordinator of intergroup relations.

[10-226g](#) Intergroup relations training for teachers.

[10-145b](#) Teaching certificates (as amended by PA 01-173)

[10-148a](#) Professional development (as amended by PA 17-37 and PA 19-100)

[10-151\(b\)](#) Employment of teachers. Definitions. Tenure

PA 17-32 An Act Concerning Human Trafficking

PA 17-37 An Act Implementing the Recommendations of the Task Force on
Professional Development and In-service Training Requirements for Educators

Policy adopted:

DRAFT

P5131.911

Students

Conduct

Bullying

I. Purpose

The purpose of this policy is to maintain a safe student learning environment that is free from bullying. Bullying activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times. Any individual who engages in bullying activity on school property or at a school-sponsored activity may be subject to discipline.

II. Definition

“**Bullying**” means any overt acts by a student or a group of students directed against another student with the intent to ridicule, harass, humiliate or intimidate the other student while on school grounds, ~~or~~ at a school-sponsored activity or on a school bus committed more than once against any student during the school year. Bullying which occurs outside of the school setting may be addressed by school officials if it has a direct and negative impact on a student's academic performance or safety in school.

III. General Statement of Policy

- A. No student, volunteer, contractor or employee of the school district shall commit, encourage, aid, or consent to bullying.
- B. No student, volunteer, contractor or employee of the school district shall permit, condone or tolerate bullying.
- C. Apparent permission or consent by a person being bullied does not lessen the prohibitions contained in this policy.
- D. Bullying activities are seriously disruptive of the educational process in that they implicate student physical and emotional welfare.
- E. The school district administration will investigate all complaints of bullying and will discipline or take other appropriate action against any person who is found to have violated this policy.

IV. Safe School Climate Plan

The Board of Education shall develop and implement a Safe School Climate Plan. The following link will bring you to the current plan: [\(place link here\)](#)

Legal Reference: Connecticut General Statutes

[10-15b](#) Access of parent or guardian to student's records. Inspection and subpoena of school or student records.

[10-222d](#) Policy on bullying behavior as amended by PA 08-160

PA 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.

PA19-666 An Act Concerning School Climate

Policy adopted:

SHERMAN SCHOOL DISTRICT

Sherman, Connecticut

DRAFT

P5141.6

Students

Emergency Preparedness Policy

The Sherman School shall maintain an Emergency Management Plan which provides an all hazard response framework to create an environment that is responsive to a variety of emergencies. The school district is committed to the essential components of prevention, intervention, response, and mitigation in addressing the safety needs of students. Development of the plan will be done with the district's community partners such as the police, fire and health departments. The emergency awareness procedures will be practiced at all levels of our organization.

Emergency Management procedures are reviewed and updated as new scientific or experiential data becomes available. Periodically the Board of Education shall receive administrative updates summarizing activities throughout the school district in implementation of the all hazard response framework.

Legal Reference: Connecticut General Statutes

[10-221\(e\)](#) Boards of Education to prescribe rules

PA13-3 Concerning Gun Violence Prevention and Children's Safety

Policy adopted:

SHERMAN SCHOOL DISTRICT

Sherman, Connecticut

DRAFT

P5145.12

Students

Search and Seizure

The Board seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, District officials may, subject to the requirements below, search a student's person and property, including property assigned by the District for the student's use. Such searches may be conducted at any time on District property or when the student is under the jurisdiction of the District at school-sponsored activities.

All searches for evidence of a violation by the District shall be subject to the following requirements:

1. The District official shall have individualized, "*reasonable suspicion*" to believe evidence of a violation of law, Board policy, administrative regulation or school rule is present in a particular place;
2. The search shall be "*reasonable in scope*." That is the measures used are reasonably related to the objectives of the search and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction.
3. District officials may also search when they have reasonable information that emergency/dangerous circumstances exist.

Desks and School Lockers

Desks and school lockers are the property of the schools. The right to inspect desks and lockers assigned to students may be exercised by school officials to safeguard students, their property and school property with reasonable care for the Fourth Amendment rights of students.

The exercise of the right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's locker or desk under three (3) conditions:

Enclosure 10.6

1. There is reason to believe that the student's desk or locker contains the probable presence of contraband material.
2. The probable presence of contraband material poses a serious threat to the maintenance of discipline, order, safety and health in the school.
3. The student(s) have been informed in advance that school Board policy allows desks and lockers to be inspected if the administration has reason to believe that materials injurious to the best interests of students and the school are contained therein.

Use of drug-detection dogs and metal detectors, or similar detective devices may be used only on the express authorization of the Superintendent.

District officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Student Search

A student may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school the scope of the search must be reasonably related to the objectives of the search and the nature of the infraction.

Students may be searched by law enforcement officials on school property or when the student is under the jurisdiction of the district upon the request of the law enforcement official. Such requests ordinarily, shall be based on warrant. The school Principal or designee will attempt to notify the student's parents in advance and will be present for all such searches.

Strip searches shall not be conducted by school authorities. All searches by the Principal or his/her designee shall be carried out in the presence of another adult witness.

Legal Reference: Connecticut General Statutes

[10-221](#) Boards of Education to prescribe rules

New Jersey v. T.L.O., 469 US 325; 105 S.Ct. 733

Safford Unified School District #1 v. Redding (U.S. Sup. CT 08-479)

Policy adopted:

Draft

R5145.12

Students

Search and Seizure

Definitions

a. “Reasonable suspicion” means sufficient knowledge possessed by the District official at the time the official makes or authorizes the search which would lead a reasonable person to believe that a search of a particular student or place will likely turn up evidence of a violation of law, Board policy, administrative regulation or school rule. The official's knowledge may be based upon relevant past experience of the official, observation by the official and/or credible information from another person.

(1) “Past experience” may provide the district official with information relevant to the violation as well as information which enables the official to evaluate the credibility of information from another student.

(2) “Credible information from another person” may include information which the district official reasonably believes to be true provided by another District employee, a student, a law enforcement or other government official or some other person.

b. “Reasonable in scope” means the manner and extent of the search are reasonably related to the objectives of the search, limited to the particular student or students most likely to be involved in the infraction and not excessively intrusive in light of the student's age, sex, maturity or the nature of the infraction.

Justification for Student Searches

Students have the right to be free of unreasonable searches and seizures under the fourth amendment of the constitution of the United States. Balanced against this right is the school officials' responsibility to create and maintain an environment consistent with the school's educational mission. School officials have a duty to protect the health, safety and welfare of all students under their authority.

Prohibited Items

Students are prohibited from bringing to school items or substances which would disrupt the educational function of the school or which are prohibited by Board policy, administrative regulations or by law.

Examples of items or substances in this category are weapons, clubs, explosives, firecrackers, alcoholic beverages, tobacco products such as vape pens, and nonprescription drugs or drug paraphernalia.

Lockers and Other School Property

Lockers and other storage spaces are provided to students for their convenience. These storage areas remain school property, and as such, are subject to routine periodic inspections by school authorities as well as searches. Such inspections allow responsible school authorities to confirm that lockers are being used appropriately in a manner consistent with the health and safety of all students. Students should not store items in lockers which violate school Board policy or administrative regulations or law.

Emergencies

Circumstances which put the safety of students or school staff at risk or could result in substantial property damage also will constitute sufficient reasons for school or police officials to conduct a thorough search of all school property. A bomb scare is an example of such an emergency. In responding to such an emergency or dangerous circumstance, the actions of the school officials shall be reasonably effective and not more intrusive than necessary.

Student Searches

School authorities are authorized to conduct searches of students or their property when reasonable suspicion indicates that a particular student is in possession of an item or a substance that represents a material threat to school routine or is prohibited by Board policy, administrative regulations or by law. Student property shall include, but not be limited to, purses, bookbags and cars. If students don't have access to their cars during school hours, the justification for searching student-driven cars is removed. School authorities in cooperation with the local police department reserve the right to conduct sniff searches with dogs of school property and student-driven cars.

Police Notification

With regard to possession of items that constitute a violation of law, school authorities may wish to cooperate with the appropriate law enforcement agencies in the interest of preserving the integrity of the school's educational mission.

Lockers and Other School Property (Desks)

1. The school principal or his/her designee shall maintain an accurate list of all locker assignments and either a master key or combinations to all lockers.
2. At the time a student is assigned a locker or other storage space, he or she shall be informed that school authorities are empowered to conduct random periodic inspections of school lockers. Notices of this inspection policy also shall be posted in appropriate locations throughout the school.
3. Students also will be informed of the following locker regulations:

- A. Students are responsible for the contents of the locker assigned to them.
 - B. Students are not to give other students access to their locker.
4. The exercise of that right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's desk or locker under the following conditions:
- A. There is reason to believe that the students' desk or locker contains contraband material and the presence of said material poses a serious threat to the maintenance of discipline, order, safety or health in the school.
 - B. The search of a group of students' desks or a group of students' lockers where no particular student within the group is suspected may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.

Prescription Drugs

Students who have a legitimate need to bring prescription drugs to school should register this information in the nurse's office. (cf. 5141.21 - Administration of Medication)

Lost or Abandoned Items

Lost or abandoned items will be inspected by school authorities.

Student Searches

1. All searches of students shall be conducted or authorized by the Principal or designee, in the presence of a witness.
2. When the need to search a student arises, the student may be asked to give his or her consent to the search, but in no event shall the student be threatened with harsher punishment or treatment for refusing to consent, nor shall he or she be coerced or induced to give consent in any other manner. The consent, if given, shall be put in writing. If the student is unwilling to give free and voluntary consent, the school administrator may order the student to submit to a search. If the student refuses to obey the order, the school administrator may bring insubordination charges against the student as stipulated in applicable school regulations.
3. Searches should be no more intrusive than necessary to discover that for which the search was instigated.
4. A search of a student's handbag, gym bag or similar personal property carried by a student may be conducted if there is "reasonable grounds" for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.

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5. Locker searches shall be conducted in the presence of another staff member and in the presence of the student responsible for the contents of the locker, if possible.
6. Searches may include, if school authorities think necessary, a frisk or pat down of student clothing. Frisk or pat down searches shall be conducted by a member of the same sex as the student and in the presence of another staff member. Where the object of the search may be felt by a pat down of clothing or personal property, the District official may first pat the clothing or property in an attempt to locate the article before searching inside the clothing or property.
7. At no time should school officials conduct a search which requires a student to remove more clothing than his/her shoes or jacket. If school authorities are convinced that a more intrusive search is required to expose contraband they should advise the proper law enforcement agency.
8. A search of a student's person, or a search of a group of students where no particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property. "Strip searches" of students are prohibited by employees of this school District.
9. Student searches which disclose evidence of school misconduct, but not criminal misconduct, should be treated according to applicable policies and/or regulations.
10. In the event that a student search discloses evidence of criminal wrongdoing, the school Principal or his/her designee shall determine whether or not police officials should be notified of the fruits of the search. If police officials are notified the student's parents should be advised of this fact as soon as possible.
11. A strip search requiring a student to remove clothing down to the student's underwear or including underwear is prohibited by the District.

Emergency/Dangerous Circumstances

1. Where a District official has knowledge which would lead a reasonable person to believe that either an emergency or dangerous circumstance exists and that it is necessary to act to protect the safety of any person or property, the official may make a search to the extent necessary to relieve the emergency or dangerous circumstance.
2. In responding to such an emergency or dangerous circumstance, the actions of the official shall be reasonably effective and no more intrusive than necessary.

Documentation

Administrators shall document all searches. Documentation shall consist of the following:

- Name, age and sex of student;

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- Time and location of search;
- Justification for search and nature of reasonable suspicion;
- Type/Scope of search (what was searched);
- Results of search, prohibited material(s) found, disposition of the material(s) seized and discipline imposed;
- Name of the witness to the search;
- Name of the District official.

Notice of the Board's policy and pertinent provisions of this regulation will be provided to staff, students and their parents annually, through such means as staff and student/parent handbooks and the school/District website.

(cf. [5145.121](#) – Search of Vehicles on School Grounds)

(cf. [5145.122](#) – Use of Dogs to Search School Property)

(cf. [5145.123](#) – Use of Metal Detectors)

(cf. 5145.124 – Breathalyzer Testing)

(cf. 5145.125 – Drug Testing)

(cf. [5131.111](#) – Video Surveillance)

Legal Reference: Connecticut General Statutes

[10-221](#) Boards of education to prescribe rules.

New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

PA 94-115 An Act Concerning School Searches.

Safford Unified School District #1 v. Redding (U.S. Sup. CT 08-479)

Regulation approved

DRAFT

**4118.237/4218.237
5141.8**

Personnel-Certified + Non Certified

Students

Face Masks/Coverings

The Sherman Board of Education (the “Board”) recognizes the importance of protecting the health and safety of students, staff, and the community during the COVID-19 pandemic. As such, and in accordance with requirements and guidelines issued by the Connecticut State Department of Education (“SDE”), the Board requires that all individuals entering a school building, or a District transportation vehicle wear an appropriate face covering. An appropriate face covering shall consist of a cloth mask or disposable procedure-style mask that completely covers the individual’s nose and mouth. Any individual who presents for entrance into a school building and/or District transportation vehicle who is not wearing an appropriate face covering shall be provided an appropriate face covering by the District.

Compliance with this policy shall be mandatory for all individuals while in the school building and/or District transportation vehicle, unless an applicable exception applies. Any individual who refuses to wear an appropriate face covering at all times while in a school building and/or District transportation vehicle shall be denied admission and/or required to leave the premises, unless an applicable exception applies. In addition, failure to comply with this policy may lead to disciplinary action for students and staff, and exclusion from school property for members of the community, in accordance with applicable laws, rules, regulations, and/or Board policies.

All individuals participating in or attending any school-sponsored activities must wear an appropriate face covering, whether or not those activities occur in a school building and/or District transportation vehicle, unless an applicable exception applies or the Administration, in consultation with the local health department, determines that face coverings are not required for athletes participating in certain athletic activities.

The Board authorizes the Superintendent or designee to develop administrative regulations and/or protocols to implement this policy. Such administrative regulations and/or protocols shall outline authorized exceptions to the requirement that all individuals wear an appropriate face covering in the school buildings and/or District transportation vehicles and may identify additional face covering rules as related to the safe operation of the school community.

Legal References:

Connecticut General Statutes § 10-221

Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together, Connecticut State Department of Education, as amended by Addendums 1-13 (June 2020 through September 2020).

[Coronavirus Memo #29, Group Size and Mask Requirements as part of a system of protections against COVID-19, Connecticut Office of Early Childhood \(September 14, 2020\).](#)

Policy Adopted: