

WESTBROOK BOARD OF EDUCATION
EDUCATE, CHALLENGE, & INSPIRE

WESTBROOK BOARD OF EDUCATION Thursday, September 23, 2021 @ 4:15 p.m. Policy Subcommittee Meeting BOE Conference Room
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The Policy Subcommittee meeting will be held on Thursday, September 23, 2021 at 4:15 p.m. in the BOE Conference Room.

AGENDA

- I. Call to Order
- II. Approval of Minutes
 - 1. April 22, 2021
- III. Review of 000 Series::
 - 0100 Westbrook Mission Statement (Last reviewed 2012)
 - 0200 Goals and Objectives (Last reviewed 2012)
 - 0300 Policies for Public Schools (Last reviewed 2007)
 - 0500 Comprehensive Improvement Plans (Last reviewed 2007)
 - 0521 Nondiscrimination (Last reviewed 2019)
 - 0521.2 Commitment to Religious Neutrality (Last reviewed 2007)
- IV. Legal Updates Related to Policy Review Considerations for 2021-2022
- V. Next Meeting Agenda Items: Review of 1000 Series/Continuation of 000 Series if needed.
- VI. Adjourn

WESTBROOK BOARD OF EDUCATION
Policy Subcommittee Meeting
Thursday, April 22, 2021 @ 4:15 p.m.
via Google Meet

Members Present: Kim Walker, Mary Ella Luft, Michelle Brigham, Zack Hayden

Absent: Mike Esposito

Also Present: Superintendent Kristina Martineau

MINUTES

- I. **CALL TO ORDER:** The Policy Subcommittee meeting was called to order at 4:16 p.m. by Kim Walker, Chair
- II. **APPROVAL OF MINUTES:** MOTION by Z. Hayden and SECOND by M. Luft to approve the Policy meeting minutes of March 18, 2021. Vote unanimous.
- III. **POLICY OVERSIGHT PROCESS:**
 - A. **Prioritization of policies to review:** K. Walker suggested tabling discussion of review of 3000 and 6000 series. M. Luft reported that most of the Series 1000 and 2000 were adopted in 2007. Some are more important to review than others. K. Walker reported on 4000 and 9000 series and pointed out that reference to employee names need to be updated in specific policies i.e. 4118.113 and 4118.11 to reflect changes. The policy committee will further review 4118.11 and 4118.113 for any additional updates/legal references and bring to the full board for approval. It was decided that the Policy Subcommittee will begin review of the Zero Series and work on updating policies 0100; 0200, 0300 at the May 20th policy meeting which will meet “in-person.” The committee will look for outdated policies and compare with more recent CABE policies. Z. Hayden will further review the 9000 series By-laws. Superintendent Martineau is charged with review of the BOE Student Representative By-law 9160 and to check our website for reference to designated Safe School Climate Coordinator. M. Brigham provided a review of the 5000 series.
 - B. **Creation of calendar:** Per the minutes of March 18, K. Walker suggested the Policy Subcommittee create a calendar to align with policy items such as BOE self evaluation, Superintendent evaluations, review of policies, update goals and objectives, attorney performance evaluation etc. Z. Hayden suggested the first policy meeting after the December BOE organizational meeting would be a good time to form a calendar for review of policies.
- IV. **CONSIDERATION OF CABE Policy 0523: Equity and Diversity:** K. Walker suggested removing this item from the agenda. Superintendent Martineau stated that Westbrook is in the process of developing an equity statement and the Committee was in agreement that we are not ready to adopt the CABE suggested

policy on Equity and Diversity. Z. Hayden pointed out that it is important that this topic is being addressed through the K-12 Equity and Access Committee.

- V. **ADJOURN:** MOTION by M. Brigham and SECOND by M. Luft to adjourn at 4:57 p.m. Vote unanimous.

Respectfully submitted,

Christine Kuehlewind, Board Secretary

Cecilia S. Lester, Board Recording Clerk

TBA at next meeting

Mission - Goals - Objectives

Westbrook Mission Statement:

The Westbrook Public Schools recognize that every child is important and an integral part of our community. Our commitment is to provide a safe and supportive learning environment to **educate, challenge and inspire** all students to achieve their potential and follow their artistic and intellectual curiosity. Toward this end the Board of Education stipulates the following:

1. Schools exist to meet the educational needs of students. The Board of Education believes that all children can learn and that the primary purpose of school is teaching and learning.
2. Students differ from one another. They have differing needs, learning styles, and interests. They differ in levels of maturity, degrees of responsibility each can accept, and levels of personal motivation to learn. The district's instructional program shall recognize these differences and shall strive to achieve both quality and equity in the results which are achieved.
3. Schools should foster in each student a strong desire to develop an inquiring, self-directed, and creative mind. A major purpose of school is to teach children how to learn to prepare them for a lifetime of learning.
4. Regardless of societal factors that may interfere with learning, good schools do make a difference in a child's life. Schools exercise control over many factors which can significantly influence student achievement. Maximizing student achievement is a major responsibility of schools. While the process of education is important, student achievement can only be assessed and measured in the outcomes demonstrated by students.
5. Students must share responsibility for their own learning but schools help them do so by:
 - A. Cooperating with parents to support and assist students.
 - B. Making available worthwhile learning experiences for all students regardless of social or economic background, sex, levels of maturity, motivation, or intelligence.
 - C. Stressing the organization, interpretation and application of information to real situations rather than the acquisition of information for its own sake.

Mission - Goals - Objectives

Mission Statement (continued)

- D. Recognizing that learning occurs at home and in the community and that instruction should unify this knowledge through concept and problem-centered learning experiences rather than through an isolated study of content areas.

The mission of the schools is best fulfilled when students, staff members, parents, and community residents participate in the decision-making process in matters that affect them. Constructive dissent enhances good decisions. Educational excellence, the ultimate mission of the school district, is the product of open communication within the school district and between the school district and the community it serves.

Policy adopted: March 13, 2007

WESTBROOK PUBLIC SCHOOLS
Westbrook, Connecticut

Policy revision adopted: September 11, 2012

Mission-Goals-Objectives

Goals and Objectives

Development of District Goals

The District will provide the resources and support to meet the social, emotional, educational, and intellectual needs of the student population.

The District shall maintain a coordinated K-12 program designed to develop the potential of each student and to prepare each learner to succeed in a rapidly changing world.

The District will work with staff, parents and community members to develop District goals. Goals will be adopted by the Board consistent with the goals adopted by the State Board of Education. Goals will be reviewed annually and revised as needed.

Objectives and strategies will be developed each year through 1.) school improvement plans and 2) administrator goals and objectives to ensure that progress is being made to achieve the goals of the Westbrook Public Schools.

Policy adopted: April 11, 2006
Policy revised: March 13, 2007
Policy revised: September 11, 2012

WESTBROOK PUBLIC SCHOOLS
Westbrook, Connecticut

Mission - Goals - Objectives

Policies for Westbrook Public Schools

The Board of Education will maintain a set of policies as the basis for school district governance. The policies shall be periodically reviewed and be maintained and be consistent with applicable law.

The Board of Education views its policies as aids to decision making and will, to the best of its abilities, make all its actions consistent with those policies.

Policy adopted: March 13, 2007

WESTBROOK PUBLIC SCHOOLS
Westbrook, Connecticut

Mission - Goals - Objectives

Comprehensive Improvement Plans/Schedules

The Board of Education will develop a long-range plan based on its goals and objectives.

The Board of Education's long-range plan will specify targets in the areas of regular and special learning programs, technology, transportation, staffing, building utilization, capital improvements, and maintenance of buildings and grounds. The comprehensive long-range plan will focus on the achievement of Board adopted goals and objectives.

Legal Reference: Connecticut General Statutes

10-220 Duties of boards of education

Policy adopted: March 13, 2007

WESTBROOK PUBLIC SCHOOLS
Westbrook, Connecticut

Nondiscrimination

In compliance with regulations of Title VII of the Civil Rights Act 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, the Civil Rights Act of 1987 and the American With Disabilities Act, as amended, the Westbrook Board of Education adopts the following Equal Employment Opportunity and Equal Education Opportunity Policies.

Equal Employment Opportunity

Both federal and state law prohibit discriminatory practices in hiring and employment. It is the policy of the Westbrook Board of Education to prohibit acts of discrimination in all matters dealing with employees and applicants for positions with the school district and to further the principle of equal employment opportunity in all actions affecting employees and applicants. As an equal opportunity employer, the Westbrook Board of Education does not discriminate on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation past or present history of mental disorder, mental retardation, learning disability, regarding any individual who can perform the essential functions of the job with or without reasonable accommodations physical disability (including blindness) or other disability (except in the case of a bona fide occupational qualification or need.)

Equal Education Opportunity

Pursuant to the IDEA, Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the Westbrook Board of Education.

Every student has the right to participate fully in classroom instruction and extracurricular activities and shall not be abridged or impaired because of age, sex, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinator for the Westbrook Board of Education has the responsibility to monitor the compliance of this policy. The name and location of the Civil Rights Coordinator is set forth below. Further compliance with policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

Personnel -- Certified/Non-Certified

Nondiscrimination

Equal Education Opportunity (continued)

Students shall not be discriminated against, including but not limited to, in the areas of:

- Admission
- Use of School Facilities
- Vocational Education
- Competitive Athletics
- Student Rules, Regulations and Benefits
- Financial Assistance
- School-sponsored Extracurricular Activities
- Enrollment in Courses
- Counseling and Guidance
- Physical Education
- Graduation Requirements
- Treatment as a Married and/or Pregnant Student
- Health Services
- Most Other Aid, Benefits or Services

Employee/or applicants shall not be discriminated against, including but not limited to, the areas of:

- Hiring and Promotion
- Compensation
- Job Assignments
- Leaves of Absence
- Fringe Benefits
- Labor Organization
- Contracts or Professional Agreements

Sexual harassment has been established as a form of sexual discrimination and is defined as follows:

“Any **unwelcome** sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or participation in an educational function (2) submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working environment.”

Personnel -- Certified/Non-Certified

**4118.11(a)
4218.11
0521**

Nondiscrimination

Equal Education Opportunity (continued)

Examples of specific behaviors (that are unwanted and sexual in nature) that could constitute sexual harassment include, but not be limited to:

Touching	Verbal comments
Sexual name calling	Sexual rumors
Inappropriate public display of affections	Too personal a conversation
Gestures	Corner/blocking
Jokes/cartoons/pictures	Leers
Pulling at clothes	Attempted rape/rape
	Harassing communications

If you believe that you have been discriminated against in regard to either of the preceding policies, you may file a grievance that your rights have been denied or violated.

If you wish to discuss these regulations or your rights under this policy, or wish to discuss or file a grievance, please contact Supt. Patricia A. Ciccone,, Title IX Coordinator, Westbrook Board of Education, 158 McVeagh Road, Westbrook, CT 06498 (Tel. 860-399-6432), the system Civil Rights Coordinator or Jill Britton, WHS/WMS Building Compliance Officer.

Forms are available in our Guidance Office.

ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (PERSONNEL)

It is the policy of the Westbrook Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, veteran status or gender identity or expression is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is the express policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression.

Personnel -- Certified/Non-Certified

**4118.11(a)
4218.11
0521**

Nondiscrimination

Preferably, complaints should be filed within thirty (30) calendar days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, gender identity or expression, or veteran status. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and implementing Administrative Regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as an individual feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, gender identity or expression, or veteran status he/she should make a written complaint to the Superintendent, or his/her designee. The individual and any respondent (if applicable) will be provided a copy of the Board's policy and regulation and made aware of his/her rights.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Personnel -- Certified/Non-Certified

**4118.11(a)
4218.11
0521**

Nondiscrimination

Any individual who makes an oral complaint of harassment or discrimination will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the staff member receiving the oral complaint will either reduce the complaint to writing or assist the individual with completing the written complaint form.

All complaints received by staff members are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent or his/her designee shall promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator ("respondent") and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination, the investigator should:

1. offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
2. provide the complainant and respondent (if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
5. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be extended by fifteen (15) business days during periods of time when school is in session or reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent

Personnel – Certified/Non-Certified

4118.11(a)
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0521

Nondiscrimination

possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;

7. if a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
8. whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;
9. if either party to the complaint is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the party requesting an appeal, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) following the receipt of the written request for review.

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203

Personnel — Certified/Non-Certified

**4118.11(a)
4218.11
0521**

Nondiscrimination

(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about these regulations may contact:

Patricia A. Ciccone, Superintendent: 860-399-6432]

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Section 504/ADA Coordinator:

**Madeline Illinger, Director of Special Education and Student Support Services, @
860-399-6432 or 860-399-7925.**

Policy adopted: July 11, 2006
Policy revised: May 12, 2009
Policy revised: June 12, 2012
Policy revised: October 22, 2019
Policy revised: October 25, 2019

WESTBROOK PUBLIC SCHOOLS

Westbrook, Connecticut

DISCRIMINATION COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment

Proposed remedy _____

Mission – Goals – Objectives

Nondiscrimination

Commitment to Religious Neutrality (Prayer in the Schools)

It is the policy of the Board of Education to not prevent, or otherwise deny participation in, constitutionally protected prayer in the district's schools, consistent with current guidance issued by the U.S. Department of Education under the No Child Left Behind Act of 2001, and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

This policy supersedes any other Board Policy that might be inconsistent with it.

(cf. 1140 - Distribution of Materials to and by Students)
 (cf. 4118.21 – Academic Freedom)
 (cf. 6115 – Religious Ceremonies)
 (cf. 6115.1 – Religious Observances and Displays)
 (cf. 6115.11 – Graduation Exercises – Prayer)
 (cf. 6141.2 – Separation of Church and State)
 (cf. 6141.21 – Religion in the Public Schools)
 (cf. 6144 – Controversial Issues)
 (cf. 6144.1 – Exemption from Instruction)
 (cf. 6145 – Extra-Class Activities)
 (cf. 6162.51 – Student Surveys)
 (cf. 6145.3 – Distribution of Printed Matter, Freedom of School Press; Publications)
 (cf. 9030.1 – Religious Guidelines)

Legal Reference: Connecticut General Statutes
 10-16a Silent meditation.
 10-15c Discrimination in public schools prohibited.
 Lee v. Weisman, 112 S. Ct. 2649 (1992).
 Jones v. Clear Creek Independent School District, 977 F. 2d 963 (5th Cir. 1992).
 Harris v. Joint School District, 41 F.3d 447 (9th Cir., 1994).
 American Civil Liberties Union of NJ v. Black Horse Pike Regional Board of Education, 84 F.3d 1471 (3rd Cir., 1996).
 20 U.S.C. 7904 (No Child Left Behind Act of 2001)

Policy adopted: March 13, 2007

WESTBROOK PUBLIC SCHOOLS
 Westbrook, Connecticut