



## Newtown Public Schools

Policy Sub-Committee Agenda  
October 7, 2025

BOE Conference Room 1  
Municipal Building  
3 Primrose Street  
Newtown, CT 06470  
5:30 PM

*As citizens of our community, we will conduct ourselves in accordance with Newtown's Core Character Attributes as displayed in our character tree. We will be responsible for our actions and show respect for each other. We will interact peacefully, productively, and politely. We will be trustworthy and honest and show compassion toward others. Newtown's continued success is contingent upon our ability to persevere, to follow through with our commitments, and to stay focused on the greater good.*

### AGENDA

1. **CALL TO ORDER**
2. **PUBLIC PARTICIPATION**
3. **APPROVAL OF MINUTES**
4. **DISCUSSION AND POSSIBLE ACTION**
  - A. Review Policies
    1. 1700 - Possession of Deadly Weapons or Firearms
    2. 1200 - Use of School Facilities
    3. 1085 - Policy and Administrative Regulations Regarding School Security and Safety Plan
  - B. Policies Recommended for First Read
    1. 4152.6/4252.6 - Family and Medical Leave
    2. 2260 - Holds on Destruction of Records
    3. 2270 - Retention and Disposition of Records and Information
  - C. Items of Information
    1. 5121.3R Administrative Regulations Regarding Academic Integrity and Acceptable Use of Artificial Intelligence (AI)
    2. 1230R Administrative Regulations Regarding Other Community Connected Organizations
    3. 1131R Administrative Regulations Regarding Political Activities in Schools
    4. 1350R Administrative Regulations Regarding Senior Citizens Benefit
  - D. Policies to Rescind after Adoption of Replacement Policies

1. 3543.31 Office Services/Records and Reports
2. 3543.311 Office Services/Records and Reports - Electronic Communications Use and Retention
3. 4152.6/4252.6 Family and Medical Leave

E. Non-Mandated Policies to Rescind

1. 1120 Public Participation at Board of Ed Meetings
2. 1230 Other School Connected Organizations
3. 1251 Loitering
4. 1300 Public Activities Involving Staff, Students or School Facilities
5. 1300.1 Community Engagement
6. 1311.1 Political Activities of School Employees
7. 1311.2 Political Activities in the Schools
8. 1312 Public Complaints
9. 1313 Gifts from Suppliers and/or Contractors
10. 1321 Public Performances by Students
11. 1321.1 Public Performances by School Musical Organizations
12. 1322 Contests for Students
13. 1326 Solicitations by Staff Members
14. 1350 Senior Citizens Benefits
15. 1360 Awards and Policies
16. 1411 Relations with Law Enforcement
17. 1430 State Federal Government
18. 1325 Advertising and Promotion

5. **PUBLIC PARTICIPATION**

6. **ADJOURN**

**MINUTES**

Anne Uberti, Superintendent  
Doria Linnetz  
Alison Plante  
Sarah Connell  
1 Public

**1. CALL TO ORDER**

- a. D. Linnetz called the meeting to order at 5:31 pm.

**2. PUBLIC PARTICIPATION**

- a. None

**3. APPROVAL OF MINUTES**

*MOTION: A. Plante moved to approve the minutes of July 8, 2025. D. Linnetz seconded. Motion passes unanimously.*

**4. DISCUSSION AND POSSIBLE ACTION**

- a. Review Policy Progress
  - i. A.Uberti reported that she has been reviewing the series 1000—Community Relations. Shipman and Goodwin (S & G) recommends 12 policies and/or regulations in Series 1000, and the BOE currently has 35 policies.
    1. A.Plante asked which series the committee should work on next. The committee agreed to work on Series 2000 next.
  - ii. 3152 Spending Public Funds for Advocacy
    1. A.Uberti stated that she and the Director of Technology created a page on the website that provides information about spending public funds for advocacy. The committee was pleased with the outcome.
  - iii. Series 5000
    1. A.Uberti is still working on the outstanding policies in series 5000.
  - iv. Series 3000
    1. A.Uberti is still working on the outstanding policies in series 3000.
    2. D.Linetz reminded S.Connell to include a sentence into policy 3280 that one of the Board members suggested and update it on the website.
- b. Review Policy
  - i. 5138 Restorative Practices
    1. The Board had questions regarding this policy and how the data will be collected. A.Uberti stated that as a district, they have been using a

restorative approach for the past 10 years with disciplinary incidents. All incidents are logged into Powerschool.

- c. Policies Recommended for First Read
  - i. 1700 - Deadly Weapons or Firearms
    - 1. A.Uberti stated that this policy was approved in January 2024. While it is similar to Newtown's existing policy, she believes it is best to stay consistent with Shipman and Goodwin policies and adopt their version.
    - 2. The committee agreed.
  - ii. 1082 - Policy Regarding Green Cleaning Programs
    - 1. A.Uberti stated that this program is mandatory to have in the district. A written notice and report is also mandatory. The Policy is not mandated, however, S & G developed this policy to ensure the program, written notice and report are memorialized. The district has a policy, 3524.2 Green Cleaning Program which will be rescinded upon adoption of this policy. The Facilities Director will maintain the regulation.
    - 2. The committee agreed and had no further questions.
  - iii. 1090 Pesticide Application on School Property
    - 1. This is a mandated policy and it should replace 3524.1, Pesticide Management-Pesticide.
    - 2. The committee agreed and had no further questions.
  - iv. 1331 Smoking
    - 1. A.Uberti recommends replacing Newtown's current policy with Shipman and Goodwin's version. The committee agreed.
  - v. 1200 Use of Facilities
    - 1. A.Uberti and the director of Facilities worked on this policy and regulation. It was not updated since 2017 and it is recommended to use Shipman's model policy.
    - 2. D.Linnetz asked to remove "lobby" from the regulation. A.Uberti had no issue with doing that.
  - vi. 1250 Visitors
    - 1. A.Uberti recommends using Shipman's model policy and rescinding Newtown's current version. A.Uberti stated that the Principals and security guards know that if there is a visitor they have a question about or a visitor with a warrant, they need to contact her so she can contact legal counsel.
  - vii. 1085 Policy and Administrative Regulations Regarding School Security and Safety Plan
    - 1. A.Uberti reported that after a thorough review of several safety policies, she is recommending that the following policies be rescinded: 3516 Safety, 3517 Security of Building and Grounds, and 6114 Safety and Security - Emergency Preparedness. These policies are redundant and essentially all refer back to the statute requirements. The language can also be found in Newtown's EOP.

2. A.Uberti also recommends rescinding, at the same time, 6114.3 Bomb Threats. Bomb threats are also covered as part of our EOP in terms of response and in 5114 Student Discipline in terms of consequences.
  3. A.Uberti reviewed this policy with the Director of Security and they are in agreement with adopting this model policy.
- viii. 1212 Volunteers
1. This is a mandated policy and will replace Newtown's current version.
- d. Items of Information
- i. 1075R Sexual Offenders on School Property
  - ii. 1112R Public Information

**MOTION:** *A. Plante moved to send policies included under 4C to the full board for first read. D. Linnetz seconded. Motion passes unanimously.*

- e. Policies to Rescind after Adoption of Replacement Policies
- f. Non-Mandated Policies to Rescind

**MOTION:** *A.Plante moved to send policies including under 4E and 4F to the full board for first read to be rescinded. D. Linnetz seconded. Motion passes unanimously.*

## **5. PUBLIC PARTICIPATION**

- a. None

## **6. ADJOURN**

**MOTION:** *A. Plante moved to adjourn. D.Linnetz seconded. Motion passes unanimously.*

Meeting adjourned at 6:19 pm.

**NOTE: Among other changes, effective October 1, 2025, employees working for boards of education in positions that do not require professional certification under Chapter 166 of the Connecticut General Statutes will be eligible for leave in accordance with the Connecticut Family and Medical Leave Act. This policy has been developed for implementation on and after October 1, 2025.**

**Series 4000  
Personnel**

## **FAMILY AND MEDICAL LEAVE**

### ***PURPOSE***

The purpose of this policy is to apprise employees of their rights and establish guidelines for leaves taken by employees of the Newtown Board of Education (the “Board”), under the federal Family and Medical Leave Act of 1993 (“Federal FMLA”) and/or the Connecticut Family and Medical Leave Act (“CT FMLA”) and applicable Connecticut state law. This policy is not intended to, and does not, recite every provision of applicable law and regulations.

### ***ELIGIBILITY***

An employee who has been employed by the Board for at least twelve (12) months, and who has worked at least 1,250 actual work hours during the twelve (12) months immediately preceding the start of a leave, is eligible for unpaid leave under the Federal FMLA. A full-time instructional employee meets the 1,250 hours of service requirement unless the Board can demonstrate that such employee did not meet the 1,250 hours of service requirement in the 12-month period prior to the start of leave.

An employee working for the Board in a position that does not require a professional certification under Chapter 166 of the Connecticut General Statutes (*i.e.*, a “noncertified employee”) is eligible for unpaid leave under the CT FMLA if such employee has been employed by the Board for at least three (3) months in the twelve (12) months immediately preceding the start of such leave.

### ***DEFINITIONS***

**Genetic information**: For purposes of this policy, “genetic information” includes an individual’s family medical history, an individual’s or family member’s genetic tests, and/or the fact that an individual or an individual’s family member sought or received genetic services or participated in clinical research which includes genetic services.

“Genetic information” includes genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member utilizing assistive reproductive technology.

**Instructional employee:** For purposes of this policy, an “instructional employee” is defined as a teacher or other employee of the Board who is employed principally in an instructional capacity and whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

**Noncertified employee:** For purposes of this policy, “noncertified employee” means an employee employed by the Board in a position that does not require a professional certification under Chapter 166 of the Connecticut General Statutes.

### ***REASONS FOR LEAVE***

(a) **Federal FMLA**

Leaves under the Federal FMLA may be taken for the following reasons:

- incapacity due to pregnancy, prenatal medical care, or child birth;
- to care for the employee’s newborn child;
- the placement of a child with the employee by adoption or for foster care;
- to care for the employee’s spouse, child, or parent who has a serious health condition;
- to care for the employee's own serious health condition that renders the employee unable to perform the functions of the employee’s position;
- to care for a covered injured or ill servicemember (see below – Length of Leave – for further information); or
- to address a qualifying exigency arising out of an employee’s spouse, child, or parent’s military service, including one or more of the following reasons (note – more detailed information on the following categories is available from the Human Resources Department):
  - short-notice deployment;
  - military events and related activities;
  - childcare and school activities;
  - financial and legal arrangements;
  - counseling;
  - rest and recuperation;

post-deployment activities;  
parental care leave for military member's parent who is incapable of self-care and care is necessitated by the military member's covered active duty; and/or  
additional activities that arise out of the active duty or call to active duty status of a covered military member, provided that the Board and the employee agree that such leave qualifies as an exigency, and agree to both the timing and the duration of such leave.

(b) CT FMLA

Leaves under the CT FMLA may be taken for the following reasons:

upon the birth of the employee's newborn child, and to care for the newborn child;  
upon the placement of a child with the employee for adoption or foster care, and to care for the newly placed child;  
to care for the employee's family member, if such family member has a serious health condition;  
because of the employee's own serious health condition, including any period of incapacity due to pregnancy or for prenatal care, that renders the employee unable to perform the functions of the employee's position;  
in order to serve as an organ or bone marrow donor;  
to care for an injured or ill servicemember who is the employee's spouse, parent, child or next of kin (see below – Length of Leave – for further information); or  
to address a qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on active duty, or has been notified of an impending call or order to active duty, in the armed forces.

For purposes of determining whether an employee has a qualifying reason for leave under the CT FMLA, "family member" is defined as a spouse, sibling, child, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.

***LENGTH OF LEAVE***

(a) Basic FMLA Leave Entitlement

(1) Leaves under the Federal FMLA: If a leave is requested for a Federal FMLA-qualifying reason, an employee may take up to a total of twelve (12) weeks unpaid family or medical leave in the 12-month entitlement period.

- (2) Leaves under CT FMLA: If a leave is requested for a CT FMLA-qualifying reason, an eligible employee may take up to a total of twelve (12) weeks unpaid family or medical leave in the 12-month entitlement period, except that the employee may take up to two (2) additional workweeks of leave during such twelve (12)-month period for a serious health condition resulting in incapacitation that occurs during pregnancy. These additional two (2) weeks are only available during pregnancy.

The 12-month entitlement period for family or medical leave is measured on the basis of a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave.

An employee may be entitled to leave under the Federal FMLA and/or CT FMLA. To the extent an employee is eligible for and qualifies for leave under both laws, the employee's Federal FMLA and CT FMLA leave will run concurrently.

(b) Leave to Care for an Injured or Ill Servicemember

In addition to the reasons for leave listed above, an eligible employee may take up to twenty-six (26) workweeks of Federal FMLA and/or CT FMLA leave during a 12-month period to care for a covered servicemember and/or covered veteran who is the employee's spouse, parent, child or next of kin, and who incurred a serious injury or illness in the line of duty and while on active duty in the Armed Forces or had a preexisting injury or illness prior to beginning active duty that was aggravated by service in the line of duty in the Armed Forces.

When combined with any other type of Federal FMLA or CT FMLA-qualifying leave, total leave time may not exceed twenty-six (26) weeks in a single twelve (12) month period. Standard leave procedures described below apply to all requests for and designation of leave for this purpose. *However*, in the case of leave to care for a servicemember with a serious injury or illness, the 12-month period begins on the day such leave actually commences.

### ***TYPES OF LEAVE AND CONDITIONS***

(a) Full-Time, Intermittent and Reduced Schedule Leave

Full-time leave excuses the employee from work for a continuous period of time. Full-time unpaid leave may be taken for any of the reasons permitted by the Federal FMLA and/or CT FMLA.

Intermittent leave means leave taken due to a single qualifying reason in separate periods of time rather than for one continuous period of time. Examples of

intermittent leave include: leave taken one day per week over a period of a few months or leave taken on an occasional/as-needed basis for medical appointments.

Reduced schedule leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.

Intermittent or reduced schedule Federal FMLA and/or CT FMLA leave may be taken (a) when medically necessary for an employee's or covered family member's serious health condition, or for a covered servicemember's serious illness or injury, and (b) the need for leave can be best accommodated through an intermittent or reduced schedule leave. In addition, Federal FMLA and/or CT FMLA leave may be taken intermittently or on a reduced schedule basis (1) due to a qualifying exigency, or (2) to effectuate the placement of a child for adoption or foster care before the placement of the child in the home.

If foreseeable intermittent or reduced schedule leave is medically required based upon planned medical treatment of the employee or a covered family member or a covered servicemember, including during a period of recovery from an employee's or covered family member's serious health condition or a serious injury or illness of a covered servicemember, the Board may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested.

Under the Federal FMLA, special arrangements may be required of an instructional employee who needs to take intermittent or reduced-schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five days over a five-week period), if the leave is to care for a covered family member with a serious health condition, to care for a covered servicemember with a serious injury or illness, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment. In such situations, the Board may require the instructional employee to transfer temporarily to another job or take leave for a particular duration, not to exceed the duration of the planned medical treatment.

(b) Both Spouses Working for the Same Employer

If both spouses are eligible employees of the Board and request Federal FMLA and/or CT FMLA leave for the birth, placement of a child by adoption or for foster care, or to care for a parent (or family member, for purposes of CT FMLA leave) with a serious health condition, they only will be entitled to a maximum combined total leave equal to twelve (12) weeks in the 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount the employee

has taken individually and the 12 weeks for Federal and/or CT FMLA leave for other qualifying reasons in the 12-month entitlement period.

(c) Leave Taken by Instructional Employees Near the End of an Academic Term

If Federal FMLA leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, the Board may require that instructional employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the instructional employee would return to work during the three-week period before the end of the term.

If the instructional employee begins Federal FMLA leave during the five-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the instructional employee would return to work during the two-week period before the end of the term.

If the instructional employee begins Federal FMLA leave during the three-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

### ***REQUESTS FOR LEAVE***

(a) Foreseeable Leave

An employee must notify the Human Resources Department of the need for a family or medical leave at least thirty (30) days before the leave is to begin if the need for the leave is foreseeable based on the expected birth of the employee's child, placement of a child with the employee for adoption or foster care, planned medical treatment for the employee's or a covered family member's serious health condition, or the planned medical treatment for a serious injury or illness of a covered servicemember. If 30 days-notice is not practicable, then the employee must provide notice as soon as practicable under the circumstances, usually the same day or the next business day after the employee becomes aware of the need for Federal FMLA and/or CT FMLA leave.

(b) Unforeseeable Leave

When the employee's need for leave is not foreseeable, an employee must provide notice as practicable under the circumstances.

### ***SCHEDULING PLANNED MEDICAL TREATMENT***

When planning medical treatment for foreseeable Federal FMLA and/or CT FMLA leave, an employee must consult with the Human Resources Department and make a reasonable effort to schedule the treatment so as not to disrupt unduly the Board's operations, subject to the approval of the health care provider. Similarly, if an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the Board's operations. Ordinarily, the employee should consult with the Human Resources Department prior to scheduling the treatment in order to work out a treatment schedule that best suits the needs of the Board and the employee. The Board and the employee shall attempt to work out a schedule for leave that meets the employee's needs without unduly disrupting the Board's operations, subject to the approval of the health care provider as to any modification of the treatment schedule.

### ***REQUIRED CERTIFICATIONS/DOCUMENTATION***

For leaves taken for any Federal FMLA or CT FMLA-qualifying reason, an employee must submit completed certification form(s) supporting the need for leave. The appropriate form(s) will be provided to the employee. The employee must submit a complete and sufficient certification form(s) as required within fifteen (15) calendar days of receiving the request for the completed certification. If it is not practicable for the employee to provide the completed form by the due date despite the employee's diligent, good faith efforts, the employee must inform the Human Resources Department of the reason(s) for delay and what efforts the employee undertook to obtain the required certification. Federal FMLA- and/or CT FMLA-protected leave may be delayed or denied, in accordance with applicable law, if the employee does not provide a complete and sufficient certification as required. Depending on the reason for leave, an employee may be required to submit medical certification from the employee's health care provider, medical certification the employee's family member's health care provider, and/or other documentation (e.g., to establish a family relationship, military active duty orders, etc.). In certain circumstances and under certain conditions, employees may also be required to obtain second or third medical opinions and/or recertifications, in accordance with applicable law.

If an employee takes leave for the employee's own serious health condition (except on an intermittent or reduced-schedule basis), prior to returning to work the employee must provide a medical fitness-for-duty certification that the employee is able to resume work and the health condition that created the need for the leave no longer renders the employee unable to perform the essential functions of the job. This

certification must be submitted to the Human Resources Department. If the employee is unable to perform one or more of the essential functions of the employee's position, the Board will determine whether the employee is eligible for additional Federal FMLA and/or CT FMLA leave (if the eligible for such leave and such leave has not been exhausted) or whether an accommodation is appropriate, in accordance with the Americans with Disabilities Act.

In connection with the Board's request for medical information, employees must be aware that the Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by Title II of GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the Board requests that employees not provide any genetic information when responding to a request for medical information.

### ***USE OF PAID LEAVE***

Paid leave, which has been accrued in accordance with applicable law, the relevant collective bargaining agreement (if any), and/or Board policy ("PTO") will be substituted for any unpaid portions of family or medical leave taken for any reason that is also a qualifying reason for using such accrued paid leave. In such instance, the employee's accrued paid leave and Federal FMLA and/or CT FMLA-qualifying leave will run concurrently. The employee must satisfy any procedural requirements applicable to the use of paid leave, but only in connection with the receipt of such payment. An employee who is approved for CT FMLA leave may retain up to two weeks of their accrued paid time off that would otherwise be required to run concurrently with CT FMLA leave.

Where a noncertified employee's accrued paid leave is not substituted for the entire period of unpaid leave for a qualifying reason under the CT FMLA and/or Connecticut law regarding leave for victims of family violence and sexual assault, the employee may apply for and be provided with compensation through the Paid Family and Medical Leave Insurance Program ("CT Paid Leave") for all or part of any unpaid leave, provided the employee qualifies for payments under the program. Noncertified employees may apply to the Connecticut Paid Medical and Family Leave Insurance Authority ("Authority") for partial income replacement benefits when they need leave for (1) any of the reasons that qualify for CT FMLA; and/or (2) if an employee is a victim of family violence or sexual assault, to seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim; to obtain services from a victim services organization on behalf of the victim; to relocate due to such family violence or sexual assault; or to participate in any civil or criminal proceeding related to or resulting from such family violence or sexual assault. Eligible employees shall apply directly to the Authority, which is responsible for determining an employee's eligibility for CT Paid Leave benefits and the amount of such benefit. The

Board will provide the Authority with all requested information regarding an employee's application for CT Paid Leave, in accordance with applicable law.

The Board shall require employees to use applicable PTO concurrently with their CT FMLA leave, subject to their right to retain up to two weeks of accrued PTO. If, after exhausting other applicable PTO, an employee does not wish to retain two weeks of accrued PTO while on approved CT FMLA leave, the Board shall permit the employee to receive these accrued PTO benefits concurrently with their CT Paid Leave benefits, if any, provided the total compensation of such covered employee during such period of leave shall not exceed such covered employee's regular rate of compensation.

In addition, in cases involving absences due to a Workers' Compensation injury that also qualifies as an FMLA serious health condition, and if the employee (and the employee's collective bargaining agent, if applicable) and the Board agree to do so, the Board will apply the employee's available accrued paid leave in increments as a supplement to the Workers' Compensation weekly benefit in an appropriate amount so that the employee can maintain the employee's regular weekly income level.

### ***MEDICAL INSURANCE AND OTHER BENEFITS***

During family or medical leaves approved in accordance with the Federal FMLA, the Board will continue to pay its portion of medical insurance premiums for the period of unpaid Federal FMLA. The employee must continue to pay the employee's share of the premium, and failure to do so may result in loss of coverage. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse the Board for payment of medical insurance premiums during the family or medical leave, unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

During a Federal FMLA and/or CT FMLA leave, an employee shall not accrue **[list benefits, such as seniority, pension benefits, or sick or vacation leave]**, unless otherwise required by any applicable collective bargaining agreement or Board policy. However, unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under the Board's attendance policy, if any.

### ***REINSTATEMENT***

Except for circumstances unrelated to the taking of a family or medical leave pursuant to this policy, and unless an exception applies, an employee who returns to work following the expiration of a family or medical leave is entitled to return to the job such employee held prior to the leave or to an equivalent position with equivalent pay and benefits.

## ***COMPLAINTS***

The Federal FMLA and CT FMLA prohibit employers from interfering with, restraining, or denying any rights provided by the respective laws. The Federal FMLA and CT FMLA also prohibit employers from terminating or discriminating against any individual for opposing any unlawful practice or being involved in any proceeding related to the Federal FMLA or CT FMLA, respectively. The CT FMLA also prohibits employers from interfering with, restraining, or denying any rights provided by CT Paid Leave and/or terminating or discriminating against an employee for applying for CT Paid Leave benefits.

An employee alleging a violation of the Federal FMLA may file a complaint with the U.S. Department of Labor, Wage and Hour Division. Such complaint should be filed within a reasonable time of when the employee discovers that the employee's Federal FMLA rights have been violated. In no event may a complaint be filed more than two (2) years after the action which is alleged to be a violation of the Federal FMLA occurred, or three years in the case of a willful violation. An employee may also be able to bring a private civil action for violations.

An employee alleging a violation of the CT FMLA may file a complaint with the Connecticut Department of Labor within one hundred eighty (180) calendar days of the employer action that prompted the complaint, unless good cause exists for the late filing. Upon receipt of any such complaint, the Connecticut Department of Labor Commissioner, or the Commissioner's designee, shall conduct an investigation and make a finding regarding jurisdiction and whether a violation of the CT FMLA has occurred. An employee alleging a violation of the CT FMLA may also bring a civil action in a court of competent jurisdiction against the employer within one hundred eighty (180) calendar days of the employer action alleged to be in violation of the CT FMLA. Such action may be brought by an employee without first filing an administrative complaint.

## ***ADDITIONAL INFORMATION***

Questions regarding family or medical leave may be directed to the Director of Human Resources. Federal FMLA and CT FMLA do not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Legal References:

Connecticut:

Conn. Gen. Stat. § 31-51kk et seq.

Conn. Gen. Stat. § 31-49e et seq.

Regs. Conn. State Agencies 31-51qq, et seq.

Public Act 25-174, “An Act Authorizing and Adjusting Bonds of the State and Concerning Grant Programs, State Grant Commitments for School Building Projects, Revisions to the School Building Projects Statutes and Various Provisions Revising and Implementing the Budget for the Biennium Ending June 30, 2027”

Federal:

Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended

29 CFR Part 825.100 et seq.

Title II of the Genetic Information Nondiscrimination Act of 2008, 42 USC 2000ff et seq.

29 CFR 1635.1 et seq.

ADOPTED: \_\_\_\_\_

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

**POLICY REGARDING HOLDS ON THE  
DESTRUCTION OF ELECTRONIC INFORMATION AND PAPER RECORDS**

The Board of Education (the “Board”) complies with all state and federal regulations regarding the retention, storage and destruction of electronic information and paper records. The Superintendent or his/her designee shall be responsible for implementing administrative regulations concerning the placing of a “hold” on electronic information and paper records that may reasonably be anticipated to be subject to discovery in the course of litigation.

All school officials and employees have a duty to preserve all paper records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation.

The Superintendent or his/her designee shall be responsible for developing and implementing administrative regulations to preserve records, including e-mails and electronically stored information, that could potentially be related to any matter that is currently in litigation or may be anticipated to result in future litigation. Such regulations shall identify those individuals responsible for identifying those matters for which records must be preserved as well as developing procedures, with the help of technical staff, for the preservation of electronically stored information.

Legal References:

Rules 34 and 45 of the Federal Rules of Civil Procedure  
General Letter 2009-2 of the Public Records Administrator Record Retention  
Schedules Towns, Municipalities and Boards of Education

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

**ADMINISTRATIVE REGULATIONS REGARDING HOLDS ON THE  
DESTRUCTION OF ELECTRONIC INFORMATION AND PAPER RECORDS**

**I. RECORDS CUSTODIAN**

These regulations are designed to assist in implementation of Board Policy \_\_\_\_\_ regarding holds on the destruction of electronic information and paper records. The Superintendent of Schools shall designate a Records Custodian who will be responsible for implementation of District policies and regulations for the preservation of paper records and electronically stored information, including e-mails.

**II. HOLDS ON THE DESTRUCTION OF ELECTRONIC INFORMATION  
AND PAPER RECORDS**

Upon receipt of notice that the District is involved in litigation as a party to a lawsuit, the District is issued a subpoena by a party to a lawsuit in which it is not a party, or if the District receives information that would lead a reasonable person to anticipate the possibility of litigation, the Records Custodian is to immediately take steps to ensure that any paper records and electronically stored information that could be related to the litigation or potential litigation are preserved from deletion or destruction. Actions to preserve records and electronically stored information shall include, but are not limited to, the postponing or canceling of any automatic deletion of electronically stored information until relevant information and documents can be identified and stored, notification to employees of a “litigation hold” to prevent the deletion and destruction of documents that might be related to the litigation or potential litigation, and the identification of documents and information that are subject to preservation. This litigation hold triggers the duty to preserve documents, such as transitory messages, that otherwise could be deleted under the district’s record retention policy.

The Records Custodian shall issue a “litigation hold” memorandum that specifically describes the types of documents and information that must be preserved and describes how those materials are to be identified, maintained and stored. The memorandum shall specifically state that the duty of preservation is ongoing and that it is the responsibility of employees to continue to identify and preserve relevant documents until notified via a subsequent memorandum that the litigation hold is no longer in effect. All employees who are sent a “litigation hold” memorandum are to acknowledge receipt and understanding of the memorandum in writing, which may be in the form of an e-mail response. A copy of any “litigation hold” memorandum shall be sent to the District IT department.

The Records Custodian shall be responsible for the collection and coordination of the retention of documents that are subject to the litigation hold, including electronically

stored information. He/she shall work with the District's IT personnel to ensure compliance with the litigation hold. Specifically, the Records Custodian shall determine the types of electronically stored information that exist and where that information is maintained, identify where both identified paper documents and electronically stored information will be stored, and implement procedures to ensure that District employees are complying with the litigation hold. No system wide process for automatic deletion of electronic information will be implemented while a litigation hold is in effect without prior notice to the Records Custodian and verification by the Records Custodian that the deletion process will not destroy documents or information that is subject to a litigation hold. The Records Custodian may need to periodically reissue the "litigation hold" memorandum and will ensure that the "litigation hold" memorandum is provided to new employees who may have access to relevant information. Finally, the Records Custodian shall ensure that all steps taken by the District to identify and preserve relevant information are documented.

Legal References:

General Letters 96-2, 2001-1, 2009-2 of the Public Records Administrator  
Record Retention Schedules Towns, Municipalities and Boards of Education  
Rules 34 and 45 of the Federal Rules of Civil Procedure  
Silvestri v. General Motors Corp., 271 F.3d 583 (4<sup>th</sup> Cir. 2001)

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

**NOTICE REGARDING A LITIGATION HOLD**  
**CONCERNING ELECTRONIC INFORMATION AND PAPER DOCUMENTS**

This memorandum places a "litigation hold" on all documents, both paper and electronically stored information, concerning **[identify the matter that is subject to the litigation hold]**. Materials that fall under this litigation hold include, but are not limited to, e-mail, word processing documents, spreadsheets, databases, calendars, voice mail, internet usage files and network access information **[the school district can be more specific in the identification of documents if that information is available]**. All District employees are to immediately suspend any and all document destruction, including any scheduled document destruction or electronic information deletion programs, for any materials that might fall within the parameters of this memorandum. If you have questions as to what materials are subject to the litigation hold, you are to contact the Records Custodian **[insert name and contact information]**.

If you are in possession of materials subject to this litigation hold, you shall take steps to preserve and store these materials. Paper documents are to be copied and

segregated in a separate hard copy file. Electronic information is to be stored in computer folders and saved on the network drive and/or saved to a removable disk which is to be clearly marked and stored in a safe and appropriate location **[the school district can develop its own set of storage guidelines for identified materials]**. Under no circumstances are you to destroy or delete materials, documents or electronic information that might be subject to this litigation hold without the written permission of the Records Custodian.

You must give prompt attention to the issues addressed in this memorandum, specifically the responsibility to identify and preserve documents and electronic information concerning **[the matter that is subject to the litigation hold]**. Serious consequences may result from the failure of District employees to take immediate and reasonable precautions to properly preserve information. Therefore, you must acknowledge your receipt and understanding of this memorandum in writing or via e-mail.

The restrictions put into place by this memorandum are ongoing until you receive notice in a memorandum from the Records Custodian that the litigation hold is no longer in effect. You are encouraged to direct any questions concerning this memorandum to the Records Custodian.

**Note: This is a required policy that has been updated to Shipman Policy which reflects updated General Letters and other guidance from OPRA.**

**Series 2000  
Administration**

**P2270**

## **RETENTION AND DISPOSITION OF RECORDS AND INFORMATION**

### **I. INTRODUCTION**

The Newtown Board of Education (the “Board”) complies with all state and federal laws and regulations regarding the retention, storage, and disposition of records. The Superintendent or designee shall be responsible for developing and implementing administrative regulations concerning the retention, storage, and disposition of records and the dissemination of such administrative regulations to all school officials, employees, and individuals granted access to the computer systems and/or networks of the Newtown Public Schools (the “District”) and/or who send electronic messages as part of their work for the District. Collectively, all individuals granted access to the District’s computer systems are referred to as the “Users”.

### **II. RETENTION OF RECORDS**

The District shall comply with all minimum standards set forth in the Municipal Records Retention Schedules for public records, as issued by the Office of the Public Records Administrator for the State of Connecticut (“OPRA”). Retention requirements apply to the official record copy of a public record and are based on the content and function of the public record, not the media type. As such, the same record retention period that applies to paper records applies to electronically stored information. Therefore, like paper records, the content and function of an electronic record, including electronic messages, determine the retention period for that document.

If records are kept in both electronic and hard copy format, the District shall designate which record is the official record copy. The designated official copy shall be the legally recognized copy maintained for record retention purposes.

In addition to the retention guidelines established by the Board and used by District officials and employees, all District officials and employees have a duty to preserve all records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation. Record preservation under such circumstances shall only be required after receipt of formal written notice of such requirement by the Superintendent or designee.

### III. USE OF ELECTRONIC MESSAGES AND ELECTRONIC COMMUNICATIONS

The Board has installed computers and a computer network(s), including Internet access and electronic messaging systems, on Board premises and may provide other electronic devices that can access the network(s) and/or have the ability to send and receive messages with an operating system or network communication framework. Devices include but are not limited to personal computing devices, cellular phones, Smartphones, network access devices, radios, personal cassette players, CD players, tablets, walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and other electronic signaling devices. Electronic messaging systems include mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content (such as Snapchat), and security focused platforms (such as Signal). The Board's computers, computer networks, electronic devices, Internet access and electronic messaging systems are referred to collectively as "the computer systems" and are provided in order to enhance both the educational opportunities for our students and the business operations of the District.

Electronic messages sent by Users as part of their work and/or by using the District's computer systems and/or network(s) are not private communications and are potentially subject to disclosure, regardless of whether the messages are sent using personal devices or the District's computer systems. Users must understand that the Board has reserved the right to conduct monitoring of the District's computer systems and may do so *despite* the assignment to individual Users of passwords for system security. Any password systems implemented by the District are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system User.

*The computer systems' security aspects, message delete function and personal passwords may be bypassed for monitoring purposes. Therefore, Users must be aware that they should not have any expectation of personal privacy in the use of these computer systems.* This provision applies to any and all uses of the District's computer systems, including any incidental personal use permitted in accordance with the Board's policy and regulations regarding computer use by Users.

Any retained messages may be retrieved for a variety of purposes, including but not limited to as part of routine monitoring by the District, an employee investigation, a search for documents pursuant to a Freedom of Information Act request, a formal discovery process as part of litigation, or other legal processes such as a response to a subpoena. Users should bear in mind that electronic messages may be retained at different locations within the computer systems and/or devices and that these messages are subject to retrieval, regardless of whether the User has deleted such messages from the User's or the District's accounts. Consequently, Users should use discretion when

using computers or other electronic technology to send, record or retain electronic messages and information.

#### **IV. DISPOSITION OF RECORDS**

The disposition of records, or the destruction or transfer of records to the custody of another entity, shall only occur in accordance with relevant state and federal laws and guidelines established by the OPRA. The District shall also follow the OPRA's specific protocols for the disposition of permanent, historical and archival records. If a record does not appear on a records retention schedule, the District shall contact the OPRA for further guidance before disposing of any such record.

#### Legal References:

Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)

Conn. Gen. Stat. § 7-109

Conn. Gen. Stat. § 11-8 et seq.

General Letters 96-2 and 2009-2 of the Office of the Public Records Administrator ("OPRA")

OPRA, Public Records Policy 04, *Electronic Records Management* (Dec. 2022)

OPRA, Public Records Policy 04-1, *Electronic Records* (Dec. 2022)

OPRA, Public Records Policy 04-2, *Digital Imaging* (Dec. 2022)

OPRA, Public Records Policy 05, *Disposition of Public Records* (Nov. 2011)

OPRA, *Public Records Memorandum 101: Disposition of Original Paper Records After Scanning* (June 2024)

Connecticut State Library, State Archives ("State Archives"), State Archives Policy 01: *Transfer of Historical Records to the State Archives of Other Approved Archival Repository* (October 15, 2019)

Record Retention Schedules Towns, Municipalities and Boards of Education

OPRA, Records Disposition Authorization, Form RC-075 (revised 12/2021)

OPRA, Authorization for Disposal of Original Non-Permanent Records Stored as Digital Images, Form RC-040 (revised 5/2024)

OPRA, Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (revised 5/2024)

OPRA, Certification for Disposition of Original Permanent/Life of Structure Records Stored as Digital Images, Form RC-245 (revised 5/2024)

Frequently Asked Questions about E-mail, CT Public Records Administrator,  
*available at*  
<https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf> .

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

**ADMINISTRATIVE REGULATIONS REGARDING THE  
RETENTION AND DISPOSITION OF RECORDS AND INFORMATION**

**I. INTRODUCTION**

The Newtown Board of Education (the “Board”) complies with all state and federal laws and regulations regarding the retention, storage and disposition of records.

These administrative regulations are designed to assist in implementation of the Board’s policy regarding the retention, storage, and disposition of public records. These regulations shall be disseminated and/or made available to all school officials, employees, and individuals granted access to the computer systems and/or networks of the Newtown Public Schools (the “District”) and/or who send electronic messages as part of their work for the District. Collectively, all individuals granted access to the District’s computer systems are referred to as the “Users.”

These regulations supplement and do not replace District policy relating to education records.

**II. DEFINITIONS**

- A. Archival record means a public record, which, regardless of format, possesses enduring value if it documents or contains information on one or more of the following: 1) the evolution of the Board, the District, or their policies and practices; 2) claims or petitions against the Board or the District and the disposition of those claims or petitions; 3) obligations and claims made on citizens by the Board or the District and their disposition; 4) the legal and legislative history of the Board or the District; and/or 5) topics of research value beyond the specific administrative, legal or fiscal reasons the records were originally created.
- B. Computer systems mean the Board’s computers, computer networks, electronic devices, Internet access and electronic messaging systems, which are provided in order to enhance both the educational opportunities for students and the business operations of the District.
- C. Digital imaging means the process of converting original records on paper or film into electronic images. The process typically requires a document scanner or digital camera, a computer and software to capture the image, and indexing of the digitized images.

- D. Digitized record means an electronic record created by converting paper or other media formats to a digital form that is of sufficient authenticity, reliability, usability, and integrity to serve in place of the original source record.
- E. Disposition means a final administrative action taken with regard to records, including destruction, transfer to another entity, or permanent preservation.
- F. Electronic messages mean e-mail, fax, instant messaging, text messaging, and Web-based messaging services. Electronic messages may be transmitted by a variety of mediums, including computers and mobile computing devices. In addition to the body of the message, electronic messages also contain metadata, such as transactional information (*e.g.*, date and time sent, sender/receiver) and may contain attachments such as calendars, directories, distribution lists, sound recordings, photographs, images, word-processing documents, spreadsheets, and other electronic documents.
- G. Electronic messaging systems mean mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content (such as Snapchat), and security focused platforms (such as Signal).
- H. Electronically stored information means information that is fixed in a tangible form and is stored in a medium from which it can be retrieved and examined. It can consist of writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained into useable form.
- I. Historical record means a public record that has been determined to possess value in documenting the history of an organization and is thus worthy of permanent preservation.
- J. Official record copy means the specific copy of a public record, as provided in C.G.S. § 1-200(5), designated by the public agency as the legally recognized copy that must be maintained for records retention, preservation, and authentication.
- K. Non-records mean items that are not usually included within the scope of official records. Examples of non-records are extra (duplicate) copies kept only for convenience, reference materials, blank forms, and spam and unsolicited advertisements.

- L. Permanent records mean records that have been determined to have sufficient historical, administrative, legal, fiscal, or other value to warrant continuing preservation.
- M. Public records mean any recorded data or information relating to the conduct of the public's business prepared, owned, used, or received by a public agency, whether such data or information is handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any method.
- N. Routine correspondence means any communication that is part of or relates to commonplace tasks or duties within an office and is done at regular or specified intervals.
- O. Source record/original source record means the record from which a digitized version or digitized record is created.
- P. Transitory correspondence consists of communication that does not relate to an individual's job responsibilities or has a short-term administrative value.

### **III. RECORDS CUSTODIAN**

The Superintendent of Schools shall designate a Records Custodian who will be responsible for the implementation of District policies and regulations for the retention of records, including electronic messages and electronically stored information.

The District's Record Custodian is:

**[Insert contact information for the appropriate individual or individual]**

### **IV. RETENTION OF RECORDS**

The District shall comply with the minimum standards set forth in the Municipal Records Retention Schedules for public records, as issued by the Office of the Public Records Administrator for the State of Connecticut ("OPRA"). Retention requirements apply to the official record copy of a public record and are based on the content and function of the public record, not the media type.

If records are kept in both electronic and hard copy format, the District shall designate which record is the official record copy. The designated official record copy shall be the legally recognized copy maintained for records retention. When District officials or

employees are unsure which copy serves as the official record copy, they should contact the Record Custodian for clarification.

In addition to the retention guidelines established by the Board and used by District officials and employees, all District officials and employees have a duty to preserve all records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation. Record preservation under such circumstances shall only be required after receipt of formal written notice of such requirement by the Superintendent or designee.

## **V. CLASSIFICATION OF ELECTRONIC MESSAGES**

The same record retention policy that applies to paper records applies to electronically stored information, including electronic messages. Therefore, like paper records, the content and function of an electronic record, including electronic messages, determine the retention period for that document.

District officials and employees shall use the following steps in determining whether to maintain electronic messages and, if so, for how long:

Step 1: Determine whether the message is a public record or a non-record.

Step 2: If the message is a non-record, destroy at will (e.g., spam and unsolicited advertisements).

Step 3: If the message is a record, determine which records series the message belongs to, for example:

1. If the message is Transitory Correspondence, delete at will.
2. If the message is Routine Correspondence, retain for 2 years.
3. If the message is All Other Correspondence, retain for the equivalent records series.

Step 4: Maintain the messages for the required retention period under the equivalent records series.

## **VI. DIGITAL IMAGING OF PAPER/HARD COPY RECORDS**

Paper records may be digitized and maintained as electronic records; however, in doing so, the District must ensure the authenticity, reliability, integrity and usability of the reformatted records. If the District uses a vendor for digital imaging services, the District remains responsible for ensuring compliance with this policy.

In its use of digital imaging, the District shall:

1. Establish and maintain a quality assurance process designed to ensure the creation of accurate and authentic digital images and accurate indexes and production metadata.
2. Create and maintain accurate and authentic digital images in accordance with accepted standards and best practices.
3. Create and maintain accurate indexes and production metadata designed to properly identify and retrieve digital images.
4. Store and protect digital images against file corruption, alteration, or deletion throughout the designated retention period.
5. Perform periodic backups of all digital images, associated indices, and production metadata and maintain a geographically remote offsite backup copy designed to enable recovery and access in the event of a wide-spread disaster or emergency.
6. Perform and certify annual tests of backup media designed to ensure all files have been backed up and are readable.
7. Migrate digital images, associated indexes, and production metadata to a newer media platform or file format as needed in a manner designed to ensure the content remains accessible.
8. Define and document the normal operations and use of the imaging technology and electronic content management system in a manner designed to ensure system trustworthiness.
9. Comply with Public Records Policy 04: Electronic Records Management, Public Records Standards 04-1: Electronic Records, and the digital imaging standards established by the OPRA in Public Records Standards 04-2: Digital Imaging.

## **VII. RETENTION OF ELECTRONIC RECORDS**

Electronic messages and electronically stored information will be archived by the District for their required retention period using method(s) approved by the Records Custodian, which may include the following:

1. Print message or record and store in appropriate hard copy file.
2. Place in computer folders and save on hard drive.
3. Save to a removable disk which is then stored in an appropriate location.
4. Transfer to an automated records management software application.

5. Manage at the server by an automated classification system.

The Records Custodian will be responsible for working with the District Systems Administrator to implement a schedule and system for reviewing electronically stored information. This review shall occur at least annually. No system-wide process for automatic deletion of electronic information will be implemented without notice to any individual who may have such information and each such individual will verify that they have reviewed and archived information that must be retained. Following this review, all electronic messages and/or electronically stored information that have not been archived according to District policies and procedures shall be designated for deletion or archiving, and the affected Users will be notified about the procedures to be followed to implement this process. The Records Custodian or designee shall follow up with notified Users to promote compliance.

Additionally, the Records Custodian, working with the District Systems Administrator, shall establish processes designed to ensure that any process for automatic deletion of electronic information from the system will not delete information stored in folders and/or system locations that have been designated as appropriate for archiving electronically stored information.

## **VIII. DISPOSITION OF PUBLIC RECORDS**

The disposition of public records shall only occur in accordance with relevant state and federal statutes and guidelines established by the OPRA. The District shall also follow the OPRA's specific protocols for the disposition of permanent, historical and archival records. If a record does not appear on a records retention schedule, the District shall contact the OPRA for further guidance before disposing of any such record.

The OPRA provides for two separate processes for (1) the disposition of official record copies and (2) the disposition of original source records, where such records have been appropriately digitized. If the District uses a vendor for disposition of records, the District remains responsible for ensuring compliance with these regulations.

### **A. Disposition of Official Record Copies**

If a record is the official record copy, the District may not dispose of such record until the applicable retention period has been met and the District has received signed authorization from the OPRA or State Archives. The District shall adhere to the following steps in determining whether to dispose of official record copies:

- Step 1:** Ensure the proper records retention schedule has been met for the document(s) at issue. All records proposed for disposition must be on an approved records retention schedule. *If a record is not on a schedule, the record cannot be disposed, and the OPRA must be*

*contacted for further direction. For permanent, historical, and/or archival records, contact the State Archives for further instruction.*

- Step 2:** Submit the Records Disposition Authorization Form RC-075 (“RC-075 Form) to request authorization to dispose of the official record copy, in accordance with Public Records Policy 05: Disposition of Public Records (PRP 05) and at least thirty (30) days prior to the proposed date of destruction.
- Step 3:** Receive signed authorization indicating approval from the OPRA before disposing of any official record copy.
- Step 4:** Follow the OPRA guidance regarding the method of disposal. If records are being destroyed, follow OPRA guidance based on the format of the record to be destroyed (e.g., whether hard copy or electronic media).
- Step 5:** Document that the original source records were destroyed lawfully. The District shall follow a destruction process by which content is systematically deleted with an audit trail that is legally admissible in court.
- Step 6:** Record the actual date of destruction on RC-075 Form and attach any supporting documentation.
- Step 7:** Retain the RC-075 Form and any supporting documentation for the retention period for Records Disposition Authorization records.

## **B. Disposition of Original Source Records After Scanning**

If paper public records have been converted to digitized records and/or if the District seeks to digitize and dispose of such records on an ongoing basis, the District shall retain and/or dispose of original source records pursuant to the following guidelines.

### **Less-than-Permanent Records:**

- Step 1:** **For less-than-permanent records that have already been digitized,** the Records Custodian must complete and submit the Authorization for Disposal of Original Non-Permanent Paper Records Stored as Digital Images Form RC-040 (“RC-040 Form”) to request approval for disposal of original non-permanent records that have been reformatted as digital images.

- a. The RC-040 Form must be signed by the Records Custodian and the Superintendent and completed in accordance with the instructions on the form.
- b. The District must receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of original source records.

**For less-than-permanent records that will be digitized and disposed on an ongoing basis**, the Records Custodian must complete and submit the Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (“RC-045 Form”) to request pre-authorization to dispose of original non-permanent source records stored as digital images.

- a. The RC-045 Form must be signed by the Records Custodian and the Superintendent and completed in accordance with the instructions on the form.
- b. The District must receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of non-permanent original source records on an ongoing basis. The RC-045 Form certifies that records will be digitized on an ongoing basis as part of standard business practices. This authorization only applies to the original non-permanent records within the series approved on the RC-045 Form.
- c. The Records Custodian, in consultation with the Superintendent, *must renew certification annually* by submitting a completed RC-045 Form. *Certification does not extend beyond the 12-month period.*

**Step 2:** Once digitized, and upon approved destruction of the paper records, the Records Custodian must designate the digitized record as the official record copy. All digitized records will be properly maintained and will remain accessible for the full retention period.

**Step 3:** The District must document that the original source records were destroyed lawfully and document the actual date of disposition on the respective form, the RC-040 Form or the RC-045 Form. The District shall follow a destruction process by which content is systematically deleted with an audit trail that is legally admissible in court.

**Step 4:** The District shall record the actual date of disposition on the RC-040 or RC-045 Form, as applicable, and retain such form and any supporting documentation for the retention period for Records Disposal Authorization records.

**Permanent, Historical, Archival, or Life of Structure Records:**

**Step 1:** For permanent, historical, archival, or life of structure records, the Records Custodian must complete the Certification for Disposal of Original Permanent/Life of Structure Records Stored as Digital Images Form RC-245 (“RC-245 Form”) in accordance with the instructions on the form. The RC-245 Form permits the District to request pre-authorization to dispose of original paper permanent, historical, archival or life of structure records stored as digital images. The Records Custodian must ensure that the digital records are accessible for the full retention period. The Records Custodian and Superintendent of Schools must also certify that all other requirements set forth in the RC-245 Form are met.

- a. The District shall follow specific requirements for digitizing permanent, archival, historical or life structure records as outlined in the Public Records Policy 04: Electronic Records Management, Public Records Standards 04-1: Electronic Records, and Public Records Standards 04-2: Digital Imaging.
- b. The District must evaluate, update, and resubmit this certification for approval every 5 years **or** under the following conditions, whichever comes first:
  - i. To reflect changes in information systems, scanning procedures, storage methods, or any other systems or workflows that could affect the quality, accessibility, or preservation of digital images produced under this certification;
  - ii. Upon updates to retention periods or public records and digital preservation guidance;
  - iii. When seeking approval for scanning and disposing of additional permanent record series, date groups, or sets other than those previously approved; or

- iv. When decommissioning a legacy system used to create or store any digitized permanent records.
- c. The District must notify the State Archives prior to destroying permanent paper records and receive signed authorization indicating approval from the State Archivist and the Public Records Administrator before disposing of an original source record. Records may not be disposed until the District has received this signed authorization.
- d. Upon approval of the RC-245 Form, the State Archivist may request transfer of paper records or a scheduled transfer of the digitized records to the State Archives.

**Step 2:** Once digitized, and upon approved disposition or destruction of the paper records, the Records Custodian must designate the digitized record as the official record copy. All digitized records will be properly maintained and will remain accessible for the full retention period.

**Step 3:** The District must document that the original source records were disposed of lawfully and document the actual date of disposition on the RC-245 Form.

**Step 4:** Following disposal of the original source records, the Records Custodian must forward the signed original Form (and any supporting documentation) to the Office of the Town Clerk for retention and may keep a duplicate copy.

**Step 5:** The District shall retain duplicates of the RC-245 Form and any supporting documentation for the retention period for Records Disposal Authorization records.

#### Legal References:

Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)  
Conn. Gen. Stat. § 7-109  
Conn. Gen. Stat. § 11-8 et seq.

General Letters 96-2 and 2009-2 of the Office of the Public Records Administrator

OPRA, Public Records Policy 04, *Electronic Records Management* (Dec. 2022)  
OPRA, Public Records Policy 04-1, *Electronic Records* (Dec. 2022)  
OPRA, Public Records Policy 04-2, *Digital Imaging* (Dec. 2022)

OPRA, Public Records Policy 05, *Disposition of Public Records* (Nov. 2011)  
OPRA, *Public Records Memorandum 101: Disposition of Original Paper Records After Scanning* (June 2024)  
OPRA, *Records Management Terms* (July 2015)

Connecticut State Library, State Archives (“State Archives”), State Archives Policy 01: *Transfer of Historical Records to the State Archives of Other Approved Archival Repository* (October 15, 2019)

Record Retention Schedules Towns, Municipalities and Boards of Education

OPRA, Records Disposition Authorization, Form RC-075 (revised 12/2021)

OPRA, Authorization for Disposal of Original Non-Permanent Records Stored as Digital Images, Form RC-040 (revised 5/2024)

OPRA, Annual Certification for Disposal of Original Non-Permanent Paper Records Stored as Digital Images, Form RC-045 (revised 5/2024)

OPRA, Certification for Disposition of Original Permanent/Life of Structure Records Stored as Digital Images, Form RC-245 (revised 5/2024)

Frequently Asked Questions about E-mail, CT Public Records Administrator, *available at*  
<https://ctstatelibrary.org/wp-content/uploads/2015/05/EmailGuidelines.pdf>.

ADOPTED: \_\_\_\_\_

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

11/26/2024

## **Administrative Regulations on Academic Integrity and Acceptable Use of Artificial Intelligence (AI)**

The Newtown Public Schools are dedicated to nurturing an academic community founded on integrity, honesty, and respect. This policy establishes guidelines for the appropriate and ethical student use of Artificial Intelligence (AI) tools. We aim to empower students to responsibly utilize AI to deepen their learning, all while upholding academic integrity and strengthening critical thinking skills.

### **A. Guidelines for Student Use of Artificial Intelligence (AI) Tools**

AI tools can be powerful resources for learning and creativity when used responsibly. These guidelines outline the expectations for their use in all academic work at Newtown High School.

1. **Adherence to Guidelines & Teacher Instructions:** Students are expected to always follow this policy, school rules and specific teacher instructions regarding AI use for each assignment. If AI is prohibited, students should not use it.
2. **Safety & Privacy:** Students are expected to use AI tools responsibly. Students should never share personal identifying information (PII) of themselves or others, and should be mindful that data input into AI models may not be private.
3. **Learning Enhancement & Originality:** Students are expected to be the primary thinkers and creators; AI is an assistant. Students should never present AI-generated content as their own unaided work. All submissions must reflect their understanding and effort. AI is a tool to support and deepen students' learning, not to bypass thinking or avoid required work.
4. **Transparency & Disclosure:** Students must always disclose when and how they have used AI in academic work. Teachers will provide specific disclosure requirements for each assignment.
5. **Attribution:** Students must properly cite and attribute any content, ideas, or significant influence from AI.
6. **Ethical Considerations:** Students should develop a fundamental understanding of AI's capabilities, limitations, and societal impact, as well as appropriate versus inappropriate AI use. Students should be aware that AI is subject to potential biases and inaccuracies such as fabricated or misleading information, hallucinations or even copyrighted material.
7. **Misleading Information:** Student generation of false or misleading information using AI tools and presenting it as factual including but not limited to the generation of Deepfakes in video, text, audio, or images is not allowed.

### **B. Appropriate Use Examples:**

1. **Brainstorming:** "Using an AI to generate a list of possible research topics for an essay."
2. **Outlining:** "Asking an AI to help structure an argument for a debate."
3. **Drafting:** "Using an AI to correct grammar and spelling in a first draft of a paper."

### **C. Inappropriate Use Examples:**

1. Plagiarism: "Copying and pasting an entire essay generated by an AI and submitting it as your own."
2. Cheating: "Using an AI to solve a math problem on a test where calculators are not allowed."
3. Dishonesty: "Not disclosing that you used an AI tool to help write a poem for an assignment where original, unaided work was required."

#### **D. Responsibilities:**

1. Student Responsibilities: To maintain and support the academic integrity of the school community by completing all assigned work, activities and tests honestly and fairly without engaging in cheating or plagiarism, including adhering to the guidelines for AI use as outlined in this .
2. Teacher Responsibilities: To clearly communicate expectations for AI use on all assignments, including modeling the ethical and appropriate use of AI to students.

#### **E. Procedure and Disciplinary Action for Inappropriate Use:**

1. Definition: The inappropriate use of AI tools in academic work, as outlined in Section A, is considered a form of academic dishonesty and falls under the definitions of cheating and/or plagiarism.
2. Action: Any student who engages in any form of academic dishonesty, including the inappropriate use of AI will be subject to the loss of credit for the work in question in addition to other suitable disciplinary measures.

### **Other School-Connected Organizations - Booster Clubs/Organizations**

Booster organizations are important to the extracurricular activities provided for District students. Such organizations provide positive support to the students, the program, and the personnel in a particular program. Booster organizations shall comply with established guidelines in cooperation with the Superintendent or his/her designee. The following guidelines regulate booster organization within this District.

#### **Constitution/Bylaws/Officers**

Each booster organization involved with school activities or students shall develop and maintain a constitution and bylaws for the organization setting forth the purposes of the organization and the general rules and procedures by which it shall operate. A copy of the constitution and bylaws shall be forwarded to the Superintendent or his/her designee. Each booster organization shall submit a list of officers annually to the Superintendent or his/her designee.

#### **Fund Raising Activities**

Fund raising activities shall be requested in writing to the Building Principal, reviewed at the building level, approved by the Superintendent or his/her designee and conform to District guidelines. Two (2) major fund-raising activities involving students shall be permitted each year; exceptions may be granted by the Superintendent. Fund-raising activities may occur during the length of a particular athletic/sport season or as a special activity approved by the Superintendent or his/her designee. No student time during the regular school day shall be allowed for fund-raising activities for any booster organization. Student solicitation within the community for any booster organization shall be minimal.

#### **Permissible Awards**

An approved booster organization may purchase a sweater, jacket, blazer, blanket, shorts, jersey, cap, watch, ring, photograph, medal, plaque, or similar trophy with appropriate insignia of comparable identification, for an athlete, in recognition of his/her athletic performance, and present such awards at a time appropriate to such recognition.

#### **Insurance**

Each booster organization shall maintain insurance coverage recommended by the District for bodily injury and property damage. Proof of such coverage shall be submitted to the District's Business Office.

#### **Audit/Treasurer's Report**

Each booster organization shall prepare an audit or treasurer's report at least once a year. A copy of the audit/treasurer's report shall be submitted to the Superintendent or his/her designee and forwarded to the Board of Education upon request.

#### **Use of Facilities**

Booster organizations requesting use of facilities and/or services shall initiate those requests with the Building Principal and in compliance with the District's policy on facility usage. No activity shall be permitted without such approval.

## **Recognition Functions**

A booster club may sponsor athletic banquets to which student athletes may be invited without charging admission to such athlete. A booster club planning a recognition event shall request permission of the Building Principal to conduct such an event and to clear the date for the event.

**Concessions** Booster organizations involved in concessions at school events shall follow District guidelines.

## **Expenditures for Equipment, Supplies, etc.**

All game uniforms shall be purchased by the District. The “game uniform” shall include any clothing, headgear or shoes that (a) display the school colors or logo (except shoes), (b) are purchased by the District, (c) are worn in warm-up for a contest, during the contest, or immediately subsequent to the contest, and (d) is intended to be collected by the school at the conclusion of the season. Ancillary gear and apparel such as coaching aid equipment items, shoes, bags or totes, etc., may, however, be purchased and/or donated by booster groups, corporate sponsors, or other non-school sanctioned entities. Items purchased or donated other than by the District must meet the criteria as defined below:

The donation/purchase of goods shall meet all policies and procedures of the District;

The donation/purchase of goods shall adhere to all Board policies and guidelines;

The donation/purchase of goods shall have the written approval of the Building Principal and Athletic Director prior to any deliberations commencing with a potential provider;

Any donation of goods may not be in conflict with any District-level sponsorships that may be in effect;

Any agreement or contract proposed shall be reviewed by the District’s attorney and the Superintendent or his/her designee;

Consideration must be given to the impact of booster organization purchases, donations or services on Title IX compliance. Approval will be based on maintaining the necessary equivalence of benefits and services to both genders.

## **Compliance**

Should any situation emerge between a booster organization and the administration regarding the management of any school-related activity, the Superintendent or his/her designee shall resolve the issue within these established guidelines or Board policy. No booster organization shall engage in any activity outside these guidelines. Further, in conducting its activities, booster organizations shall comply with all state and federal laws, as applicable.

### Political Activities in the Schools

- A. **Purpose:** To provide guidelines to candidates, candidate representatives, Board employees and students related to the conduct of political activities as it may involve District schools and school activities.
- B. **Access to School System Information:** Any candidate or other Connecticut citizen may have access to school records and information pursuant to the provisions of the Connecticut Freedom of Information Act.

Requests for information from candidates or their representatives related to political campaigns and issues regarding the District should be directed to the Office of the Superintendent. To ensure impartial cooperation with candidates in elections for the Board of Education, responses to campaign requests will be shared with all announced candidates.

- C. **Display and Distribution of Political Literature:** Display and distribution of political materials in the schools during school hours shall be restricted to those of an educational nature and as part of the educational program. Teachers, who elect to use such materials for instructional purposes, shall present them in an impartial and objective manner that is relevant to the course content and appropriate to the knowledge and maturity of the students. Existing District procedures permit the distribution in schools of materials related to parks and recreation, scouting and other non-profit or service organizations. Consistent with these procedures, political campaign materials or materials that support or oppose political candidates, parties or issues shall not be sent home from school with students. Also such literature shall not be distributed during school hours or on a school bus by students, Board employees or others. Campaign-related posters or signs may not be displayed at or within schools.

Candidates, or their representatives, desiring to distribute campaign or political materials to those attending school-related activities occurring after school hours must do so outside the building or other school facility. The distribution of political literature at events or meetings that are not school-related may be subject to the conditions governing Community Use of School Facilities. Candidates or their representatives, who do not comply with these limits on the distribution of campaign or political materials after being so informed, will be requested by a building administrator to leave school property. If the candidate or their representative does not comply with this request to leave, the building administrator will warn the individual(s) that they are trespassing and will notify the police. Schools will not accept political advertisements in co-curricular publications (example: school newspaper as part of Journalism class). As with other advertisements, paid political advertisements may be placed in school publications unrelated to the curriculum, subject to the review and approval of the Principal (example: programs for athletic events). During the times that polls are open and schools are serving as polling locations, Connecticut election laws will govern any associated political activity, including the distribution of political literature or posting of political signs.

- D. Employee Political Activities:** Employees are encouraged to exercise their constitutional rights as citizens, but they shall not involve their schools in political activities. Employees shall not participate in campaign activities during hours of official employment; however, employees may participate in political activity after hours of official employment. Employees shall not poll students on the political opinions of their parents and shall not attempt to indoctrinate students or other employees with their personal political views. Student mock elections are permitted when conducted as part of the educational program. No employee shall be expected or required to participate in any campaign or to support any candidate as a condition of employment.
- E. Participation by Student Groups:** School-sponsored student groups shall not participate in partisan political activities.
- F. Use of School Facilities for Political Activities:** When space is available, candidates may use school facilities during non-school hours subject to Board policy pertaining to Community Use of School Facilities and the associated regulations.
- G. Use of Other District Resources:** Any use of the District's website for political activities is prohibited. Use of any other resources for political activities, including but not limited to copiers, computers or facsimile machines, is prohibited.
- H. Conduct of Candidates:** Candidates for election, or their representatives, shall not use District resources, District personnel (except those employees who may voluntarily participate during non-duty hours), District events at which they are official participants, District stationery, or the District logo in support of their campaigns. Candidates, or their representatives, may not access students or employees during school hours for campaign purposes. With the prior review and approval of the Principal, candidates may be invited to address specific classes or groups on specific topics related to the curriculum and educational program. The Principal's review shall ensure all candidates are treated impartially and objectively.

(cf. 1140 – Distribution of Materials by Students)

(cf. 1311.1 – Political Activities of School Employees)

(cf. 1330/3515 – Community Use of School Facilities)

(cf. 3543.13 – Mail and Delivery)

(cf. 4118.21 – Academic Freedom)

(cf. 6144 – Controversial Issues)

(cf. 6153.2 – Student Participation in Election Process)

Legal Reference: Connecticut General Statutes

7 421 Political activities of classified municipal employees

7 421b Limitation on restriction of political rights of municipal employees

9 369b Explanatory text relating to local questions

10 156e Employees of boards of education permitted to serve as elected officials; exception

10-239 Use of school facilities for other purposes

Legal Reference: Connecticut General Statutes (continued)

31-51q Liability of employer for discipline or discharge of employee on account of employee's exercise of certain constitutional rights

Keyishian v. Board of Regents 395 U.S. 589, 603 (1967)

Academic Freedom Policy (adopted by Connecticut State Board of Education, 9/9/81)

Equal Access Act, 20 U.S.C. ss 4071-4

**Senior Citizen's Benefit**

Newtown Public School District ("the District") recognizes the contribution senior citizens have made to the support of education and wishes to encourage their continued support and participation in school sponsored events.

A free ticket to all school events shall be available to senior citizens who are town residents and 65 years of age or over.

The District also encourages booster organizations and parent groups which sponsor school events to offer free admission to senior citizens whenever possible