

PERSONNEL - NONCERTIFIED

ARTICLE 4

SERIES 4000

NONCERTIFIED

Creating Positions.....4100/4200
 Procedures for Creating Positions

Employment of Staff.....4111/4211
 Procedure for Interviewing

Certification.....4112

Drug Free Workplace..... 4112.3/4212.3
 Drug Free Workplace Notice

Affirmative Action: Recruitment & Selection.....4113/4213
 Affirmative Action Procedures

Recruitment.....4114/4214

Physical and Other Medical Examinations.....4115/4215

Assignment / Reassignment /Transfer.....4116/4216

Restrictions.....4117/4217

Educator-in –Residence.....4118
 Educator-in Residence Program

Nondiscrimination.....4118.1/4218.1
 LEARN Grievance procedure of Titles VI and IX, Section 504

Sexual Harassment.....4118.2/4218.2
 Procedures for Reporting Sexual Harassment

Health Benefit.....4119/4219

**Substance Abuse Policy Applicable to Operators of Commercial Vehicles,
Operators of Student Transportation Vehicles, and Employees Performing
Safety Sensitive Functions.....4120/1220**

Substitute Teacher.....4121

Health Insurance for Directors.....4122/4222

Graduate Study Reimbursement.....4128/4229

Sabbatical Leave.....4130/4230

Continuing Education Units.....4131

Staff Development.....4132

Reimbursement for Use of Personal Vehicles.....4133/4233
 Staff Travel Reimbursement Procedure

Jury Duty.....4144/4244

Reimbursement for Damaged Personal Property.....4145/4245

Family and Medical Leave of Absence.....4146/4246
 Family and Medical leave of Absence Procedures

Employee Safety.....4147/4247
 Employee Safety Procedures

Dangerous Weapons.....4148/4248

Job Abandonment.....4149/4249
 Job Abandonment Procedures

Prohibition of Workplace Violence.....4150/4250

Printing and Duplicating Services.....4151/4251

LEARN Computers.....4152/4252

Computer Use, E-Mail, and Internet Policy.....4153/4253

Prohibition of Recommendations for Psychotropic Drugs.....4154/4254

Pledge of Allegiance.....4155/4255

Certified/Non Certified Nepotism Employment of Relatives..... 4156/4256

Academic Freedom.....4157

Conflict of Interest.....4158/4258/9317

Occupational Exposure to Bloodborne Pathogens.....4159/4259

Students/Staff with HIV, ARC (AIDS Related Complex) or AIDS.....4160/4260

CREATING POSITIONS

Only the LEARN Board of Directors can create administration positions or salaried positions in new LEARN program based upon the recommendation of the LEARN Executive Director. Said recommendation must include a job description, salary range, and source of funding. The Executive Director may add non administrative positions within existing programs and report such action to the Board of Directors.

Policy adopted: December 14, 1989
LEARN

PROCEDURE FOR CREATING POSITION

The Executive Director must recommend the creation of administrative positions and salaried positions to the LEARN Board of Directors. This request must be part of the Board of Directors agenda which is mailed prior to the meeting.

The request for proposed positions must be submitted in writing to the Executive Director and must include a job description, documentation of available funds, salary rationale, and program description.

Procedure adopted: December 14, 1989
LEARN

EMPLOYMENT OF STAFF

The Board of Directors hires all salaried professional staff requiring Connecticut Administrative Certification and above or filing equivalent positions upon the recommendation of the Executive Director who presents one candidate with supporting documentation. The Board of Directors can accept the recommendation or reject it and request another recommendation.

The Executive Director hires all other salaried professional and non-professional staff and reports such action to the Board of Directors. Whenever possible such notification should occur prior to the appointment.

Policy adopted: December 14, 1989
LEARN

LEARN

OUTLINE OF PROCEDURES FOR INTERVIEWING

1.0 Posting

Posting will emanate from the personnel office after approval has been granted by the Executive Director. (note articles 17 and 18 of the Contract between LEARN Regional Educational Service Center and Project LEARN Education Association 1995-1998 for posting requirement.)

2.0 Paper Screening

Letters of acknowledgement* should be sent to every applicant. After criteria are established for selecting each candidate, an appropriate team should screen all application based on these criteria.

3.0 Interviewing

Questions which relate to the established criteria should be developed by the team. A Checklist for Application for Positions* should be completed for each candidate who will be interviewed. One member of the team should contact each candidate selected for interviews to schedule the appointments and notify them to bring in any items not checked on the checklist form. Interview Record forms* should be completed by each team member for each candidate. Qualified employees will be guaranteed and interview for openings in new programs in accordance with Section 17 of the Contract Between LEARN Regional Education Service Center and Project LEARN Education Association 1995-1998 for posting requirements.

4.0 Recommendations

The committee should complete an Instructional Personnel form* for two finalists. In addition, a Hiring Review Process form* should be completed. Copies of the Checklist for Applicants Form, the application, the Hiring Review process form and Instructional Personnel form should be forwarded to the Executive Director.

5.0 Acknowledgements

Letters for the successful candidate and the finalist will be sent by the Executive Director*. Letters for all other candidates who were interviewed by the team will be sent by one member of the team.

*attachments

Name
Address
Town, State, Zip

Date

Dear:

I am forwarding to you a copy of the LEARN application for the position of _____. Please return the completed application as soon as possible.

Applications will be carefully reviewed and selected individuals will be invited for interviews.

Thank you for your interest in LEARN.

Sincerely,

Eileen S. Howley, Ed. D.
Executive Director

LEARN

HIRING REVIEW PROCESS

Please complete and forward with copies of the Checklist for Application for Positions form, the application and Instructional Personnel for to the Executive Director.

1.Highlight position under consideration.

2.Outline the criteria used for paper screening.

3.Outline key questions used in the interview.

4.List interview team members.

1. List the names and addresses of all candidate who have been interviewed.

LEARN

INTERVIEW RECORD

Date: _____

Applicant: _____

Position: _____

Area(s) of Certification: _____

GENERAL COMMENTS

(Rate as excellent 5, above average 4, average 3, below average 2, poor 1)

1. Experience _____ 4. Personality _____

2. Knowledge _____ 5. Poise _____

3. Self Expression _____ 6. Appearance _____

.....

..... Overall rating _____

GENERAL RECOMMENDATIONS

1. Excellent - consider seriously
2. Above average - consider seriously
3. Average - do not consider at this time
4. Below average/poor- do not consider

General Comments:

Interviewer _____

Revised 8/89

LEARN

Checklist for Applicants for Positions

(Date) _____

(Name) _____

(Position being considered for) _____

Checklist of personnel records

1.Application on file:

2.Certification (current) on file covering this _____ assignment.

.....

(Certificate number, type of certificate and effective and expiration dates)

.....

3.Official transcript(s) on file:

4.Interview sheet completed and signed by interviewers:

5.Reference check:

8/3/89

**LEARN
INSTRUCTIONAL PERSONNEL FORM**

Date: _____

NAME _____ Telephone: _____

ADDRESS _____ Certification# _____

SCHOOL: _____ DEPARTMENT _____ GRADE(S) _____

Replacing _____ (or) New Position _____

Budget Salary _____ Recommended Salary _____

Summary of background that relates to teaching (extra curricular, other job experience, et.)
Include all information that might affect salary status.

Name(s) of interviewer(s) _____

Administrative recommendation and comments:

Number of applications reviewed: ___ Number of applicants interviewed: _____

Administrator/Executive Director _____

SAMPLE

Name
Address
Town, State, Zip

Date

Dear:

Thank you for your interest in the position of _____ for LEARN. We interviewed a number of outstanding candidates and found the selection process very difficult. I have select John Smith for the position based on our interview committee's recommendation.

I appreciate the time that went into preparing your application and meeting with us. Again, thank you for your interest in LEARN.

Sincerely,

Eileen S. Howley, Ed. D.
Executive Director

INTRODUCTORY PERIOD

The Executive Director shall establish appropriate introductory periods of not more than six months for noncertified employees and shall require evaluations for employees during said period. At any time during the introductory period, the Executive Director may remove any employee if, in the opinion of the Executive Director, evaluations indicate that such employee is unable or unwilling to perform his/her duties satisfactorily.

Policy adopted: December 14, 1989

Revised: January 10, 2008

LEARN

DRUG FREE WORK PLACE

In accordance with the federal regulations implementing the Drug Free Work Place Act of 1988, 34 C.F.R. Part 85, Subpart F, and pursuant to the goal of LEARN to maintain a drug free work place, the following policy is established:

1. LEARN will publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the work place. All employees will be given a copy of this statement and any employee who violates its provisions will be subject to disciplinary action up to and including termination.
2. LEARN will establish a drug free awareness program to inform employees about:
 - ... a. the dangers of drug abuse in the work place;
 - ... b. LEARN's policy of maintaining a drug free work place;
 - ... c. the availability of drug counseling and rehabilitation programs and;
 - ... d. the penalties that may be imposed upon employees for drug abuse violations occurring in the work place.
3. It will be a condition of employment for all employees employed under a federal grant to abide by the terms of the statement referred to in paragraph 1 above and to notify the Personnel Office of any criminal drug statute conviction or violation occurring in the work place no later than five (5) days after such conviction.
4. LEARN will notify the federal granting agency within ten (10) days after receiving notice from an employee or otherwise receiving actual notice of any criminal drug statute conviction from an employee or otherwise receiving actual notice of such conviction.
5. Within thirty (30) days of receiving notice under paragraph 3, LEARN will take action, either by taking disciplinary action against such employee up to and including termination, or by requiring said employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency. Said employee will be required to submit to random drug testing.
6. LEARN will make a good faith effort to continue to maintain a drug free work place through implementation of this policy.

..... Legal References: Federal Regulation 34 C.F.R. Part 85

Policy adopted: September 13, 1991

LEARN

NOTICE

THE UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE IS PROHIBITED AT ANY WORK PLACE UNDER THE CONTROL OF LEARN. ANY EMPLOYEE WHO VIOLATES THIS PROHIBITION IS SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION. FURTHER, IT IS A CONDITION OF EMPLOYMENT FOR ANY EMPLOYEE WORKING UNDER A FEDERAL GRANT TO ABIDE BY THE TERMS OF THIS STATEMENT REGARDING THE MAINTENANCE OF A DRUG FREE WORK PLACE. EMPLOYEES ARE FURTHER REQUIRED TO NOTIFY THIS EMPLOYER OF ANY CRIMINAL DRUG STATUTE CONVICTION FOR A VIOLATION OCCURRING IN THE WORKPLACE NO LATER THAN FIVE (5) DAYS AFTER SUCH CONVICTION.

Policy Adopted: October 10, 1991
LEARN

AFFIRMATIVE ACTION: RECRUITMENT AND SELECTION

The Board of Directors will provide equal employment opportunities for all persons without discrimination with respect to race, color, religious creed, age, marital status, sexual orientation, national origin, sex, ancestry, present or past history of mental disorder, mental disorder, mental retardation, pregnancy, gender identity or expression, or physical disability except in the case of a bona fide occupational qualification or need. Decisions shall not be influenced, affected, or determined on the basis of membership in or holding of office in an employee association or union.

No advertisement or employment opportunities may by intent or design restrict employment based upon discrimination as defined bylaw.

Legal Reference: Connecticut General Statutes

..... 10-153 Discrimination on account of marital status

..... 46a-60 Discriminatory employment practice prohibited.

..... Title VII, Civil Rights Act as amended by Title IX, Equal Employment Opportunity

Policy Adopted: October 11, 1990

Revised: January 9, 1997

Revised: May 10, 2012

LEARN

LEARN

AFFIRMATIVE ACTION PROCEDURES

LEARN has established the following procedures to recruit, hire, train and promote qualified job applicants without regard to race, religion, color, age, sex, national origin, marital status or handicap. Practices related to these procedures include, but are not limited to: compensation benefits, transfers, reduction in force, employment upgrading, layoffs, returns from layoffs, demotions, termination, training, and advertising.

To demonstrate its commitment to equal opportunity, LEARN will take positive steps to implement the affirmative action process and publicly acknowledge its commitment to achieving full and fair participation of all citizens.

I. Procedures

- A. LEARN will disseminate its policy internally through posting in the Central Office, availability at every program site, and public advertising.
- B. LEARN does not discriminate against any person because of race, color, religion, age, sex national origin, or handicap. This statement is included in publications, promotional brochures, and fliers.
- C. The Executive Director is responsible for establishing, maintaining, and carrying out affirmative action efforts to promote equal employment opportunity for LEARN. The Executive Director may delegate this responsibility.
- D. A grievance procedure has been established and is available upon request to the Center Office.
- E. A compliance Officer has been selected to receive inquiries, hear complaints, and to respond to Equal Employment Opportunity/Affirmative Action matters.
- F. Guidelines regarding the hiring process have been established.
 1. In the case of promotion or transfer, LEARN may choose not to advertise and, instead, fill those positions from within. Positions resulting from such actions shall be filled following LEARN Affirmative Action Policy and Procedures.
 2. A vacancy announcement will be the primary resource for affirmative action recruitment. This announcement may be supplemented through advertising in a local newspaper, contacting career/placement centers, and through other referring agencies. Announcements will be sent to agencies in communication with protected groups.

Affirmative Action Procedures (page 2)

3. A position will be posted through vacancy announcements for at least two weeks before it can be filled. Applicant pools created by similar vacancy announcements may be used directly to fill other comparable positions. Applicant pools are maintained through the Personnel Director as well as with program operators.
4. A pool of applicants will be established when filling a position that has not been filled internally through transfer or promotion. Candidates will be selected on the basis of qualifications for interviews.
5. Once a candidate has been identified for employment, the Executive Director will ensure that the following has taken place before hiring:
 - a. That a vacancy announcement was developed and posted.
 - b. That the vacancy announcement was sent to agencies who could assist by identifying qualified candidates for affirmative action.
 - c. That an ad was published and widely disseminated.
6. The Executive Director may waive requirements concerning the vacancy announcement and applicant pool in emergency situations.
7. LEARN will not knowingly do business with vendors who practice discrimination.

Procedures adopted: October 11, 1990
LEARN

RECRUITMENT

The Executive Director shall advertise the vacancies that exist within LEARN to ensure the identification of qualified candidates for employment and remain consistent with the Contract Between LEARN Regional educational Service Center and Project LEARN Education Association.

Policy adopted: December 14, 1989
LEARN

PHYSICAL AND OTHER MEDICAL EXAMINATION

Upon appointment each new staff member in categories established by the Executive Director shall obtain a physical examination. Results of the examination will be filed with Executive Director. LEARN will pay up to the fee established by the designated LEARN provider per required medical examination.

The Executive Director may at any time require a physical or other medical examination of any employee of LEARN by medical personnel and for a fee approved by the Executive Director. If an examination is required, LEARN reserves the right to obtain the results of the examination.

Policy adopted: December 14, 1989
Policy revised: March 14, 1991
Policy revised: December 8, 1994
Policy revised: September 13, 2001
LEARN

ASSIGNMENT/REASSIGNMENT/TRANSFER

The Executive Director shall make such assignment, reassignments, and transfers of employees to secure the highest efficiency of the entire staff. Teacher transfers shall be consistent with the Contract Between LEARN Regional Education Service Center and Project LEARN Education Association.

Policy adopted: December 14, 1989
LEARN

RESTRICTIONS

No employee of LEARN shall be a member of the LEARN Board of Directors.

Policy adopted: December 14, 1989
LEARN

NONDISCRIMINATION

The conditions or privileges of employment in this organization, including the wages, hours, terms, and benefits shall be applied without regard to race, color, religious creed, age, marital status, national origin, sex, ancestry, residence, present or past history of mental disorder, mental retardation, pregnancy, gender identity or expression or physical disability, except in the case of a bona fide occupational qualification or need. Neither the board nor any employee nor any other person may aid or compel the performance of an unfair practice as defined by law.

DISCIPLINE

No employee will be disciplined, reprimanded, reduced in rank, or deprived of any professional advantage without just cause and due process.

GRIEVANCES

No employee, employee association representative, member of any employee organization, or any other participant in a grievance procedure shall suffer reprisals in any way or suffer any professional disadvantage by reason of his/her being opposed to any unfair employment practice or because of his/her participation in the processing of any grievance. The Executive Director will provide procedures for alleged violations of Board policies, of administrative regulations, of unfair employment practices, and operations in general when not otherwise covered in employee organization agreements.

Legal Reference: Connecticut General Statutes

10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal.

10-153 Discrimination on account of marital status.

10-555f Residency requirement prohibited.

461-60 Unfair employment practices prohibited. (as amended by P.A 80-285)

Cross Reference: Policy #4118.2/4218.2 Sexual Harassment

Policy adopted: December 12, 1990

Revised: 1/9/97

Revised: September 8, 2011

LEARN

LEARN GRIEVANCE PROCEDURE FOR TITLES VI AND IX, SECTION 504

Informal

- A. Any student, parent/guardian, staff member, or applicant to a program who feels that he/she has been discriminated against on the basis of race, color, national origin, sex, or handicap shall contact the designated Compliance Coordinator within 30 days of the alleged occurrence to discuss the nature of the complaint. The Compliance Coordinator shall maintain a written record which shall contain the following:
1. Full name and address of the complainant
 2. Full name and position of the person(s) who allegedly discriminated against the complainant.
 3. A concise statement of the facts constituting the alleged discrimination.
 4. Dates of the alleged discrimination.
- B. At the time the alleged discrimination complaint is filed, the Compliance Coordinator shall review and explore grievance procedures with the complainant and answer any questions. The Compliance Coordinator shall begin investigating the complaint as soon as practical, but in no case, more than ten (10) working days from the time the complaint was received. Within this time limit the Compliance Coordinator shall meet informally with the complainant and the individual(s) against whom the complaint was lodged, and shall provide confidential counseling where advisable and shall finally seek an informal agreement between the parties concerned. Every attempt shall be made to seek a solution and resolve the alleged discrimination complaint at this level.
- C. If the complainant is not satisfied with these initial informal procedures and within twenty (20) working days from the date of the original discussion with the Compliance Coordinator, more formal procedures may be initiated by the complainant to future explore and resolve the problem internally.

Formal Procedure

A. Level One - Program Coordinator/Director

1. The grievant shall file a written formal grievance with the program coordinator/director specifying the alleged discrimination.
2. Within five (5) working days after the receipt of this formal grievance, the program coordinator/director will hold a meeting with the grievant.
3. The program coordinator/director shall, within four (4) working days after the hearing, render a decision and reasons in writing to the grievant.

B. Level Two - Executive Director

1. If the grievant is not satisfied with the disposition of the grievance at Level One, the grievant, within five (5) working days after the decision or seven (7) working days after the Level One meeting, file the grievance with the Executive Director.
2. The Executive Director shall, within five (5) working days after the receipt of the grievance, meet with the grievant.

3. The Executive Director shall, within five (5) working days after such meeting, render a decision and the reasons in writing to the grievant.

C. Level Three - LEARN

1. If the grievant is not satisfied with the disposition of his/her grievance at Level Two, he/she may, within five (5) working days after the receipt of the decision or eight (8) working days after the meeting with the Executive Director, file the grievance with the LEARN Board of Directors.

2. The LEARN Board of Directors or a committee thereof shall, within ten (10) working days after the receipt of the grievance, meet with the grievant for the purpose of resolving the grievance.

3. The LEARN Board of Directors or a committee thereof shall, within five (5) working days after such meeting, render its decision and the reasons in writing to the grievant.

Any person may also file a complaint of illegal discrimination with the Office for Civil Rights, Washington, D.C., at the same time he/she files the grievance during or after use of the grievance process, or without using the grievance process at all. If a complaint is filed with the Office for Civil Rights, it must be filed in writing no later than 180 days after the occurrence of the possible discrimination.

Compliance Coordinator for Title VI
and Section 504

Kate Ericson
or

Bridgette Gordon-Hickey
LEARN
44 Hatchedts Hill Road
Old Lyme, CT 06371
860-434-4800

Compliance Coordinator for Title IX

Kate Ericson
or

Carole Glenn
LEARN
44 Hatchedts Hill Road
Old Lyme, CT 06371
860-434-4800

Adopted September 11, 1986. Effective upon passage

Revised: November 18, 1996

Revised: February 13, 2012

Revised: November 5, 2015

Revised: April 19, 2017

Revised: October 30, 2017

Revised 9/1/18

SEXUAL HARASSMENT

It is the policy of the LEARN Board of Directors that any form of sexual harassment is forbidden in the workplace and in all school facilities, whether by supervisory or non-supervisory personnel, by individuals under contract or volunteers subject to the control of the Board.

Sexual harassment is defined as unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to, insulting or degrading sexual remarks or conduct; threats or suggestions that an employee's submission to or rejection of unwelcome conduct will in any way influence an employment decision regarding that employee, or conduct of a sexual nature which substantially interferes with an employee's work performance, or creates an intimidating, hostile or offensive work environment, such as the display in the workplace of sexually suggestive objects or pictures.

Sexual harassment in the workplace whether by supervisory or non-supervisory employees will result in disciplinary action up to and including dismissal.

It is the express policy of the Board to encourage victims of sexual harassment to report such claims. Employees are encouraged to promptly report complaints of sexual harassment to the Executive Director. Complaints will be investigated promptly, and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation, and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment. The Executive Director will develop and distribute sexual harassment complaint procedures.

Policy adopted: 5/14/92
LEARN

Sexual Harassment Complaint Procedure

What to do if Sexually Harassed

An employee who encounters sexual harassment as defined in the LEARN Board Policy No. 4118/4218 should immediately report the sexual harassment to LEARN. The employee may report the sexual harassment to his or her supervisor or, if doing so would be impossible or uncomfortable, to the Program Director, Director of Executive Services, or Executive Director. All complaints of sexual harassment will be treated with the utmost confidentiality.

Any employee who encounters sexual harassment as defined in the LEARN Board Policy No. 4118/4218 should inform the perpetrator that his or her behavior is unwelcome and that such behavior must stop. Any administrator or supervisor who is made aware of a complaint of possible sexual harassment must immediately report the complaint to the Director of Executive Services.

The Reporting and Investigation Process

Typically, the sexual harassment reporting and investigation process follows the following steps:

- ! The employee who believes that he or she has been the subject of sexual harassment should report the conduct to his or her supervisor, to any LEARN Program Director, the Director of Executive Services, or the Executive Director, as already described above. The administration discusses informally the allegations with the reporting employee. The details of the complaint usually will be reduced to writing.
- ! Following the informal discussion, and if appropriate under the circumstances, the Director of Executive Services or a delegee conducts an investigation in a manner that will assure the complaint is given the proper consideration and at the same time protect the rights of school district personnel.
- ! Upon conclusion of the investigation, the administration creates a report, summarizing the results and the proposed disposition of the matter. Copies are provided to the complainant, the alleged harasser, and as appropriate, to all that are directly concerned.
- ! If after the investigation, LEARN concludes that sexual harassment has occurred, the agency takes reasonable actions to ensure that the harassment ceases and will not recur. Actions taken in response to sexual harassment may include reassignment, transfer, and/or disciplinary action up to and including termination of employment. In addition, the harasser and any other employee(s), if appropriate, are informed that appropriate actions shall be taken if further acts of harassment or retaliation occur.
- ! If the situation warrants, steps in this process may be by-passed or repeated. LEARN may take action to remedy the alleged harassment pending the investigation or may take other actions related to the matter as it deems appropriate in its sole discretion.

Investigatory Interviews

If an employee of LEARN is interviewed in relation to the investigation of a complaint, the administration makes all reasonable attempts to conduct the interview at a reasonable hour, in a non-coercive matter, without threat, or promise of reward, and during the employee's regular scheduled work day.

Prior to any interview, the employee being interviewed is apprised of the following:

- ! Identity of all persons present at the interview;

- ! Nature of the investigation including any allegation;
- ! Whether the employee being interviewed is a witness or the subject of the investigation; and
- ! If applicable, that the interview is being recorded.

Appeals of Complaints

If the investigation has taken place below the level of Executive Director and the complainant deems it necessary to carry the complaint beyond the investigator's decision, he or she may file a written appeal with the Executive Director of LEARN. Such appeal must be taken within ten (10) calendar days from the date of the notice of LEARN's decision on the matter.

Upon receiving the complaint, the Executive Director typically reviews the investigator's written report and the information collected by the investigator together with the recommended disposition of the complaint in order to determine whether the alleged conduct constitutes sexual harassment. The Executive Director may also conduct a reasonable investigation including interviewing the complainant, the alleged harasser, and witnesses.

Retaliation

No reprisals or retaliation will be taken by or against any participant in the complaint procedures by reason of such participation.

Other Sources of Information and Assistance

In addition to the complaint procedure above, there are specific legal remedies available to both the complainant and the alleged harasser. For further information contact:

The Connecticut Commission on Human Rights and Opportunities
90 Washington St.
Hartford, CT 06106

OR

Office of Civil Rights Region 1
Elementary and Secondary Education
RKO General Building, Government Center
Boston, MA 02114

rev. 12/97

LEARN

SEXUAL HARASSMENT PERSONNEL COMPLAINT REPORT

Name of complainant: _____ Telephone (work) _____

Home address: _____ Telephone (home) _____

Department/position of employment: _____ Supervisor _____

Date of incident _____ Time of incident _____ Date reported _____

Location of incident _____

Complaint filed against (name/position) _____

Details (description) of complaint: _____

Witnesses:

Name/Position Address Telephone

Name/Position Address Telephone

Name/Position Address Telephone

Signatures (Acknowledgement):

Complainant _____ Date _____

Executive Director _____ Date _____

HEALTH BENEFIT

Any employee of LEARN who is eligible for benefits, hired prior to July 1, 2010 and who is not included in the Contract Between LEARN Regional Education Service Center and Project LEARN Education Association may elect on an annual basis to receive payments in lieu of health and dental insurance. The decision to accept this option must be made in July for current employees and August or within thirty days of hire for new employees. The total payments will be set annually but will not exceed 50% of the cost of the annual premium for health and dental insurance which the employee is otherwise qualified to receive.

The decision to continue this option for all employees will be made by the Executive Director on an annual basis.

Policy Adopted: March 8, 1990

Revised: November 12, 1992

Revised: April 9, 1998

Revised: March 10, 2005

Revised: February 9, 2006

Revised: May 13, 2010

LEARN

**SUBSTANCE ABUSE POLICY APPLICABLE TO OPERATIONS OF COMMERCIAL VEHICLES
OPERATORS OF STUDENT TRANSPORTATION VEHICLES AND EMPLOYEES PERFORMING
SAFETY SENSITIVE FUNCTIONS**

LEARN is committed to maintaining a work environment free from the adverse impact of employee drug and alcohol abuse. Employee drug and alcohol abuse can create serious risks of physical harm to employees, compromise safety in the workplace, and negatively affect the quality of services provided by LEARN. It is especially important that individuals employed by LEARN in safety sensitive positions, including operators of commercial vehicles and student transportation vehicles, remain free from drug and alcohol abuse.

No employee may use, possess, or distribute alcoholic beverages at any LEARN work site, in any LEARN vehicle, or while on duty regardless of location. No employee may be under the influence of alcoholic beverages while on duty, on LEARN property, operating LEARN equipment or vehicles, or operating any other equipment or vehicle while on LEARN business.

According to Federal and State law, employees are not allowed to possess, distribute, or use controlled substances. This is true regardless of whether they are on or off duty. The only exception to this rule is in the situation where an employee possesses or is using a prescription drug(s) according to the instructions of a physician. An employee may report for duty or remain on duty while using or possessing a controlled substance only when the employee possesses or is using a prescription drug(s) according to the instructions of a physician. Further, the physician must have advised the employee that the drug(s) will not adversely affect his or her ability to safely perform his or her duties.

It is the intention of LEARN to comply with all applicable Federal, State, and Local laws, regulations, and ordinances. Pursuant to procedures developed under this policy, LEARN's Board of Directors requires mandatory drug and alcohol testing for all employees covered by this policy to the fullest extent required and possible under Federal, State and Local law.

Employees of LEARN who are hired or transferred into a position that requires the operation of a commercial motor vehicle, the operation of a student transportation vehicle, or the execution of safety sensitive functions will be given notice that they are covered by this policy. Each such employee will receive a copy of this policy and its associated procedures. Each employee must sign an acknowledgement that he or she has read and understood these documents. LEARN employees covered by this policy are required to submit to testing. A refusal to do so will be considered to be a positive test result.

Any employee found to be in violation of any provision of this policy may be immediately removed from duty without pay by the Executive Director of LEARN or his or her designee. If it is determined, after investigation, that the employee has violated any part of this policy, the Executive Director of LEARN or his or her designee may take disciplinary actions, up to and including termination. The Executive Director of LEARN or his or her designee, may, at his or her sole discretion, allow an employee who has violated this policy to be reinstated. Reinstatement shall be on a one-time basis.

Employees are encouraged to make good faith reports of a violation or suspected violation of this policy. Employees are prohibited from knowingly making a false report of a violation. They are also required to cooperate with any LEARN investigation into possible violations of this policy.

Policy Adopted: 11/18/99

LEARN

LEARN
SUBSTANCE ABUSE PROCEDURES

APPLICABLE TO:
OPERATORS OF COMMERCIAL VEHICLES (CDL DRIVERS)
OPERATORS OF STUDENT TRANSPORTATION VEHICLES
EMPLOYEES PERFORMING SAFETY SENSITIVE FUNCTIONS.

I. INTRODUCTION

LEARN is committed to maintaining a work environment free from the adverse impact of employee drug and alcohol abuse. Employee drug and alcohol abuse can create serious risks of physical harm to employees, compromise safety in the workplace, and negatively affect the quality of services provided by LEARN. It is especially important that individuals employed by LEARN in safety sensitive positions, including operators of commercial and student transportation vehicles, remain free from drug and alcohol abuse.

This document contains the detailed policies and procedures implementing LEARN's *Substance Abuse Policy Applicable to Operators of Commercial Vehicles, Operators of Student Transportation Vehicles, and Employees Performing Safety Sensitive Functions* (the Policy) and should be read in conjunction with that policy.

It is LEARN's intent to comply with all applicable Federal, State and local laws, regulations, and ordinances to maintain a drug and alcohol free workplace for individuals employed by LEARN. In addition, it is the responsibility of each employee to ensure that he or she is drug free in compliance with the requirements outlined in this document.

Any person having questions about the Policy or LEARN's drug testing procedures should contact LEARN's Transportation Coordinator.

II. RELATED INFORMATION

In order to help motivate its employees to understand the effects of drug and alcohol use on an individual's health, work and personal life, LEARN will provide information on drug and alcohol abuse. Employees who would like information on understanding the signs and symptoms of an alcohol or drug problem, available methods of intervening when an alcohol or drug problem is suspected, or have any questions or concerns about the subject should contact LEARN's Transportation Coordinator.

III. GENERAL PROHIBITIONS

Alcohol

No employee may possess or distribute alcoholic beverages at LEARN, while in any LEARN vehicle, while performing safety sensitive functions, or while on duty regardless of location. On duty time includes time when the employee is subject to duty, such as on-call time. Employees are prohibited from coming on duty if they have used alcohol within four (4) hours before beginning duty. Employees are never allowed to report to work, or remain at work, under the influence of alcohol.

Drugs

According to Federal and State law, employees are not allowed to possess, distribute, or use controlled substances. This is true regardless of whether they are on or off duty. The only exception to this rule is in the situation where an employee possesses or is using a prescription drug(s) according to the instructions of a physician. This topic is discussed in more detail below.

Testing

A refusal to submit to a test will have the same effect as having a test result come back positive for alcohol or controlled substances use. A refusal to submit to testing can take several forms, which are as follows:

- The employee fails to provide adequate breath for testing without a valid medical explanation;
- The employee fails to provide adequate urine for controlled substances test without a valid medical explanation;
- The employee engages in conduct that clearly obstructs the testing process. Obstructing the testing process includes, but is not limited to, tampering with or substituting specimens provided for alcohol or controlled substances testing.

IV. DISCIPLINARY ACTION

Removal from Duty and Termination

Any employee who tests positive for alcohol with a Blood Alcohol Content (BAC) of greater than .02 but less than .04 will be removed from their safety-sensitive duty for a minimum of 24 hours. Such employees will be provided transportation to their residences. Unrelated to DOT authority, such an employee may also be subject to disciplinary action up to and including termination.

Any employee testing positive for alcohol (BAC of .04 or greater) or controlled substances will be suspended from work, typically without pay, pending a complete investigation and disciplinary determination, which may include termination. This suspension will not be delayed by an employee's request for testing of a split urine specimen by a second laboratory.

Any employee undergoing reasonable suspicion testing will be suspended from work pending the test results. If the test results are negative, the employee will be returned to work with full back pay unless the suspension was imposed for additional reasons unrelated to the Policy and for which back pay is not to be paid.

Leave of Absence Prior to Testing

An employee who voluntarily comes forward and asks for assistance to deal with an alcohol or controlled substance dependency problem shall not be disciplined. The exceptions to this rule are when the employee otherwise violates the alcohol/controlled substance rules of conduct, the employee engages in additional misconduct unrelated to the Policy or these procedures, or the employee has previously been reinstated for violation of the Policy and is still subject to a one strike rule. LEARN's one strike rules are described in more detail below, in the section entitled "Reinstatement and 'One Strike' Rules."

A disclosure of a controlled substance or alcohol dependency problem by an employee upon his or her learning, or receiving notice, from LEARN that he or she is to be scheduled or sent for alcohol or controlled substances testing is not a voluntary disclosure.

At its sole discretion, LEARN may grant an unpaid leave of absence for a maximum of sixty (60) days to allow the employee to undergo treatment pursuant to a rehabilitation program recommended by a Substance Abuse Professional (SAP). LEARN may grant this leave only once during an employee's one time violation rule. LEARN may require the employee to substitute any accrued paid leave available to him or her in lieu of the unpaid leave.

An employee requesting reinstatement from such leave of absence must demonstrate a successful completion of the rehabilitation program and continuation of any follow up program and must submit to a return-to-duty test and follow-up testing.

Reinstatement and "One Strike" Rules

Any employee found in violation of the Policy as it relates to *alcohol* may, at the sole discretion of the Executive Director or designee, may be considered for reinstatement. Any employee who is reinstated under this provision will be subject to a ten-year, "one-strike," reinstatement policy. That is, the employee may request reinstatement but any violation of the Policy in the ten-year period following reinstatement will subject the employee to discharge. After the ten-year period, the employee will stand in the same position he or she did prior to the initial violation of the Policy.

Any employee found in violation of the Policy as it relates to *controlled substances* may, at the sole discretion of the Executive Director or designee, may be considered for reinstatement. Any employee who is reinstated under this provision will be subject to reinstatement on a one-time lifetime basis. That is, any future violation of the Policy will subject the employee to discharge.

V. TYPES OF TESTING

Drug and alcohol testing will be of the following types:

1. Pre-employment (drug testing only)
2. Random
3. Reasonable Cause
4. Post Accident
5. Return-to-Duty
6. Unannounced Follow Up

1. Pre-Employment

Final applicants, including transferees, internal applicants, and other employees who will begin performing safety sensitive duties for LEARN, are required to submit to a drug test. Internal applicants who are already performing safety sensitive functions for LEARN and are currently subject to the Policy will not be required to submit to another pre-employment test.

Any applicant who decides not to cooperate in the pre-employment drug test may withdraw their application. No record will be maintained of the declination.

Final applicants who test positive for drugs will be rejected for employment. It is important to note that employee applicants who test positive will not only be rejected for the position in question but may also be subject to discipline, up to and including termination.

2. Random Testing

All employees will be subject to random drug and alcohol testing at the annualized rate determined by the Department of Transportation (DOT) Federal Highway Administration (FHWA) regulations and as annually determined by the FHWA administrator.

Selection of employees to be tested will be administered by a third party using a validated random selection method. This selection process ensures that every employee has an equal opportunity of being selected at any given time.

Notification of an employee's selection will not be provided until the employee reports for duty on the day on which the drug and alcohol test is to be conducted. Immediately upon notification of being randomly selected the employee is to proceed to the collection facility.

3. Reasonable Cause Testing

LEARN will require an employee to be tested whenever it has a reasonable suspicion that an employee has violated the Policy through the use of alcohol or a controlled substance. LEARN's determination that reasonable suspicion exists to require an employee to undergo testing will be based on specific and concurrent observations of the employee. These observations may include the appearance, behavior, speech, or body odors of the employee. In addition, with respect to controlled substances, they may include indications of the chronic or withdrawal effects of controlled substances.

An employee who is subject to reasonable suspicion testing shall remain readily available for such testing. A failure to do so may be deemed as having refused to submit to the testing.

4. Post Accident Testing

Under this type of testing, employees will be removed from service, typically without pay, pending the outcome of the test(s). Post-accident drug testing is required of any employee involved in an accident under the following circumstances:

- There is a fatality.
- A vehicle is towed from the scene of the accident and a citation is issued to the employee.
- Medical treatment is administered away from the scene of the accident and a citation is issued to the employee.

(Except in cases involving fatalities, a test is not required if a citation is not issued to the employee).

A post accident test will take place as soon as practicable following the accident. If required to take such a test, an employee shall not use alcohol for eight (8) hours following the accident or until he or she undergoes the post-accident test, whichever occurs first.

The employee must remain readily available for such testing or may be deemed to have refused to submit to testing. This does not mean, however, that the employee or anyone else should delay in obtaining necessary medical attention for any injury resulting from the accident. Nor, should the employee, or any other employee, not leave the scene of an accident for the period necessary to obtain assistance, to respond to the accident, or to obtain necessary medical care.

5. Return-to Duty Testing

An employee who has violated the Policy may not return to duty until an alcohol test result indicates blood concentration of less than .02 and a controlled substances test result is verified as negative.

6. Unannounced Follow-up Testing

Some employees may be subject to follow-up testing after having been found in violation of the Policy. These employees are those who had been found to have violated the Policy, who were then referred to a SAP who identified them as needing assistance in resolving the alcohol or drug problem, and then, at the option of LEARN, have been reinstated to their positions. These individuals are subject to unannounced follow-up testing for up to sixty (60) months following their reinstatements.

The number and frequency of these follow-up tests shall be as directed by the SAP and will consist of at least six tests in the first twelve months following the employee's return to duty.

VI USE OF PRESCRIBED AND OVER-THE-COUNTER MEDICATION

Under certain circumstances, LEARN will permit prescribed and over-the-counter medication and/or the use of medication on LEARN premises. These are as follows:

- The medication is specifically prescribed for the employee by his or her physician;
- The medication is clearly labeled with the employee's name, the name of the medication and the physician's Federal Drug Enforcement Administration license number;
- The substance is used at the dosage prescribed or authorized; and
- The substance does not impair the employee's ability to perform in the job or endanger the employee's safety or the safety of others.

An employee may report for duty, or remain on duty, while using or possessing a controlled substance only when the employee possesses or is using a prescription drug(s) according to the instructions of a physician and that physician has advised the employee that the drug(s) will not adversely affect his or her ability to safely perform his or her duties. If the employee has been advised by a physician that the prescription drug(s) being taken by the employee could adversely affect the employee's performance, the employee must immediately notify the Medical Review Officer (MRO).

VII. HOW TESTING IS PERFORMED

Location of Testing

Testing will be performed by an outside firm.

Alcohol Testing

In general, alcohol testing will be by using an evidential breath testing device (EBTD). This testing will be administered by a trained tester. Two breath tests are required to determine if an employee has a prohibited alcohol concentration. The first test is a screening test, and any result less than 0.02 alcohol concentrate is considered a negative result. If the alcohol concentration is 0.02 or greater, a confirmation test will be conducted. The confirmation test, if required, will be conducted using an EBTD that prints out the test results, date and time, a sequential test number, and the name and serial number of the EBTD to insure the reliability of the results. The confirmation test results determine any actions taken.

Blood alcohol tests may be used when the employee attempts and fails to provide an adequate amount of breath or when an EBTD is not readily available for post-accident or reasonable suspicion testing.

Controlled Substances Testing

Drug testing will be conducted by analyzing the employee's urine specimen. The employee will be required to provide a urine specimen in a location that affords privacy. The collection site person seals and labels the specimen, completes a chain of custody document, and prepares the specimen and accompanying paperwork for shipment to a drug testing laboratory. The specimen collection procedures and the chain of custody documentation help ensure that the specimen security, proper identification, and integrity of the test are not compromised. This helps protect an individual from any inaccurate reporting of test results.

All urine specimens are analyzed for the following drugs:

- Marijuana (THC metabolite);
- Cocaine;
- Amphetamines;
- Opiates (including heroin);
- Phencyclidine (PCP); and
- Steroids.

The testing is a two-stage process. First, a screening test is performed. If it is positive for one or more of the drugs, then a confirmation is performed for each identified drug using state-of-the-art gas chromatography/mass spectrometry (GC/MS) analysis. If the confirmation test is negative for controlled substances, LEARN shall disregard the initial screening test.

All drug test results are reviewed and interpreted by the MRO before they are reported to LEARN. If the laboratory reports a positive result to the MRO, the MRO will contact the employee, typically either in person or by telephone, and will conduct an interview to determine if there is an alternative

medical explanation for the drugs found in the employee's specimen. If the employee provides appropriate documentation and the MRO determines that it is a legitimate use of the prohibited drug, the drug result is reported as negative to LEARN.

When the employee provides a urine specimen, it is subdivided into two bottles labeled as a primary and split specimen. Both bottles are sent to the laboratory but only the primary specimen is opened and used for the analysis described above. The split specimen bottle remains sealed and is stored at the laboratory. If the analysis of the primary specimen confirms the presence of illegal controlled substances, the employee may, within seventy-two (72) hours of being notified of a verified positive test result, request that the MRO direct the split specimen be forwarded by the first laboratory to a DHHS certified laboratory. The second laboratory will analyze the split specimen for the presence of the drug(s) for which a positive result was obtained in the first test of the primary specimen. If the result of the test of the split specimen fails to reconfirm the presence of the illegal drug(s) found in the primary specimen, the MRO shall cancel the test and the first positive result shall be disregarded by LEARN.

VIII. REPORTING OF VIOLATIONS OF THE POLICY OR THESE PROCEDURES

Employees are encouraged to make good faith reports of a violation or suspected violation of the Policy or these procedures. Employees are prohibited from knowingly making a false report of a violation. They are also required to cooperate with any LEARN investigation into possible violations of the Policy.

IX. STANDARDS & AUTHORITY

The policy and this document is intended to be consistent with the rules and regulations laid out in the Department of Transportation, Federal Highway Administration's regulations, found at 49 CFR Parts 40, 382, 391, and 394. These regulations apply to anyone in, transferring into, or applying to be in, the position of a commercial motor vehicle operator.

To the extent the Policy covers employees not covered by the DOT regulations, parallel methodologies and procedures will be utilized by LEARN under authority to ensure that its employees performing safety sensitive functions remain drug and alcohol free. Such employees include anyone in, transferring into, or applying to be in, the position of a student transportation vehicle operator, or a position performing safety sensitive functions.

Since the Policy and these procedures cover a variety of safety sensitive positions, to the extent that provisions are outside the scope of the DOT FHWA regulations, they are to be considered as based upon LEARN's employer authority and authority under other Federal and State statutes, regulations and ordinances that allow and require it to maintain a safe and substance-free workplace and educational environment.

EMPLOYEE ACKNOWLEDGEMENT

I, _____, hereby acknowledge that I have received a copy of LEARN's Substance Abuse Policy and Procedures applicable to Operators of Commercial Vehicles (CDL Drivers), Operators of Student Transportation Vehicles, and Employees Performing Safety Sensitive Functions.

I understand that I am responsible for reading and keeping a copy of both documents. I understand that LEARN may make changes in these documents without prior notice and that I am responsible for reading and keeping a copy of any such written changes that are provided to me.

I understand that these documents create no express or implied contract.

Date _____

Employee's Signature

Received by: _____

**NOTICE TO APPLICANTS, TRANSFEREES,
AND
OTHER EMPLOYEES APPLYING FOR DRIVING OR
SAFETY SENSITIVE JOBS**

Drug Testing for Applicants.

LEARN requires successful completion of a urinalysis drug testing as part of its pre-employment screening process. Any applicant who decides not to cooperate in the pre-employment drug test may withdraw their application. No record will be maintained of the declination.

Applicants who test positive for drugs will be rejected for employment. It is important to note that employee-applicants who test positive will not only be rejected for the position in question but may also be subject to discipline, up to and including termination.

Drug and Alcohol Testing for Employees

If accepted for employment, you will be required successfully complete a urinalysis drug test and or breath alcohol test if LEARN has reasonable suspicion that you are under the influence of drugs and or alcohol. LEARN also requires employees to undergo random urinalysis drug and alcohol tests.

Drug alcohol tests are conducted for LEARN by an outside, professional laboratory. Further details will be provided to applicants who successfully meet LEARN's other criteria for employment.

Because we are required to notify applicants of our intent to conduct this testing, we ask that you sign and date this notice.

Date _____

Signature

HEALTH INSURANCE FOR DIRECTORS

Any employee at LEARN who is in the position of Director and is either: noncertified **or** certified and not eligible for CT Teachers Retirement; **and** is eligible for benefits may elect to continue to participate in LEARN's group health insurance coverage at retirement from LEARN until eligible for Medicare Part A and Part B. The minimum qualifications for retirement are: 25 years credited service at LEARN at any age or 20 years credited service at LEARN at age 55 or 10 years credited service at LEARN at age 60. The full cost of the health insurance would be borne by the Director.

Policy Adopted: October 8, 2009
LEARN

GRADUATE STUDY REIMBURSEMENT FOR EMPLOYEES IN CATEGORIES OF DIRECTORS, COORDINATORS, MANAGERS, TEACHERS, THERAPISTS, AND NURSES.

When in the judgment of the Executive Director, the course for which reimbursement is requested will make a meaningful contribution to a more effective performance of the duties to which the Director, Coordinator, Manager, Teacher, Therapist, or Nurse is assigned, then such reimbursement shall be granted.

Courses must be completed with a grade B or higher. If a lesser mark is received and the staff member desires, extenuating circumstances may be explained to the Executive Director for his/her consideration. Courses and institutions must have prior approval of the Executive Director at least fifteen (15) days prior to the start of the course, if possible. Graduate study reimbursement for Directors, Coordinators, or Managers is payable in one lump sum on either the second payday in September or the second payday in March, whichever most closely follows the completion of the course. Graduate study reimbursement for Teachers, Therapists, or Nurses is payable in one lump sum in the last paycheck in June. Staff member must submit an official grade report or an official transcript from the approved course and a copy of the bill for tuition fees. The amount of the reimbursement shall be equal to the cost of tuition and fees (excluding books) incurred for the course or a ratio of these costs if the total reimbursement request exceeds the maximum pool. It is mandatory that an employee be on the staff at the time of payment in order to receive any of the above reimbursements.

Tuition reimbursement for Directors, Coordinators, and Managers will be based on a maximum pool of \$6,000 allocated from the fund balance .

Tuition reimbursement for Teachers, Therapists and Nurses will be based on a maximum of 50% of tuition to a maximum of 30% of the UCONN graduate tuition rate for a course with the same number of credits. The funds will be allocated from fund balances in programs employing Teachers, Therapists and Nurses.

Policy Adopted: September 9, 1993
Policy Amended: February 16, 1995
Policy Amended: January 8, 1998
Policy Amended: February 12, 1998
Policy Amended: May 10, 2001
Policy Amended: February 14, 2008
LEARN

LEARN

GRADUATE STUDY REIMBURSEMENT APPLICATION

This form must be completed and approved at least fifteen (15) days prior to the start of the course. Please refer to LEARN Personnel Policy #4129/4229 for further clarification.

NAME _____ DATE _____

POSITION/DEPARTMENT _____

INSTITUTION _____ COURSE NAME AND NO. _____

BRIEF DESCRIPTION OF COURSE

DATE COURSE WILL START _____ TUITION _____

HOW WILL THIS ENHANCE THE PERFORMANCE OF YOUR DUTIES?

___ APPROVED ___ NOT APPROVED

Executive Director _____ Date _____

GRADE RECEIVED _____ DATE TO BE PAID _____

REIMBURSEMENT AMOUNT _____

Executive Director _____ Date _____

SABBATICAL LEAVE FOR DIRECTORS AND COORDINATORS

- A. **Purpose:** Sabbatical leave may be granted to a member of the [Category I or II staff] **Directors or Coordinators categories** by the Board of Directors upon recommendation of the Executive Director, when applicable, to:
1. Improve the educational program of LEARN and
 2. Stimulate professional growth of personnel.
- B. **Eligibility:** Seven (7) years of consecutive service at LEARN prior to the start of the sabbatical leave. In computing years of consecutive service at LEARN, unpaid leave of absence shall not be counted.
- C. **Criteria:** The following criteria will be used for selection:
1. Value of leave to the organization
 2. Quality of service,
 3. Number of years' service, and
 4. Availability of a certified and qualified person(s) to serve as an interim replacement.
- D. **Quota:** A maximum of one (1) employee may be on sabbatical leave at one time.
- E. **Compensation:** No compensation will be paid during the leave.
- F. **Application:** Requests for sabbatical leave must be made in writing to the Office of the Executive Director no later than February 1 of the school year immediately preceding the year of the proposed leave. To be considered, leave shall be requested for a semester school year, or calendar year and written proposals shall include statements which describe the objective of the leave, the nature of the activities which will be undertaken, (e.g., description of course work, etc.) and the perceived benefits to the organization.
- G. **Obligations:** A staff member granted sabbatical leave is obligated to return to LEARN for one (1) year of service.

When the employee returns to LEARN, he/she shall be reappointed to his/her original position or to a mutually acceptable position of comparable status and pay.

A successful applicant who, for any reason chooses to refuse his/her leave of absence, must notify the Executive Director of this fact no later than April 1 of the school year immediately preceding the leave in order to be assured of a position at LEARN during the year for which the leave was granted.

- H. **Guarantees:** An employee while on leave is guaranteed:
1. Continued coverage by any group health or insurance program at the employer's expense with appropriate co-payment by the employee;
 2. Retention of sick leave accumulated prior to the commencement of the sabbatical leave and
 3. An additional year of seniority.
 4. Compulsory payments to the State Teachers' Retirement Systems will be made by LEARN for the period of leave if the employee elects to continue membership during the leave and submits monthly payments to

LEARN.

- I. Reports: An employee on sabbatical leave shall submit to the Executive Director for transmittal to the Board an interim and a final report with the following information where applicable: courses taken, credits earned, travel itinerary, projects completed, leave benefits and other pertinent data for evaluating the leave program.
- J. Limitations: Leave will not be granted for a program of study that will result in the completion of statutory requirements for certification as stipulated by the Connecticut State Board of Education.

Policy Adopted: September 9, 1993

LEARN

REIMBURSEMENT FOR USE OF PERSONAL VEHICLES BY STAFF

The per mile reimbursement for LEARN staff members for LEARN approved business which requires the use of a personal vehicle shall be established on June 30 based on the current Internal Revenue Service (IRS) rate.

Policy Approved: February 8, 1990
Policy amended: December 8, 1994
Policy amended: April 8, 1999
LEARN

STAFF TRAVEL REIMBURSEMENT PROCEDURE

As part of their job responsibilities, many LEARN employees are required to travel to places other than their primary location of employment. When this occurs, LEARN reimburses employees at a level approved by the Board of Directors each year (\$.30/mile for 1995-96).

The following provides some general procedures for receiving travel reimbursement each month:

1. Only travel beyond the drive to and from work each day is reimbursed. Each employee has a primary location to which he or she reports each day. Travel from that point to other locations required as a part of one's job is eligible for travel reimbursement.
2. Primary locations. Some employees travel to a variety of places within a given month. In those situations, a primary location will be determined by the employee's supervisor.
3. Travel to a location other than the primary location. When an employee is required to travel directly to such a location, the distance to and from the employee's primary location is subtracted from the total distance traveled to determine the number of miles eligible for reimbursement.
4. LEARN travel forms are to be filled out and forwarded to one's supervisor within 30 days of the end of the month in which travel occurred.

PLEASE NOTE: June vouchers MUST be submitted no later than JUNE 25TH for payment.

5. Payment will be made by the 30th of the month if vouchers are submitted before the 20th. Checks for travel reimbursement are issued by Accounts Payable.

COMPENSATION SCHEDULES

The Executive Director shall prepare and recommend to the Board for adoption, schedules of compensation and benefits for each category of positions at LEARN.

The Executive Director shall develop a process for review of placement within each category.

Policy adopted: February 8, 1990
LEARN

JURY DUTY

The Board recognizes that staff members have an obligation to serve as members of juries. Staff members who serve on juries during their regular work year will be paid their regular salary for the duration of the commitment. Any monetary compensation, except for travel reimbursement, paid to the staff member by the court for such duty must be remitted to LEARN. Staff members shall submit a professional leave request to the Executive Director prior to serving on a jury.

Policy adopted: December 12, 1990
LEARN

REIMBURSEMENT FOR DAMAGED PERSONAL PROPERTY

Noncertified employees may be reimbursed for personal property damaged by the students and not through the employee's negligence, in accordance with the following schedule:

1. Eyeglasses may be reimbursed up to \$250.00
 2. Watches may be reimbursed up to \$25.
 3. Clothes may be reimbursed up to \$35.
- A. The total reimbursement for all noncertified employees shall not exceed \$2,000 in any one fiscal year. However, an employee who is denied reimbursement on the basis that the \$2,000 limit has been met in a particular fiscal year, may refile his/her claim in the next fiscal year. All damaged property claims must be made to the Executive Director or his/her designee within five (5) business days of the incident giving rise to the claim. The claim must be in writing. At a minimum, LEARN will require a brief description of the incident, a brief description of the property as well as the original cost, original receipts or current prices of the same or comparable items, and the original date that the article are purchased.

Policy approved: March 12, 1992

Revised: May 8, 2008

LEARN

APPLICATION FOR REIMBURSEMENT FOR DAMAGED PERSONAL PROPERTY

EMPLOYEE NAME _____

Program _____

Date of Incident _____

Time of Incident _____

Place of Incident _____

Detailed Description of Incident

Description of Property Damaged

Cost of repair or replacement \$ _____

Please attach the original receipt for property or current prices of same or comparable items and the original date the article was purchased.

Employee Signature

Date

For Central Office Use Only:

_____ Approved _____ Not Approved \$ _____ Amount allowable _____

Executive Director

Date

Date paid: _____

reference policy: 4247

4146

4246

Certified/Noncertified

FAMILY, MECIAL AND MATERNITY LEAVE

LEARN will implement family, medical, and maternity leave regulations consistent with the dictates of the Family and Medical Leave Act of 1993 (FMLA) and Connecticut's Fair

Employment Practices Act (FEPA), both as amended.

Adopted:
Revised: November 9, 2006
LEARN

**FAMILY, MEDICAL, SERVICEMAN,
EXIGENCY, AND MATERNITY LEAVE REGULATIONS**

I. Purpose

To define the procedures of LEARN for granting and processing leave under the federal Family and Medical Leave Act (“FMLA”) and Connecticut’s Fair Employment Practices Act (FEPA), both as amended.

II. Where to go for more Information

Employees who have any questions regarding any part of these regulations, when and how they may take leave should contact the Personnel Coordinator or the Director of Executive Services.

III. Family and Medical Leave

A. The Leave: LEARN grants family and medical leave consistent with federal Family and Medical Leave Act. This is known as “FMLA” leave. FMLA leave allows an eligible employee to take leave for the following:

- Care of the employee's child after birth or placement for adoption for foster care;
- Care of the employee's son, daughter, spouse, or parent with a serious health condition; or
- The employee’s own illness when a serious health condition makes the employee unable to do his or her job.

B. Servicemember and Exigency Leave: LEARN grants leave consistent with the federal Family and Medical Leave Act for servicemembers and their families. There are two types of leave that are applicable to servicemembers that are beyond the leave listed above. These two types of leave are:

- Leave to Care for a Servicemember.
- Qualifying Exigency Leave.

These two types of leave are described in more detail in a separate section below. If you have any questions regarding Servicemember Leave, please contact the Personnel Coordinator or the

Director of Executive Services.

C. Eligibility: In order for an employee to be eligible for FMLA leave the employee must have been employed by LEARN for twelve months, which need not be consecutive, and worked at least 1,250 hours in the twelve months just before the beginning of the leave.

Unless otherwise provided, the twelve months during which an employee may take twelve work weeks of FMLA leave will be that of the LEARN fiscal year. That is, from July 1st of any year through June 30th of the following year.

D. Serious Health Condition: A serious health condition is defined in several ways. These are summarized as follows:

- Inpatient Illness,
- Incapacity accompanied by treatment,
- Pregnancy or prenatal care,
- Chronic serious health condition,
- Permanent or long term conditions, and
- Conditions requiring multiple treatments.

If you need to know whether you have a health condition that would qualify you for FMLA leave, please contact the Personnel Coordinator or the Director of Executive Services.

In addition, a worksheet has been provided as Appendix 1 of these regulations to assist you in understanding whether you may have a serious health condition that would qualify you for FMLA leave.

E. Time Off: Federal law allows employees to request up to twelve work weeks of FMLA leave during a twelve-month period. Employees may request additional time off in order to care for a servicemember, which is described in more detail below.

The amount of FMLA leave an employee may use depends upon how much leave he or she has already used during the current twelve month period, described in Section B, above.

Time used for FMLA leave will not be counted as attendance for purposes of earning a perfect attendance award.

F. Advance notice: A request for FMLA leave must be made at least thirty (30) days before the date upon which the leave will begin or as soon as practicable after learning of the need to take leave. Under most circumstances, it should be practicable to notify LEARN on the same day or next business day after learning of the need to take leave.

If the need for FMLA leave is not foreseeable, the request must be made in a manner consistent with LEARN policy generally and the notice requirements of your position specifically. Exceptions will be made only in extraordinary circumstances.

G. Medical Certification: An employee taking an FMLA leave for a medical reason, maternity leave, or sick leave of more than five (5) consecutive work days must submit a written request and medical certification, unless otherwise provided by collective bargaining agreement. If you need to take such leave, you will be provided with forms that you and your health care provider must fill out. These forms must be returned to LEARN.

Upon receiving these forms, LEARN may ask you for your permission to contact your health care provider. You need not grant permission but if you do not, your leave may be denied. If you grant permission, then by law LEARN is only allowed to ask your health care provider for clarification of information on the form and/or authentication of the form.

LEARN may require an employee to obtain a second or third opinion at LEARN's expense. This will be considered on a case-by-case basis.

When FMLA/Servicemember leave is taken for the care of someone other than the employee, LEARN may require medical certification for the son, daughter, spouse, or parent of the employee, or of the next of kin of an individual in the case of Servicemember leave. Forms will be provided for this purpose, which must be returned to LEARN.

H. Other Medical Certification: While an employee is out on leave, LEARN may require additional reports regarding the employee's status and intent to return to work, which may include recertification(s) from a health care provider.

An employee who took leave because of his or her own serious health condition may be required to provide a fitness-for-duty certification (medical clearance) before returning to work. Typically, this will be required when an employee was absent from work for more than five (5) consecutive work days. Under some circumstances the executive director may require medical clearance after a shorter absence. This will occur at the executive director's discretion and factors will include but not be limited to, the nature of the employee's health condition, the functions of the employee's position, the nature of the employee's initial medical certification(s) and evidence of abuse of leave entitlements.

I. Using Paid Leave Concurrently with FMLA Leave: You have the option of taking paid time off at the same time you are using FMLA leave. In any case where you decide to take paid time concurrently with FMLA leave, you will be counted as having used accrued paid leave and FMLA leave in the same amount. For vacation, personal, and sick leave, leave may be used as follows:

- *Vacation* and *personal* leave may be used concurrently with leave taken to care for an employee's child after birth or placement for adoption or foster care and/or care of the employee's son, daughter, spouse, or parent with a serious health condition.
- *Vacation, personal, sick, and, if applicable, Connecticut statutory paid sick* leave may be used concurrently with leave taken for a serious health condition that makes an employee unable to do his or her job.

In all other cases where an employee is eligible for both paid leave and FMLA leave, including situations where an employee may receive pension, disability or workers' compensation benefits, the paid leave will be used consecutively with the paid leave.

In the event that no paid leave of any sort is available to an employee to use concurrently with FMLA leave, FMLA leave will be unpaid.

In all cases where an employee is taking unpaid child rearing leave, unpaid special leave, or other unpaid leave granted at the discretion of LEARN, and such leave would also qualify as FMLA leave, the leave will be counted against an employee's FMLA entitlement.

LEARN will notify you that paid leave is being used concurrently with, and counted against, FMLA leave. LEARN will normally notify you in writing or confirm oral notification in writing.

J. Intermittent Leave and Leave near the end of an Academic Term: The FMLA has special rules affecting the taking of intermittent leave, leave on reduced leave schedule, or leave near the end of an academic term.

Leave may be taken intermittently or on a reduced work schedule for medical reasons only, not for child rearing purposes. In all cases of individuals taking intermittent leave, FMLA leave will be credited against an employee's FMLA entitlement in units no larger than one hour. That is, an employee taking two and one-half hours leave as intermittent FMLA leave, would be credited three hours of FMLA leave taken. These regulations will have no effect on any collective bargaining agreement provisions that may provide differently for the crediting of other leave.

Unless a collective bargaining agreement provides otherwise, if LEARN determines that the intermittent leave would be disruptive to LEARN operations, LEARN may require the employee to transfer to a temporary alternative job for which the employee is qualified and that better accommodates the intermittent or reduced hours leave. The temporary position will have rank, pay, and benefits equivalent to the employee's regular job.

Special rules apply to instructional employees. Instructional employees are those employees whose principal function is to teach and instruct students, which includes not only teachers, but coaches, special instructors and some assistants and aides.

Some instructional employees requesting intermittent leave or a reduced scheduled leave may be required to choose between taking leave for the entire period of the intermittent leave or transferring temporarily to an alternative position for which the employee is qualified. This will occur in those situations where the intermittent leave would involve the employee being absent for more than twenty (20%) percent of the working days during the period over which the leave extends.

An instructional employee requesting leave near the end of an academic term may be required to remain on leave through the end of the term. Whether an instructional employee will be required to do so will depend on when the leave is requested and the number of weeks remaining in the

term. Instructional employees requesting intermittent leave, reduced schedule leave, or leave near the end of an academic term and having questions regarding these restrictions should contact Personnel Coordinator or the Director of Executive Services.

K. Health Benefits: Group health insurance benefits will continue during an employee's FMLA leave. Employees making co-pay contributions to their health insurance must continue to do so. If paid leave is used concurrently with FMLA leave, any co-pay contributions will be paid by the method used prior to their leave (e.g., payroll deduction). If FMLA leave is unpaid, insurance payments must be paid in the manner designated by LEARN. The employee will be notified in writing of the terms and conditions by which these payments must be made. If an employee chooses not to return to work after taking FMLA leave, the employee will be required to reimburse LEARN for premiums paid by LEARN to maintain the employee's health coverage.

L. Returning to the Job: An employee returning from FMLA leave will be returned to the employee's same position or to an equivalent position. If the employee would not have been employed at the time he or she returned from work, then LEARN need not reinstate the employee (e.g., an employee would have been laid off or the employee's shift was eliminated during the FMLA leave).

Employees who are unable to return to work after exhausting their FMLA leave entitlement, or who would not otherwise have been employed, or have not been granted an extension of their leave of absence will be separated from employment.

IV. Servicemember and Exigency Leave

A. Service Member Leave. An eligible employee who is the spouse, son, daughter, parent (but not parent-in-law), or next of kin of a covered service member may take time off from work to care for the servicemember. "Next of kin" means the nearest blood relative of that individual -- other than spouse, parent, son or daughter.

1. **Covered Servicemember:** A Covered Servicemember is,
 - a. a member of the Armed Forces, including a member of the National Guard or Reserves, or
 - b. a veteran who, at any time in the five (5) years prior to his or her medical treatment, was a member of the Armed Forces, including the National Guard or Reserves, and
 - c. who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
2. The following are what these terms mean in the paragraphs above:
 - a. "Outpatient Status" means the Servicemember is assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of

providing command and control of members of the Armed Forces receiving medical care as outpatients.

- b. "Serious injury or illness", means,
 - i. an injury or illness incurred by the member before the member's active duty and was aggravated by service in the line of duty while on active duty, or
 - ii. an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
3. **Time Off:** An eligible employee otherwise entitled to this leave may take a total of 26 workweeks of leave during a 12-month period to care for the Servicemember.
4. **Limitations on Time Off:** Leave for care of a servicemember shall only be available during a single 12-month period. Exceptions to this rule may apply for new injuries incurred during later deployments and/or time needed to care for a second servicemember. If you think you may fall into one of these exceptions, please contact the Personnel Coordinator or the Director of Executive Services for more details.

B. Exigency Leave: Eligible employees may take FMLA leave for a qualifying exigency. In order to take this leave, an otherwise eligible employee must have a spouse, son, daughter, or parent who a member of the regular or reserve components of the Armed Forces and who is deployed to any foreign country.

1. **Types of Exigency Leave:** An eligible employee may take exigency leave for the following purposes:
 - a. Short notice deployment.
 - b. Military events and related activities.
 - c. Childcare and school activities.
 - d. Financial and legal arrangements.
 - e. Counseling.
 - f. Rest and recuperation.
 - g. Post-deployment activities.
 - h. Additional activities.

A worksheet has been provided as Appendix 2 of this policy to assist you in understanding whether you may be entitled to take exigency leave. If you have any questions regarding exigency leave, please contact the Personnel Coordinator or the Director of Executive Services.

2. **Time Off:** An eligible employee otherwise entitled to this leave may take a total of 12 workweeks of leave during a 12-month period for Exigency Leave.

C. Servicemember, Exigency, and other Leave. At times, Servicemember, Exigency, traditional FMLA, or other types of leave may occur at the same time.

1. **Combining Servicemember leave with other Types of FMLA leave:** During the single 12-month period allowed for Servicemember Leave, an eligible employee may take only a combined total of 26 workweeks of leave, regardless of whether such leave is just Servicemember leave or it is any combination of Servicemember, Exigency and other FMLA leave.
2. **Using Paid Leave Concurrently with Servicemember or Exigency Leave:** You have the option of taking paid time off at the same time you are using Servicemember or Exigency leave leave.
 - a. In any case where you decide to take paid time concurrently with Servicemember or Exigency leave leave, you will be counted as having used accrued paid leave and Servicemember or Exigency leave leave in the same amount.
 - b. In the event that no paid leave of any sort is available to an employee to use concurrently with Servicemember or Exigency leave, the leave will be unpaid.
 - c. LEARN will notify you that paid leave is being used concurrently with, and counted against, Servicemember or Exigency leave. LEARN will normally notify you in writing or confirm oral notification in writing.
3. **Advance Notice:** In any case in which the necessity for Servicemember or exigency leave is unforeseeable, the employee shall provide such notice to the LEARN as soon as is reasonable and practicable.
5. **Intermittent Leave:** Servicemember and Exigency leave may be taken intermittently, consistent with the FMLA intermittent leave described above.

V. Maternity Leave and Transfer

A. The Basic Entitlement: Employees are entitled to a reasonable leave of absence for disability resulting from pregnancy. This includes disability occurring both before and after the birth of the child. An employee taking such leave must provide a medical certification from a health care provider in the same manner and under the same timeframes as she would for FMLA leave.

B. Interaction with the FMLA: When an employee's disability also qualifies as a serious health condition under the FMLA, the two types of leave will run at the same time. When this happens, the leave will be counted against the employee's FMLA leave entitlement.

C. Health Benefits: While on maternity leave, an employee will be eligible to receive the same

disability benefits as an employee on a medical leave of absence. In the event no paid days are available, leave will be unpaid. When an employee indicates her intent to return to work her original job or an equivalent position will be made available to her.

D. Potential Injury: If a pregnant employee reasonably believes that continued work in her current position might cause injury to herself or the fetus, she should give written notice to LEARN. LEARN will make a reasonable effort to transfer the pregnant employee to a suitable temporary position. Such an employee will not be eligible for a transfer without providing LEARN with written notice. LEARN's decision regarding the request for transfer may be appealed to the Connecticut Commission on Human Rights.

Appendix 1 - Serious Condition Checklist

Always check with Human Resources to see if you are eligible for leave

1. Inpatient care

In order to qualify for FMLA leave as inpatient care, you must meet the following criteria:

- Had an overnight stay in a hospital, hospice, or residential medical care facility, and
- Experienced any period of incapacity, which means the inability to work, attend school or perform other regular daily activities.

Or you need to have the following:

- Subsequent treatment in connection with this inpatient care.

Appendix 1 - Serious Condition Checklist

Always check with Human Resources to see if you are eligible for leave

2. **Incapacity Accompanied by Treatment**

In order to qualify for FMLA leave because of incapacity accompanied by treatment, you must meet the following criteria:

- You must have had a period of incapacity of more than three (3) consecutive, full calendar days.

In addition, you need to have experienced at least one of the following and it must be related to the same condition:

- Two or more treatments within 30 days of the first day of incapacity.
 - The treatments must be by one of the following:
 - A health care provider,
 - A nurse under direct supervision of a health care provider, or
 - A provider of health care services (*e.g.*, physical therapist) under orders of, or on referral by, a health care provider.
- At least one treatment by a health care provider that results in a regimen of continuing treatment under the supervision of the health care provider.

In addition, the following requirements must be met:

- Treatment by a health care provider must be an in-person visit to the health care provider.
- The first (or only) in-person treatment visit must take place within seven days of the first day of incapacity.

Additional Information

The requirement of two or more treatments occurring within 30 days is subject to extenuating circumstances. “Extenuating circumstances” means circumstances beyond the employee’s control that prevent the follow-up visit from occurring as planned by the health care provider. Whether a set of circumstances are extenuating depends on the facts. If you have any questions regarding extenuating circumstances, please contact the Personnel Coordinator or the Director of Executive Services.

Appendix 1 - Serious Condition Checklist

Always check with Human Resources to see if you are eligible for leave

3. Pregnancy or prenatal care

You are eligible for FMLA leave for any period of incapacity due to pregnancy or prenatal care.

Additional Information

Absences for this type of leave qualify for FMLA leave even though the employee or the covered family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three consecutive, full calendar days.

For example, an employee who is pregnant may be unable to report to work because of severe morning sickness.

Appendix 1 - Serious Condition Checklist

Always check with Human Resources to see if you are eligible for leave

4. **Chronic Serious Health Condition**

In order to qualify for FMLA leave because of chronic serious health conditions, you must have a condition that meets the following criteria¹:

- It requires periodic visits for treatment by a health care provider, or by a nurse under direct supervision of a health care provider.²
- It continues over an extended period of time, which includes recurring episodes of a single underlying condition.
- It may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

Additional Information

Absences for this type of leave qualify for FMLA leave even though the employee or the covered family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three consecutive, full calendar days.

For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level.

¹ You can take this type of leave both for your incapacity resulting from the condition as well as your treatments for the condition.

² Periodic visits are defined as at least twice a year.

Appendix 1 - Serious Condition Checklist

Always check with Human Resources to see if you are eligible for leave

5. Permanent or long-term conditions.

In order to qualify for FMLA leave because of permanent or long term conditions, you must have a condition that meets the following criteria:

- You must have experienced a period of incapacity that is permanent or long-term
- The incapacity must be the result of a condition for which treatment may not be effective.
- You or your affected family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.

Additional Information

Examples of a permanent or long-term condition include Alzheimer's, a severe stroke, or the terminal stages of a disease.

Appendix 1 - Serious Condition Checklist

Always check with Human Resources to see if you are eligible for leave

6. Conditions requiring multiple treatments.

In order to qualify for FMLA leave because of conditions requiring multiple treatments, you must have circumstances that meet the following criteria:

- You must have any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, for:
 - Restorative surgery after an accident or other injury; or
 - A condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

This checklist is to assist you understand whether you may be eligible for FMLA Exigency Leave. On this checklist, the servicemember is referred to as the “covered military member,” which is the formal term used by the FMLA regulations.

1. Basic FMLA Eligibility

- Basic FMLA eligibility requirements met.

2. Active Duty Eligibility

- The eligible employee has a spouse, son, daughter, or parent is on active duty or a call to active duty status.
- If it is the eligible employee’s son or daughter on active duty or call to duty, the following criteria are met:
 1. The individual is the employee’s biological, adopted, or foster child, stepchild, legal ward, or
 2. The individual is a child for whom the employee stood in loco parentis, **and**
 3. The individual is of any age.

- The call to active duty refers to a Federal call to active duty.

(State calls to active duty are not covered unless under order of the President of the United States pursuant to one of the provisions of law listed in the next checklist item).

- The active duty or call to active duty status, which includes notification of an impending call or order to active duty involves deployment to a foreign country:
 - *Section 688 of Title 10 of the United States Code*, which authorizes ordering to active duty retired members of the Regular Armed Forces and members of the retired Reserve who retired after completing at least 20 years of active service;
 - *Section 12301(a) of Title 10 of the United States Code*, which authorizes ordering all reserve component members to active duty in the case of war or national emergency;
 - *Section 12302 of Title 10 of the United States Code*, which authorizes ordering any unit or unassigned member of the Ready Reserve to active duty;
 - *Section 12304 of Title 10 of the United States Code*, which authorizes ordering any unit or unassigned member of the Selected Reserve and certain members of the Individual Ready Reserve to active duty;
 - *Section 12305 of Title 10 of the United States Code*, which authorizes the suspension of promotion, retirement or separation rules for certain Reserve components;
 - *Section 12406 of Title 10 of the United States Code*, which authorizes calling the National Guard into federal service in certain circumstances;
 - *Chapter 15 of Title 10 of the United States Code*, which authorizes calling the National Guard and state military into federal service in the case of insurrections and national emergencies;
 - Any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

- The covered military member is a member of one of the following:

- A member of a regular component of the Armed Forces.
- The reserve components (Army National Guard of the United States, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard of the United States, Air Force Reserve and Coast Guard Reserve), or

- A retired member of the Regular Armed Forces or Reserve.

3. Exigency Leave Eligibility

Eligible employees may take FMLA leave for one or more of the following qualifying exigencies:

(1) Short-notice deployment.

- To address any issue that arises from the fact that a covered military member is notified of an impending call or order to active duty in support of a contingency operation seven or less calendar days prior to the date of deployment.

(Leave taken for this purpose can be used for a period of seven calendar days beginning on the date a covered military member is notified of an impending call or order to active duty in support of a contingency operation).

(2) Military events and related activities.

- To attend any official ceremony, program, or event sponsored by the military that is related to the active duty or call to active duty status of a covered military member.
- To attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member

(3) Childcare and school activities.

- To arrange for alternative childcare to a child³ because the active duty or call to active duty status necessitated the change in the existing childcare arrangement.
- To provide childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis) when the need to provide such care arises from the active duty or call to active duty status.
- To enroll in or transfer to a new school or day care facility a child, when enrollment or transfer is necessitated by the active duty or call to active duty status.
- To attend meetings with staff at a school or a daycare facility, such as meetings with school officials regarding disciplinary measures, parent-teacher conferences, or meetings with school counselors, for a child, when such meetings are necessary due to circumstances arising from the active duty or call to active duty status.

(4) Financial and legal arrangements.

- To make or update financial or legal arrangements to address the covered military member's absence while on active duty or call to active duty status.
 - Examples include preparing and executing financial and healthcare powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), obtaining military identification cards, or preparing or updating a will or living trust.

³ As used in this checklist, "child" means a biological, adopted, or foster child, a stepchild, or a legal ward of the covered military member, or a child for whom the covered military member stands in loco parentis, who is either under age 18, or age 18 or older and incapable of selfcare because of a mental or physical disability at the time that FMLA leave is to commence

- To act as the covered military member's representative before a federal, state, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the covered military member is on active duty or call to active duty status, and for a period of 90 days following the termination of the covered military member's active duty status.

(5) Counseling.

- To attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or for a child of the covered military member, provided that the need for counseling arises from the active duty or call to active duty status.

(6) Rest and recuperation.

- To spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment.

(Eligible employees may take up to five days of leave for each instance of rest and recuperation).

(7) Post-deployment activities.

- To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status.
- To address issues that arise from the death of a covered military member while on active duty status, such as meeting and recovering the body of the covered military member and making funeral arrangements.

(8) Additional activities.

- To address other events which arise out of the covered military member's active duty or call to active duty status provided that the employer and employee agree that such leave shall qualify as an exigency, and agree to both the timing and duration of such leave.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave

for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

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

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice.

Regulations 29 C.F.R. § 825.300(a) may require additional disclosures

For additional information: 1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

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EMPLOYEE SAFETY

It is the obligation of LEARN to promote safe work practices and to maintain a safe work environment in an effort to minimize the incidence of illness and injury experienced by its employees. Thus, LEARN recognizes its responsibility to limit occupational exposure for its employees to blood and other potentially infectious materials.

The LEARN Board of Directors herewith establishes as policy the protection of its employees from bloodborne pathogens and other potentially infectious materials and authorizes the Executive Director to establish procedures to ensure such protection.

Reference: OSHA Bloodborne Pathogens Standard (29 CFR 1910.1030)
(Federal Register 12/6/91)

Policy adopted: January 14, 1993
LEARN

EMPLOYEE SAFETY PROCEDURES

The following procedures have been established to ensure the protection of employees in the workplace:

1. Each employee will be required to complete an OSHA Bloodborne Pathogens Training Session at the time of hire. Individual sessions may be held if deemed necessary by the LEARN nurse or Program Director. Annual training will be required especially for those individuals in positions/programs identified as Risk Category I or II in LEARN's Exposure Control Plan.
2. Each site will have a copy of the LEARN Exposure Control Plan available. The Exposure Control Plan will be reviewed on an annual basis.
3. A file will also be maintained at each location with instructions on steps to take in the event of an employee injury. The Personnel Coordinator or his/her designee must be notified within 24 hours of such injury.
4. The LEARN Worksite Safety Committee will review employee injuries and safety procedures as part of their annual responsibilities. Recommendations may be made based on this review.

REVIEW PROCEDURE FOR DISCIPLINARY TERMINATIONS

The following review procedure is available to all non-certified, non-bargaining unit employees who have been terminated from employment for disciplinary reasons.

- 1. Within ten (10) week days from receipt of the notice of termination of employment from the Executive Director, the affected employee may request a meeting with a committee of the Board of Directors. This committee may consist of at least three board members.**
- 2. The committee shall meet with the terminated employee within fifteen (15) week days from the date of the request. Should the committee be unable to meet within that time frame, the Executive Director shall set another date convenient to all parties.**
- 3. The committee shall listen to the employee who shall state the reasons that he/she feels that he/she should not have been terminated. The committee shall then consult with the Executive Director regarding the facts surrounding the termination.**
4. The terminated employee may attend the meeting with a fellow LEARN employee.
5. The committee's decision on the termination shall be in writing and shall be final and binding on all parties. The committee shall render its decision within a reasonable time after meeting with the terminated employee.

DANGEROUS WEAPONS

No employee of LEARN or other person shall possess or store a dangerous weapon on LEARN property, including LEARN owned vehicles, or on any property where LEARN conducts any of its programs or shall possess such weapon while he/she is with LEARN students or clients.

Dangerous weapon means any weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles.

This policy shall not apply to an employee or other person who is permitted by agreement in writing signed by the Executive Director to possess a firearm on LEARN property as long as the employee or other person complies with the terms of said agreement. This policy shall not apply to a peace officer, as defined in subdivision 9 of Section 53a-3 of the Connecticut General Statutes while engaged in the performance of his/her official duties.

Any employee violating this policy shall be subject to immediate disciplinary action up to and including termination of employment. Any other person violating this policy shall be considered a trespasser and subject to arrest.

Policy adopted: April 9, 1998
LEARN

JOB ABANDONMENT

If an employee is absent for three consecutive work days without contacting LEARN, he or she will be considered to have voluntarily terminated employment with LEARN.

Policy Adopted: April 8, 1999
LEARN

Job Abandonment Procedures

LEARN expects all employees to be present and ready to work at their appointed starting time. Any absence or anticipated late arrival should be communicated to the Program Director or his/her designee as soon as possible prior to the start of the working day. Failure to properly notify LEARN will result in an unexcused absence. Unexcused and/or excessive tardiness or absences may result in disciplinary action, up to and including discharge. If an employee is absent for three consecutive days without contacting LEARN, he or she will be considered to have voluntarily terminated employment with LEARN.

PROHIBITION OF WORKPLACE VIOLENCE

LEARN, in order to provide a safe and productive work environment, hereby adopts the following policy regarding workplace violence.

Each employee shall have the right to work in an environment free from violence. Employees are prohibited from committing any act of violence on or towards another person at any LEARN location or worksite. Violence is defined under this policy as acts of physical force against a person; assault; battery, intentionally placing hands upon another with the intent of harming another; intentionally causing harm to another through using any device, weapon, or object; provoking another employee or individual to harm another person.

Each employee shall have the right to work in an environment free from threats of violence and from verbal abuse. Threats of violence shall be defined as the use of words or phrases indicating an intent to do physical harm to another. Verbal abuse shall include use of obscene or offensive language designed to humiliate, denigrate, belittle or provoke another person. This shall include the use of racial epithets.

Any employee who witnesses or is subject to an act of violence, use of threatening language, or verbal abuse as described in this policy shall immediately notify their supervisor of such act. An employee may choose to directly notify the Director of Executive Services and/or the Executive Director. Any supervisor so notified shall take any necessary remedial measure to ensure the safety of employees and other persons in the immediate area and shall immediately inform the Executive Director and the Director of Executive Services. The Executive Director and/or his/her designee shall promptly investigate the report and take all necessary appropriate actions.

Any employee who violates this policy will be subject to the imposition of discipline, up to and including termination.

Policy adopted: 1/13/00

LEARN

PRINTING AND DUPLICATING SERVICES

In compliance with Public Law 94-553, copyrighted materials shall not be duplicated by LEARN employees or on LEARN equipment in violation of the exclusive rights of the holders of the copyright on such materials.

Copyrighted materials may be duplicated with the prior written permission of the copyright holder, or where the duplication constitutes a "fair use" of the materials as that term is defined by law.

LEARN assumes no liability for infringement of copyright by individual employees.

Policy Adopted: September 12, 1996

LEARN

3602

Non-instructional

4152/4252

Personnel-Certified/Noncertified**LEARN COMPUTERS**

Recognizing that computer software piracy is a major problem for the industry, the following procedures shall be instituted to discourage violation of copyright laws and to prevent related illegal activities at LEARN:

1. No illegal copies of copyrighted programs may be made or used on LEARN equipment.
2. Legal back-up copies of copyrighted programs will be protected to prevent unauthorized additional copies.

Policy Adopted: September 12, 1996
LEARN

COMPUTER USE, E-MAIL, AND INTERNET POLICY

Introduction

LEARN believes in the educational value of electronic communications and recognizes their potential to support LEARN's educational program. Resource sharing and communication for both students and teachers have increased with access to telecommunications and to the Internet. It is imperative that members of LEARN's community conduct themselves in a responsible manner consistent with federal and state law while utilizing the Internet and any other electronic information retrieval system.

This policy applies to all users of LEARN's computer network. This is true, regardless of where the users may be located. Violations will be taken seriously and may result in disciplinary action and civil or criminal liability. It is every user's duty to use the computer resources responsibly, professionally, ethically and lawfully.

What are "Computer Resources"?

When used in this policy, the term computer resources refers to LEARN's entire computer network. The term includes, but is not limited to, the computer system, file servers, application servers, communication servers, mail servers, fax servers, web servers, work stations, stand alone computers, laptops, software, data files, cell phones, smart phone's, PDA's, GPS devices, iPods and all internal and external computer and communications networks (for example, Internet, commercial on-line services, value-added network, e-mail systems) that may be accessed directly or indirectly from LEARN's computer network.

Who is a User

When used in this policy, the word "user" refers to all employees, students, independent contractors, consultants, temporary workers, and other persons or entities who use or come into contact with LEARN's computer resources.

Ownership of the Computer Resources

The computer resources are the property of LEARN. Access to the computer resources is provided solely for the purpose of carrying out the educational and operational needs of LEARN. All use of the computer resources must be supportive of LEARN's educational objectives and must be consistent with academic expectations. Use of computer resources is a privilege that may be revoked at any time.

No Expectation of Privacy

Users should never consider electronic communication to be either private or secure. E-mail can be stored indefinitely on any number of computers. Copies of messages may be forwarded to others either electronically or on paper. In addition, e-mail sent to non-existent or incorrect user names may be delivered to persons that were never intended.

LEARN has the right, but not the duty, to monitor any and all aspects of its computer system. Users consent to allowing LEARN to access and review all materials users create, store, send or receive on the computer system or through the Internet or any other computer network.

Users understand that LEARN may use human or automated means to monitor use of the computer resources. Such monitoring may include, but is not limited to, monitoring sites visited by users on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users.

Use of passwords to gain access to the computer system or to encode particular files or messages does not imply that users have an expectation of privacy in such access or materials. LEARN has global passwords that permit it to access all material stored on the computer system, regardless of whether that material has been encoded with a particular user's password.

Quality and Format of Communications

Users should endeavor to make each electronic communication truthful and accurate. Individuals should use the same care in drafting e-mail and other electronic documents as they would for any other written communication. Please keep in mind that anything created or stored in the computer systems may, and likely will, be reviewed by others.

E-mail sent from or to in-house counsel or an attorney representing LEARN should include this warning header on each page:

“Attorney client privilege: do not forward without permission.”

Offensive Material

LEARN has complied with the Children's Internet Protection Act requirements by implementing a “Technology Protection Measure,” for all users, that is, specific technology that blocks or filters Internet access. This includes the installation of a designated server and specific software that may block or filter pre-selected sites; by word; entire categories such as chat and newsgroups or by pre-selected lists of approved sites. The measures used to block or filter a site may be disabled during use by an adult to enable access to bona fide research or other lawful purpose.

The filtering system shall be in addition to all other efforts and is not considered to be a foolproof approach to preventing access to materials considered inappropriate or harmful to minors. The user is advised that misuse of the Internet as it relates to visual depictions that are obscene, child pornography, or harmful to minors, is consistent with the other components in LEARN's Computer use, E-mail and Internet Policy.

The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of

unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk. LEARN is not responsible for material viewed or downloaded by users from the Internet.

LEARN will monitor the online activities of minors and educate minor students about "appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response."

Prohibited Activities

Users may not send material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate. It does not matter how such material is sent, whether it is by e-mail or other form of electronic communication, such as bulletin board systems, news groups, or chat groups. Further, such material may not be displayed on or stored in LEARN's computers. Users encountering or receiving such material should immediately report the incident to the administration.

Users must not alter the from line or other attribution-of-origin information in e-mail, messages or postings. Anonymous or pseudonymous electronic communications are forbidden. Users must identify themselves honestly, and accurately when participating in chat groups, making postings to news groups, sending e-mail, or otherwise communicating on-line.

Without prior written authorization from the administration, users may not do any of the following:

- Copy software for use on their home computers;
- Provide copies of software to any independent contractors or clients of LEARN or to a third person;
- Open/tamper with or install hardware on workstations without authorization;
- Remove software from LEARN premises;
- Download Astreaming content for extended periods of time (i.e. Areal audio, etc.)
- Install software on any of LEARN's work stations or servers;
- Download any software from the Internet or other on-line service to any of LEARN's work stations or servers;
- Modify, revise, transform, recast, or adapt any software; or
- Reverse engineer, disassemble or decompile any software.

Users who become aware of any such misuse of software or violation of copyright law should immediately report the incident to the administration.

Unless expressly authorized by the administration, sending, transmitting, or otherwise disseminating proprietary data or other confidential information is strictly prohibited. Unauthorized dissemination of this information may result in civil liability.

All student use of the computer resources will be consistent with this policy. Encouraging, allowing or ignoring student use of the computer resources in a manner contrary to this policy is strictly prohibited.

Copyright

In their use of computer resources, users must comply with all software licenses; copyrights, and all other state, federal and international laws governing intellectual property and on-line activities.

The ability to read, alter, or copy a file belonging to another user does not imply permission to read, alter, or copy that file. Users may not alter or copy a file belonging to another user without first obtaining permission from the owner of the file.

Security

Users are responsible for safeguarding their passwords for access to the computer system. Individual passwords should not be printed, stored on-line, or given to others. Users are responsible for all transactions made using their passwords. No user may access the computer system with another users password or account.

Users may not use the computer system to “snoop or pry” into the affairs of other users by unnecessarily reviewing their files and e-mail. A user’s ability to connect to another computer system through the network or by a modem does not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the operators of those systems.

Each user is responsible for ensuring that use of outside computers and networks, such as the Internet, does not compromise the security of the LEARN computer resources. This duty includes taking reasonable precautions to prevent intruders from accessing LEARN’s network without authorization and to prevent the introduction and spread of viruses.

Viruses

Viruses can cause substantial damage to computer systems. Each user is responsible for taking reasonable precautions to ensure he or she does not introduce viruses into LEARN’s network. To that end, all material received on magnetic or optical media and all material downloaded from the Internet or from computers or networks that do not belong to LEARN’s system must be scanned for viruses and other destructive programs. Such scanning must be performed prior to placing the material onto LEARN’s computer system. Users should understand that their home computers and laptops might contain viruses. All disks transferred from these computers to LEARN’s network must be scanned for viruses.

To ensure security and avoid the spread of viruses, users who access the Internet through a computer attached to LEARN’s network must do so through an approved Internet firewall accessing the Internet directly, by modem is strictly prohibited unless the computer you are using is not connected to LEARN’s system.

Encryption Software

Users may not install or use encryption software on any of LEARN's computers without first obtaining written permission from the administration. Users may not use passwords or encryption keys that are unknown to the administration.

The federal government has imposed restrictions on the export of programs or files containing encryption technology. Software containing encryption technology is not to be placed on the Internet or transmitted in any way outside of the United States without prior written authorization from the administration.

Approved: Interim Approval 1/13/00

Approved: 2/10/00

Revised: 6/13/02

Revised: 01/08/2009

Revised: 10/08/2009

Revised: 01/12/2012

LEARN

4154/4254
Personnel – Certified/Noncertified

PROHIBITION ON RECOMMENDATIONS FOR PSYCHOTROPIC DRUGS

LEARN prohibits school personnel from recommending the use of psychotropic drugs for any child. For the purposes of this policy, the term “recommend” shall mean to directly or indirectly suggest that a child should use psychotropic drugs.

Notwithstanding the foregoing, school medical staff may recommend that a child be evaluated by an appropriate medical practitioner.

Nothing in the policy shall be construed to prohibit a planning and placement team from discussion with parents and/or guardians of a child the appropriateness of consultation with, or evaluation by, medical practitioners; or to prohibit school personnel from consulting with appropriate medical practitioners with the consent of the parents and/or guardians of a child.

Legal Reference: Public Act 01-124

Policy Adopted: October 11, 2001
LEARN

Bylaws of the Board
4156/4256
Personnel- Certified/Non-certified

PERSONNEL--CERTIFIED/NON-CERTIFIED NEPOTISM
EMPLOYMENT OF RELATIVES

No person may be employed if that employment creates a conflict of interest to LEARN as a result of their relationship to a member of the Board of Directors or other employees of LEARN.

The following rules shall govern conflict of interest in the employment of staff:

1. No spouse, child, dependent or significant other of a Board of Directors member shall be appointed to a full-time position in this organization.
2. Persons otherwise related to a Board of Directors member may be employed following full disclosure of the relationship in a public meeting. Persons previously employed by LEARN prior to the election of the Board of Directors member directly related to them may continue employment with LEARN.
3. A spouse, child, dependent or significant other of a Board of Directors member may be employed for a limited term (six months or less) or less than half-time on a competitive basis among persons who are eligible.
4. Persons related in any way to a member of the staff shall not be appointed to a position that is in a line relationship involving supervision and evaluation of the position. Members of the same family not subject to this conflict may be employed in the same department or location if approved in writing by the Executive Director.

It is the intent of these rules to avoid any situation where a conflict of interest can arise either on the part of the member of the Board of Directors or a member of the administrative staff.

Policy adopted: December 12, 1990
Revised: January 8, 2004
LEARN

4158/4258

**Personnel-
Certified/Noncertified****9317
Bylaws of the
Board****CONFLICT OF INTEREST**

No employee, or member of the Board of Directors of LEARN shall engage in any transaction, or shall have a financial interest or other personal interest which is incompatible with the proper discharge of official duties, or would tend to impair official duties. No employee or member of the Board of Directors shall grant any special consideration, treatment, favor, or advantage, to any person.

Specific conflicts of interest are hereby set forth, but are not limited to, the following, for the guidance of all employees and Board members.

- a. **Incompatible Employment**
No employee or member of the Board of Directors shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of official duties, or would tend to impair the independence of judgment or action in the performance of official duties.
- b. **Use of Facilities**
No employee or member of the Board of Directors shall request or permit the use of LEARN owned vehicles, equipment, facilities, materials, or property for personal convenience or profit, except when such are available to the public generally or are provided by LEARN policy for the use of such individual in the interest of LEARN.
- c. **Gifts and Favors**
No employee or member of the Board of Directors or his/her immediate family shall accept a gift, favor, loan or promise, which might tend to influence the performance or non-performance of official duties.
- d. **Disclosure of Confidential Information**
No employee or member of the Board of Directors shall, without proper authorization and as defined by statute, disclose confidential information concerning the property, government, or affairs of LEARN, nor shall such information be used to advance the financial or private interest of the Board member, employee or others.
- e. **Failure to Comply**
Any employee or Board member who violates this policy will be subject to disciplinary action, up to and including discharge.

Disclosure of Interest

Any employee or member of the Board of Directors having a financial interest or other personal interest in any transaction with LEARN or in any action to be taken by LEARN, shall first divulge and disclose such interest in writing to the Board, and shall further refrain from using the office to exert influence or vote on such transaction or action. Any member of the Board of Directors shall excuse himself/herself from deliberations, discussions and voting on any matter in which such Board member has an interest.

“Interest” will mean any pecuniary or material benefit accruing to a Board member, or employee, their relatives or close associate resulting from a contractual relationship with LEARN.

Policy Adopted: November 8, 2007 LEARN

Occupational Exposure to Bloodborne Pathogens

LEARN is committed to promoting a safe and healthful work environment for its employees. In pursuit of this goal and in accordance with the United States Department of Labor, Occupational Safety and Health Administration (OSHA) regulations dealing with “Safe Workplace” standards relating to exposure to Bloodborne Pathogens, the following will be the procedures of LEARN for at risk personnel.

LEARN will establish a written Exposure Control Plan in accordance with the federal standards for dealing with potentially infectious materials in the workplace to protect employees from possible infection due to contact with Bloodborne Pathogens. Pursuant to these procedures, the district will take reasonably necessary actions to protect its employees from infectious disease and in particular H.I.V. and H.B.V. infection.

LEARN will provide the training and protective equipment to those persons who are at risk by virtue of their job performance and may come in contact with infectious disease. Furthermore, all LEARN personnel defined by the Occupational Safety and Health Administration and the district who may come in contact with blood and body fluids will be offered the vaccine for the Hepatitis B Virus which is a life threatening Bloodborne Pathogen. The vaccination will be done at no cost to the personnel and is provided as a precaution for personnel safety.

Legal Reference:

29 CFR Part 1910.1030 OSHA Bloodborne Pathogens standards

Policy adopted: January 8, 2015
LEARN

4160/4260
Personnel- Certified/Non Certified
5162
Students

STUDENTS/STAFF WITH HIV, ARC, (AIDS Related Complex) or AIDS

Scientific studies show that the Human Immuno-deficiency Virus (HIV), the virus which causes the acquired immunodeficiency syndrome (AIDS) or ARC (AIDS Related Complex), is transmitted through sexual intercourse with an infected individual or through exposure to contaminated blood or needles. There is no evidence to support the notion that the HIV virus can be transmitted through ordinary school or household activities, e.g. coughing, sneezing, hugging, sharing of utensils or food, or shaking hands.

The anonymity of individuals with HIV infection or AIDS is protected by law. Moreover, individuals with HIV infection or AIDS are protected from discrimination by both federal and state laws. Neither attendance at school nor employment may be denied to an individual with HIV infection or AIDS. It is the policy of the District that no student or staff member with HIV infection or AIDS may be prohibited from attending school/employment unless there is an immediate risk of injury or harm to the individual or to others.

Because the diagnosis of HIV infection or AIDS is a confidential matter between the individual student or staff member and his or her physician, LEARN may be unaware of the diagnosis. Consequently, the LEARN board has adopted a policy of “universal precautions” which protects all students and staff from contact with blood and body fluids of others. These precautions are enumerated in the Bloodborne Pathogen policy.

(cf. – 4147.1/4247.1 Bloodborne Pathogens)

Legal Reference:
 Connecticut General Statutes

10-76(d)(15) Duties and powers of boards of education to provide special education programs and services

10-154a Professional communications between teacher or nurse and student

10-207 Duties of medical advisors

10-209 Records not to be public

10-210 Notice of disease to be given parent or guardian 19a-221 Quarantine of certain persons

19a-581-585 AIDS testing and medical information

Policy adopted: May 14, 2015
 LEARN