

NEW HAVEN PUBLIC SCHOOLS

PERSONNEL-CERTIFIED & NON -CERTIFIED

SERIES 4000

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SERIES 4000

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NOTE: Negotiated contract language supersedes any policy statement on the same issue. Where there is no contract clause, the board policy will be followed.

Missing Policies

Personnel -- Certified/Non-Certified

General Concepts and Roles in the Personnel Function

The Board of Education seeks to hire and retain the most highly qualified personnel for all certified, paraprofessional, and classified/support positions.

The Board also seeks to establish those personnel policies that will enable each staff member to make his or her fullest contribution to the programs and services of the school system.

The personnel policies of the Board apply to all employees, both those who are members of a collective bargaining unit and those who are not; provided, however, that to the extent that the subject matter of any policy contained herein is addressed by a specific provision contained in a collective bargaining agreement, the collectively bargained provision shall supersede the provision of these rules as to the members of the relevant bargaining unit. Moreover, these policies are not intended to and shall not be interpreted as providing employees who are in a bargaining unit with any extra rights or benefits beyond those which have been bargained for by their collective bargaining representative. Thus, to the extent that a collective bargaining agreement covers a certain subject matter, that agreement shall preempt these rules as to all aspects of that subject matter.

Further, these personnel policies supersede all previous personnel policies of the Board. Nothing contained in these policies shall be deemed or construed to limit in any way whatsoever any of the Board's rights under State law or regulation or under the Management Rights clause or other provision of any collective bargaining agreement.

The Board shall act as a whole when considering personnel policies, except in cases specifically assigned to a standing or ad hoc committee of the Board.

The Board shall act through the Superintendent as its chief executive officer in dealing with personnel matters.

Legal References: *Conn. Gen. Stat. §§ 10-220; 10-157; 10-153 et seq.; 7-467*
 Charter of the City of New Haven, Art. XXIX, § 150

STATEMENT OF NON-DISCRIMINATION

The New Haven Board of Education is committed to the principles of equal employment opportunity for all job applicants and current employees. The Board bases all employment decisions upon the qualifications and abilities of each individual without regard to race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, status as a veteran of the Vietnam era or as a disabled veteran, learning disability or present or past history of mental disorder, mental retardation or physical disability, including, but not limited to, blindness.

To implement this policy, the Board will continue to:

QQ. Recruit, hire, train and promote persons in all job classifications without regard to race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, status as a veteran of the Vietnam era or as a disabled veteran, learning disability or present or past history of mental disorder, mental retardation or physical disability, including, but not limited to, blindness.

RR. Base employment decisions only on job-related criteria so as to further the principle of equal employment opportunity.

SS. Ensure that promotion decisions are in accord with principles of equal employment opportunity by imposing only valid job-related requirements for promotion opportunities.

TT. Ensure that all personnel actions (including but not limited to compensation, benefits, transfers, layoffs, return from layoff, Board-sponsored training, education, tuition assistance, and social and recreational programs) are administered without regard to race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, status as a veteran of the Vietnam era or as a disabled veteran, learning disability or present or past history of mental disorder, mental retardation or physical disability, including, but not limited to blindness.

To implement this policy, I have appointed _____ as E.E.O. Coordinator, whose name will appear on all internal and external communications regarding the Board's Equal Employment Opportunity policy.

Equal Employment Opportunity is not only the law, but it is a principle of our Board's operation. I expect each employee to cooperate to achieve this goal and I personally stand behind this principle.

Superintendent of Schools

Personnel -- Certified/Non-Certified

Nondiscrimination and Equal Employment Opportunity

The Board will follow the intent and spirit of all provisions of applicable federal, state and local laws and regulations with respect to recruitment, hiring, promotion, compensation, benefits, transfers, layoffs, recalls, training and job assignments, without regard to race, color, religion, creed, age, sex, sexual orientation, marital status, national origin, ancestry, or past or present history of mental disorder, mental retardation, learning disability, physical disability (including blindness) or other disability provided the individual can perform the essential functions of the job with or without reasonable accommodation (except in the case of a bona fide occupational qualification).

Harassment

The Board absolutely prohibits any form of unlawful employee harassment, whether based on race, color, religion, sex, marital status, national origin, ancestry, sexual orientation, age, or disability. Employees are responsible for respecting the rights of their co-workers.

If an employee experiences any harassment which arises out of our workplace based on race, color, religion, sex, marital status, national origin, ancestry, sexual orientation, age or disability, he or she should promptly report it to his or her supervisor. If the employee believes it is inappropriate to discuss the matter with his or her supervisor, he or she may bypass the supervisor and report it directly to the Superintendent of Schools, who will undertake an investigation.

If the Board determines that an employee is guilty of harassing another employee, appropriate discipline will be taken against the offending employee, up to and including termination without prior notice.

The Board prohibits any retaliation against any employee for filing a bona-fide complaint under this policy or for assisting in any complaint investigation.

Personnel -- Certified/Non-Certified

Nondiscrimination and Equal Employment Opportunity (continued)

Equal Education Opportunity

The Board will follow the intent and spirit of all provisions of the IDEA, Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. Every student has the right to participate fully in classroom instruction and extracurricular activities and such right shall not be abridged or impaired because of age, sex, sexual orientation, race, religion, national origin, pregnancy, parenthood, marriage, disability or for any reason not related to his/her individual capabilities.

No otherwise qualified individual with disabilities shall, solely by reason of such disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the New Haven Board of Education, including, but not limited to:

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

Personnel -- Certified/Non-Certified

Nondiscrimination and Equal Employment Opportunity (continued)

The Civil Rights Coordinators for the New Haven Board of Education have the responsibility to monitor compliance with this policy. The names and location of the Civil Rights Coordinators shall be published each year by the Superintendent of Schools. Further, compliance with this policy is a responsibility of all district administrators.

*Legal References: Conn. Gen. Stat. § 46a-51 et seq.
Title IX of the Education Amendments of 1972
Titles VI and VII of the Civil Rights Act of 1964*

Personnel -- Certified/Non-Certified

Respecting Individual Rights of Diverse Groups

The Board of Education of the New Haven Public Schools accepts the obligation to provide a school environment which fosters an understanding and appreciation of various and diverse groups living in our pluralistic society.

With increasing and serious concern and alarm, the Board wishes to condemn destructive incidents directed at one or more individual groups, e.g., cross burnings, ethnically directed vandalism, and the like.

The members of the Board are compelled to make clear the action that will be taken following any such incident that is related in any way whatsoever to the New Haven Public Schools.

The administrative staff of the school system is directed to develop appropriate procedures to ensure strong, immediate disciplinary action against any person or persons who are involved in such incidents. Persons suspected of criminal conduct will be immediately referred to the police authorities for action.

Personnel -- Certified/Non-Certified

Sexual Harassment

Sexual harassment is a form of sex discrimination and is illegal under both federal and State laws.

Should sexual harassment be alleged, it is the policy of the New Haven Board of Education that the allegations(s) shall be thoroughly investigated, that there shall be no retaliation against the victim of the alleged harassment, and that the issue shall be expeditiously and appropriately addressed.

Definition

Sexual harassment is defined as any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or her/his academic status or progress;
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance, or creating an intimidating, hostile or offensive working or academic environment.

Sexual harassment can occur male to female, female to male, female to female and male to male. Sexual harassment can involve staff members, students, vendors, independent contractors, volunteers, or parents.

Sexual harassment will not be tolerated in the New Haven public schools.

Personnel -- Certified/Non-Certified

Sexual Harassment (continued)

State and Federal law also prohibits harassment of employees on the basis of their race, color, religious creed, age, marital status, national origin, ancestry, present or past history of mental disorder, mental retardation, learning disability or physical disability, including, but not limited to, blindness, or their sexual orientation. This policy's emphasis on sexual harassment should not be construed as implying that these other forms of harassment are less important than harassment on the basis of sex. **No form of harassment will be tolerated in the New Haven public schools.**

Legal References: *Conn. Gen. Stat. § 46a-51 et seq.*
 Title IX of the Education Amendments of 1972
 Titles VI and VII of the Civil Rights Act of 1964

Personnel -- Certified/Non-Certified

Sexual Harassment

Examples of Sexual Harassment

Sexual harassment can be verbal, non-verbal or physical. Although it is not possible to list all behaviors which could constitute sexual harassment, some specific behaviors that have been found to comprise sexual harassment are:

- telling sexual jokes or stories;
- making sexual comments about a person's clothing, anatomy or appearance;
- repeatedly asking out a person who is not interested;
- telling lies, spreading rumors, or gossiping about a person's personal sex life;
- whistling, cat calls, making kissing sounds, smacking lips, howling;
- following a person or blocking a person's path;
- displaying sexually explicit or suggestive posters, cartoons, pictures, calendars or other similar materials;
- making sexual gestures with hand or through body movements;
- giving gifts of a personal or suggestive nature;
- unwanted touching of people or their hair or clothing;
- hugging, kissing, patting or stroking;
- touching or rubbing oneself sexually around another person;
- standing closing to or brushing up against a person;
- requesting sexual favors in exchange for employment or academic benefits or to avoid negative employment or academic consequences;
- assault;
- attempted rape;
- rape.

In addition to being examples of sexual harassment, incidents of assault, attempted rape, rape and similar actions constitute criminal behavior and must be treated as such. These incidents must be reported immediately to the appropriate administrator, to the local police department, and, where appropriate, to State officials.

Personnel -- Certified/Non-Certified

Sexual Harassment

Examples of Sexual Harassment (continued)

If an employee or student of the New Haven Public School System believes that his or her rights have been violated under the provisions of Titles VI or VII of the Civil Rights Act of 1964, the Connecticut Fair Employment Practices Act, and/or Title IX of the Education Amendments of 1972, laws which prohibit sex discrimination and sexual harassment in the workplace and within educational institutions, a complaint may be filed.

Legal References: *Conn. Gen. Stat. § 46a-51 et seq.*
 Title IX of the Education Amendments of 1972
 Titles VI and VII of the Civil Rights Act of 1964

Personnel -- Certified/Non-Certified

Discrimination Complaint Procedure

The purpose of the following procedure is to ensure that the New Haven school district remains in compliance with state and federal non-discrimination laws. All proceedings shall be kept confidential to the extent consistent with the Board's obligations under law and its obligations to investigate. Any reprisals against a complainant or witness shall be viewed as a violation of the New Haven Public School Nondiscrimination and Equal Employment Opportunity and/or Sexual Harassment policies and subject to appropriate disciplinary action, up to and including immediate termination.

Any employee or applicant for employment who believes he/she has been the victim of illegal discrimination may file such a complaint with her/his immediate supervisor, the Director of Staff Placement, Evaluation and Development or the Executive Director of Pupil Personnel Services. Any student, parent or guardian who wishes to register a complaint alleging discrimination in the New Haven Public Schools may file a complaint with the relevant principal, director, or the Superintendent of Schools. The Superintendent of Schools and the Chairperson of the Board shall be notified immediately of all complaints and the Superintendent of Schools shall notify the Board of Education that such allegations have been lodged at its next regular meeting.

Upon the filing of a complaint, a thorough, objective and complete investigation of all allegations will be undertaken immediately. The investigator(s) may consult with the Board's attorneys with the approval of the Chairperson of the Board. The investigation may involve all individuals reasonably believed to have relevant information, including the complainant, the individual accused in the complaint, witnesses, and any individuals who may have been alleged to have been the victims of similar conduct. The investigator shall make a written report with the results of the investigation and recommendations for the disposition of the matter to the Superintendent of Schools. Copies shall be provided to the complainant and the individual accused in the complaint. The Superintendent of Schools shall take action as she/he deems appropriate, which action may include a recommendation to the Board that an employee who has been determined to have engaged in unlawful discrimination be terminated from her/his employment. The Board shall act upon such recommendation in executive session, subject to the rights of certified employees under Conn. Gen. Stat. § 10-151 or the right under the Connecticut Freedom of Information Act of a public employee to require such meeting to take place in public session.

Personnel -- Certified/Non-Certified

Sexual Harassment

Discrimination Complaint Procedure (continued)

At all times during any discrimination complaint procedure, the representatives of the New Haven Public Schools should be cognizant of and endeavor to protect the legal rights of all parties involved. Confidentiality shall be maintained to the extent consistent with the Board's obligations under law and its obligations to investigate.

This Complaint Procedure is not exclusive and complainants may have additional legal rights, including the right to file charges with the Connecticut Commission on Human Rights and Opportunities, the Equal Employment Opportunity Commissions and/or United States Department of Education.

All employees, students and parents shall be provided with copies of this policy concerning discrimination and sexual harassment, through individual distribution or through publication in employee and student handbooks or other similar publications. Further, copies of this policy will be distributed to individuals and organizations having cooperative agreements with the New Haven Public School system, including, but not limited to, non-employees such as vendors, independent contractors and volunteers.

Education and training sessions which define sexual harassment and explain this procedure will be offered to all supervisory employees as required by State law and shall be offered to other staff members and students as deemed advisable by the Board of Education.

This procedure will be reviewed and updated periodically.

Legal References: *Conn. Gen. Stat. § 46a-51 et seq.*
 Title IX of the Education Amendments of 1972
 Titles VI and VII of the Civil Rights Act of 1964

**DISCRIMINATION AND/OR SEXUAL HARASSMENT
FORMAL COMPLAINT FORM**

Name and status of complainant: _____

If the complainant is an employee, the employee's position is: _____

Date of complaint: _____

Name of person against whom allegations are made: _____

Date and place of incident(s): _____

Description of alleged misconduct: _____

Name of witnesses (if any): _____

Has the incident been reported before: _____

If yes, when? _____

To whom was it reported: _____

What was the resolution? _____

Reasons for dissatisfaction: _____

IF YOU NEED MORE SPACE, PLEASE CONTINUE ON A BLANK PIECE OF PAPER AND ATTACH TO THIS FORM _____

Personnel -- Certified/Non-Certified

Personnel Records

Personnel records shall be maintained for all current employees and shall include information usually expected in good personnel administration.

In accordance with state and federal law, personnel files shall be maintained for all employees who quit, are terminated or who retire.

The Superintendent or his designee, on behalf of the Board, shall notify an employee and his or her collective bargaining representative, if any, in writing sent by certified U. S. mail, return receipt requested, when a request is made for disclosure of the employee's personnel, medical or similar files, if the Superintendent reasonably believes disclosure of the requested files would legally constitute an invasion of the employee's privacy.

The records will be disclosed unless written objection is received from the employee or the employee's collective bargaining representative within seven (7) business days from the receipt by the employee or the employee's collective bargaining representative of said notice or, if there is no evidence of receipt of said written notice, within nine (9) business days after the notice was actually mailed.

Records of a teacher's performance and evaluation shall not be released without the written consent of the teacher.

All materials contained in an employee's personnel file shall be made available for inspection by the employee and/or, with the employee's consent, by the employee's collective bargaining representative, if any. The inspection shall take place at an off-duty time in the presence of an administrator. Upon request, an employee will be provided with copies of any record or report maintained in said employee's personnel file. The first copy will be provided free of charge. There will be a charge for subsequent copies. The cost will be in alignment with Board policies regarding School System Records.

Legal References: Conn. Gen. Stat. §§ 1-19b; 1-20a; 1-211(b); 10-151a; 10-151c

Personnel -- Certified/Non-Certified

Non-School Employment

Personnel of the schools may receive compensation for outside activities as long as these activities do not interfere with the performance of their jobs or with the proper discharge of their assigned duties. Such activities shall not take place during the employee's work hours and school district buildings, vehicles, equipment, or supplies shall not be used.

Legal References: Charter of the City of New Haven, Art. XXIX, § 150

Personnel -- Certified

Academic Freedom

Academic freedom requires that learning and teaching take place without unwarranted interference in a classroom environment conducive to the open discussion of ideas and issues. Professional staff should be encouraged to participate in curricular decisions, as well as in the selection of textbooks, library books, publications and other instructional materials.

Academic freedom for students includes the right to form and express conclusions on the basis of readings, class discussion, and life experiences, as well as having a responsible voice in the selection of courses. Students must be assured that their teachers will protect and assist them in expressing these rights.

It is the responsibility of the school staff to inform parents at the beginning of the school year of this policy. The Board maintains the right to make the final decision on matters of academic freedom to make certain that diversity and dissent, inherent in our democratic society, are protected and encouraged.

This Policy will assist the Superintendent and staff in creating a democratic environment which assures these rights.

Legal References: Charter of the City of New Haven, Art. XXIX, § 150

Personnel - Certified/Non-Certified

Rights, Responsibilities and Duties

Electronic Mail

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

All district electronic mail systems are owned by the district and are intended for the purpose of conducting official district business only. District electronic mail systems are not intended for personal use by employees of the district and employees should have no expectation of privacy when using the electronic mail systems.

Users of district E-mail systems are responsible for their appropriate use. All illegal and improper uses of the electronic mail system, including but not limited to pornography, obscenity, harassment, solicitation, gambling and violating copyright or intellectual property rights are prohibited. Use of the electronic mail system for which the district will incur an expense without expressed permission of an administrator is prohibited.

Electronic messages are not for private or confidential matters. Because there is no guarantee of privacy or confidentiality, other avenues of communication should be used for such matters. Except for directory information, student records will not be transmitted by electronic mail. Care should be taken when forwarding an electronic mail message. If the sender of an electronic mail message does not intend for the mail to be forwarded, the sender should clearly mark the message "Do Not Forward".

In order to keep district electronic mail systems secure, users may not leave the terminal "signed on" when unattended and may not leave their password available in an obvious place near the terminal or share their password with anyone except the electronic mail system administrator. The district reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

The district retains the right to review, store and disclose all information sent over the district electronic mail systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation and to access district information in the employee's absence.

Personnel - Certified/Non-Certified

Rights, Responsibilities and Duties

Electronic Mail (continued)

Except as provided herein, district employees are prohibited from accessing another employee's electronic mail without the expressed consent of the employee. All district employees should be aware that electronic mail messages can be retrieved even if they have been deleted and that statements made in electronic mail communications can form the basis of various legal claims against the individual author or the district.

Electronic mail sent or received by the Board, the district or the district's employees may be considered a public record subject to public disclosure or inspection. All Board and district electronic mail communications may be monitored.

District employees will be subject to disciplinary action for violation of this policy.

The Superintendent will ensure that all district employees have notice of this policy and that each district employee is given an acknowledge form to sign stating they have received and read the policy. The form will be maintained in the employee's personnel file.

Note: It is recommended that each employee acknowledge in writing, receiving and reading the policy. Notice is essential to defending a claim of invasion of privacy. The notice should be documented in the employee's personnel file.

(cf. 5125 - Student records)

Legal Reference: Connecticut General Statutes

The Freedom of Information Act.

PA 98-142 An Act Requiring Notice to Employees of Electronic Monitoring by Employers

Policy adopted: August 25, 2003

NEW HAVEN PUBLIC SCHOOLS
New Haven, Connecticut

Personnel – Certified/Non-Certified

Rights, Responsibilities and Duties

Electronic Monitoring

Under Connecticut law, employers must notify employees if electronic monitoring of employees' activities or communications may occur, and what type of monitoring may be involved.

The telephones, computers and other electronic and communications systems of the New Haven Public Schools are the property of New Haven Public Schools and are available to employees to properly facilitate the conduct of daily activities. Please be advised that representatives of the New Haven Public Schools may review e-mails, faxes, modem and LAN/WAN communications, including Internet use, and voice-mail messages sent or received by employees. In addition, New Haven Public Schools may review records generated by the building security systems to monitor employee access to work areas.

Legal Reference: Connecticut General Statutes

 The Freedom of Information Act

 PA 98-142 An Act Requiring Notices to Employees of Electronic
 Monitoring by Employers

Policy adopted: August 25, 2003

NEW HAVEN PUBLIC SCHOOLS
New Haven, Connecticut

NEW HAVEN PUBLIC SCHOOLS

NOTICE

Pursuant to the authority of Public Act 98-142, the New Haven Board of Education hereby gives notice to all its employees of the potential use of electronic monitoring in its workplace. While the Board of Education may not actually engage in the use of electronic monitoring, it reserves the right to do so when determined by the Board in its discretion.

"Electronic monitoring," as defined by Public Act 98-142, means the collection of information on school premises concerning employees' activities or communications, by any means other than direct observation of the employees. Electronic monitoring includes the use of a computer, telephone, wire, radio, camera, electromagnetic, photoelectronic or photo-optical systems. The law does not cover the collection of information (A) for security purposes in any common areas of school premises which are open the public, or (B) which is prohibited under other state or federal law.

The telephones, computers and other electronic and communications systems of the New Haven Public Schools are the property of the New Haven Public Schools and are available to employees to properly facilitate the conduct of daily activities. Please be advised that representatives of the New Haven Public Schools may review e-mails, faxes, modem and LAN-WAN communications, including Internet use, and voice-mail messages sent or received by employees. In addition the New Haven Public Schools may review records generated by building security systems to monitor employee access to work areas.

The law also provides that the Board of Education may use electronic monitoring without any prior notice when (a) the Board has reasonable grounds to believe employees are engaged in conduct that (i) violates the law, (ii) violates the legal rights of the Board or of other employees, or (iii) creates a hostile work environment and (b) such electronic monitoring may produce evidence of such conduct.

Questions about electronic monitoring in the workplace should be directed to the Director of Personnel, (203) 946-8808.

Personnel – Certified/Non-Certified

Rights, Responsibilities and Duties

Acceptable Computer Network Use

We are pleased to offer employees of the New Haven Public Schools access to the district's computer network, including access to electronic mail (E-Mail) and the Internet. Access to the network will enable staff to explore thousands of libraries, databases, and bulletin boards while exchanging messages with others throughout the world. In addition to Internet and E-Mail access, the local area network will make word processing software, database and spreadsheet software, and other curriculum and research related resources available throughout the district.

New Haven Public Schools believes in the educational value of such electronic services and recognizes their potential to support our curriculum by expanding resources available for staff and student use. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation and communication. However, the opportunities presented by this technology raise concerns as well. Sadly, abuse of these systems can and does occur.

Some material accessible via the Internet may contain items that are illegal, defamatory, inaccurate or potentially offensive to some people. While access to other materials is possible, it is our sole intent to further educational goals and objectives in making Internet access available. We believe that the benefits of access to the Internet, in the form of information resources and opportunities for collaboration, exceed any disadvantages. **In order to ensure appropriate and lawful uses of the network the New Haven Public Schools intend to *monitor network use*. Users should not maintain any expectation of personal privacy in the use of the New Haven Public Schools' computer network and related systems.** However, while we will make every effort to ensure proper use of the network, no monitoring system is foolproof and users must remain aware of the limitations of monitoring and the potential for encountering offensive or illegal material on the Internet.

Furthermore, these technologies are expensive to purchase, install and maintain. As the property of the New Haven Public Schools, they must be carefully handled and their integrity preserved for the benefit of all. Therefore, New Haven Public Schools will be treating access to the Internet and the network as a privilege, and not a right. It is expected that users will act in a responsible and legal manner in compliance with district standards and state and federal laws. All computers and the data stored on them are and remain at all times the property of New Haven Public Schools, and as such employees have no right of personal privacy in the use of these systems. All passwords used to access the computers must be available and accessible to New Haven Public School administration upon request. The network, all computers, and user accounts may also be subject to periodic, unannounced reviews, searches, audits or inspections to ensure compliance with the Acceptable Use Policy. Internet activity can and will be logged, including records of web sites visited by users, and all e-mail messages can and may be accessed and traced to their authors even after they are deleted.

Personnel – Certified/Non-Certified

Rights, Responsibilities and Duties (continued)

Legal Reference: Connecticut General Statutes

The Freedom of Information Act

53A -182B Harassment in the first degree.

PA 98-142 An Act Requiring Notice to Employees of Electronic Monitoring
by Employers

Policy adopted: July 13, 1999

NEW HAVEN PUBLIC SCHOOLS
New Haven, Connecticut

Personnel – Certified/Non-Certified

Rights, Responsibilities and Duties

Acceptable Computer Network Use

The following rules and guidelines for acceptable network use, and "Network Etiquette", are not all inclusive. The New Haven Public Schools reserve the right to respond to any abuse or misuse of the privilege of network access at their discretion, including withdrawal of network privileges and/or disciplinary action. Users must be aware that their abuse or misuse of the network may also result in civil or criminal liability.

Rules of Acceptable Use

1. All electronic information resources shall be used for educational purposes only.
2. Users will not damage the computer hardware, software or network in any way.
3. Users will act responsibly, ethically, and legally while using the computer network.
4. Users will respect the privacy of others.
5. Users will not disclose any personal information about themselves or others while accessing the Internet.

Guidelines for Use

Staff who wish to use electronic services and networks that are available to them may do so provided that they:

1. Read, agree to, and abide by the Acceptable Use Policy.
2. Sign the Acceptable Use Agreement contract.
3. Submit the completed contract to the Director of Technology.

Privilege

The use of electronic resources, including the Internet, is a privilege, not a right, and inappropriate use will result in cancellation of these privileges and/or other disciplinary action. Use of the Internet must be in support of education and research consistent with the objectives of the New Haven Public School System. All users are expected to exercise common sense and good judgment. The Superintendent of Schools or Director of Technology will determine when use is inappropriate and may deny, revoke, or suspend usage and take other appropriate disciplinary action, up to and including termination.

The educational value and adherence to acceptable use of the Internet shall be the responsibility of the employees of the New Haven Public Schools.

Personnel – Certified/Non-Certified

Rights, Responsibilities and Duties (continued)

Guidelines to Prevent Loss of Computer Privileges or Disciplinary Action

1. Do not use the computer to harm other people or their work.
2. Do not damage or vandalize the computer or the network in any way.
3. No hacking. Do not interfere with the operation of the network.
4. Do not violate copyright laws. Respect the intellectual properties of others.
5. Do not view, send, print or display offensive or threatening messages, web sites or pictures.
6. Do not trespass in another's folders, work or files.
7. Do notify the building administrator immediately if you encounter materials which violate the rules of acceptable use.
8. Be prepared to be held accountable for your actions and the loss of privileges and/or disciplinary action if the rules of acceptable use are violated.

Network Etiquette

You are expected to abide by the generally accepted rules of network etiquette (Netiquette).

1. Be polite. Never send, or encourage others to send, abusive messages.
2. Use appropriate language. Do not use swear words, vulgarities or any other inappropriate language.
3. Do not engage in any illegal activities.
4. Privacy. Do not reveal any personal information, the home address, personal telephone numbers, or credit card numbers of yours or your colleagues.
5. Password. Do not reveal your password to anyone. Never use another person's password regardless of having their permission to do so.
6. Electronic mail. E-mail is not guaranteed to be private. Others may read anything you send. Messages relating to or in support of illegal activities must be reported to the authorities.
7. Disruptions. Do not use the network in any way that would disrupt use of the network by others such as viruses, vandalism, tampering, etc.
8. Ownership. All communications and information accessible via the network should be assumed to be private property. Copyright laws must be observed.

Personnel – Certified/Non-Certified

Rights, Responsibilities and Duties (continued)

Vandalism

Vandalism is defined as any malicious attempt to harm or destroy any computer equipment or data of another user or any other networks that are connected to the system. This includes, but is not limited to the uploading/downloading or creation of computer viruses. Any vandalism will result in the restriction of use and the possible loss of computer services, disciplinary action and may result in legal action and/or responsibility for monetary damages. Violations may include, but are not limited to, intentional installing of a computer virus, trespassing, intentional altering or tampering with folders, work files or data of another user, unauthorized use of other user's folders or network, interfering with the operation of the network by physically damaging or installing illegal software, or legal software, shareware, or freeware without authorized permission. Users should be prepared to be held accountable and responsible for their actions and for the loss of privilege if the Rules of Appropriate Use are violated. Any observable breach of security should be reported to administrative personnel.

Warranties

New Haven Public Schools makes no warranties of any kind, neither expressed nor implied for the Internet access it is providing. The school system will not be responsible for any damages users suffer, including, but not limited to loss of data resulting from delays or interruptions in service. The school system will not be responsible for the accuracy, nature, or quality of information stored on school system diskettes, hard drives or servers; nor for the accuracy, nature or quality of information gathered through the New Haven Public Schools provided Internet access. Use of any information obtained via the Internet is at your own risk. The school system will not be responsible for personal property used to access school system computers or networks or for school system provided Internet access. The New Haven Public Schools will not be responsible for unauthorized financial obligations resulting from school system provided access to the Internet.

The New Haven Public Schools reserve the right to amend, modify or retract any and all of the foregoing Policy statements at any time in their sole discretion, with or without advance notice to employees.

NEW HAVEN PUBLIC SCHOOLS
ACCEPTABLE USE AGREEMENT

Network computer and Internet access is now available to students, teachers and staff in the New Haven Public School System. The Board of Education is pleased to bring this access to New Haven Public Schools and believes that this technology offers vast, diverse and unique resources to both students and teachers. Our goal in providing this service to teachers and students is to promote educational excellence in schools by facilitating resource sharing, innovation and communication.

I have read and fully understand the New Haven Public Schools Acceptable Use Policy for employee access to the computer network, Internet and e-mail. I will abide by the Policy in full and understand that any violation of the regulations above is unethical and may create potential civil or criminal liability for me. Should I commit any violation of the Policy, I recognize and accept that the New Haven Public Schools may revoke my access privilege and disciplinary and/or appropriate legal action may be taken against me. I understand that, should the content of the Policy be changed in any way, the New Haven Public Schools may require an additional signature from me to indicate that I am aware of and understand any such changes.

Name (please print)

Signature _____ Date _____

School _____

Job Title _____

Personnel -- Certified/Non-Certified

Staff Positions

Staff positions shall be created only with the approval of the Board.

Although positions may remain unfilled, only the Board may abolish a position it has created.

*Legal References: Conn. Gen. Stat. §§ 10-145; 10-220; 10-241
Charter of the City of New Haven, Art. XXIX, § 150*

Personnel -- Certified/Non-Certified

Temporary and Part-Time Personnel

The Board of Education has the responsibility to employ such persons as may be needed to conduct the business of the school district. Such employment requires the official action of the Board of Education.

The Board of Education recognizes that there are times when extraordinary conditions warrant that the Superintendent of Schools hire temporary personnel in advance of official action by the Board in order to insure the continuity of the district's functions and program.

Legal References: P.A. 93-353 An Act Concerning Revisions To The Education Statutes

Personnel -- Certified/Non-Certified

Transfer/Reassignment

The Superintendent shall have full authority to transfer, assign or reassign personnel according to the needs of the school district within the policies of the Board of Education. Employees shall not be reduced in salary through any such transfer or reassignment, except as a result of a collectively bargained reduction in force provision, in accordance with Civil Service Rules, or for cause. Employees shall not be reassigned to positions for which they do not hold necessary qualifications or licensing or for which they are not otherwise qualified.

Legal References:

Personnel -- Certified/Non-Certified

Substitute Teachers

Substitute teachers shall be engaged to instruct in our schools as needed for short periods of time in the absence of the regular teacher. Substitute teachers shall possess the requirements established by State law and regulation and, in addition, shall only be retained in the employ of the Board to the extent they are found by the appropriate administrators to meet the school district's standards of performance.

Suitable programs for assigning, orienting and evaluating the work of substitute teachers shall be provided by the certified staff under the direction of the Superintendent.

Subject to the terms of any applicable collective bargaining agreement, rates of compensation for substitute teachers will be set by the Board of Education. Substitute teachers will not participate in the health and welfare plans or other fringe benefits of the school system.

Retired teachers may be employed as substitute teachers.

Legal References: Conn. Gen. Stat. §§ 10-145a; 10-183v

Personnel -- Certified

Consultants

The Board of Education encourages the use of consultants when it is clear they can provide valuable and necessary specialized services not normally required on a continuing basis and which cannot be provided by the Board's regular employees because of limitations of time, experience or knowledge.

No consultant may be engaged unless the funding for such individual shall have been approved by the Board. Funds for consultant help should be provided for in planning specific projects or programs where they will be required.

*Legal References: Conn. Gen. Stat. § 10-220; 10-221
Charter of the City of New Haven, Art. XXIX, § 150*

Personnel -- Certified

Staff Development

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

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

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

Special effort shall be made to prepare teachers and other school personnel to meet the needs of students of diverse cultural and ethnic backgrounds. Planning and implementation of such programs shall be done cooperatively by administration, teachers and parent advisory groups.

Staff development activities should respond directly to the educational needs of the student body, including: (a) content areas such as language arts, including reading and writing, math, social science and science; (b) methodological areas such as motivation, teaching techniques, and classroom management; and (c) affective areas of interpersonal relations of students and faculty, growth and development and staff communication, problem solving, and decision making.

The Superintendent may provide the staff with opportunities in areas such as the following:

1. Released time and leaves of absence for travel and study.
2. Visits to other classrooms and other schools.
3. Conferences involving other personnel from the district, county, state, region and nation.
4. Membership in committees drawing personnel from such sources.

Personnel -- Certified**Staff Development (continued)**

5. Training classes and workshops offered within the district.
6. Further training at, or in cooperation with, institutions of higher learning, as provided by law.
7. Professional educational conferences.

Legal References: Conn. Gen. Stat. §§ 10-27; 10-145b; 10-220a; 10-226f; 10-226g

Personnel -- Certified

Contributions to Fields of Knowledge

Research/Studies Projects

The Board of Education recognizes the value of research and other projects conducted within the school system either by school personnel or by outside agencies and/or individuals.

The Superintendent, after review by the professional staff as assigned by the Superintendent, shall approve or disapprove the use of school resources for such activities and shall report from time to time to the Board concerning same. Generally such approval shall be given under the following conditions:

1. Where mutual benefit is anticipated; and
2. When the regular educational program is not jeopardized.

Procedures shall be established by the administration to regulate research studies, and other projects conducted within the school system by school personnel and by outside agencies and/or individuals. No minor student shall participate in a research study unless his or her parent(s)/guardian(s) have been informed about the nature of the study and has/have granted his, her or their permission for such participation. No student 18 years of age or older shall participate in a research study unless he or she has been informed about the nature of the study and he or she has consented to such participation.

Legal References: Charter of the City of New Haven, Art. XXIX, § 150

Personnel -- Non-Certified

Support Staff Positions

All regular, full-time noncertificated staff positions shall be established initially by the Board upon the recommendation of the Superintendent. In the case of administrative or supervisory positions, the Board will approve a statement of job requirements as presented by the Superintendent.

Only the Board may abolish a position it has created.

*Legal References: Charter of the City of New Haven
Civil Service Rules*

Personnel -- Certified

Recruitment and Selection

The New Haven Board of Education endorses the concept of diverse staffing of all schools with respect to minority/non-minority group representation, gender, experience, special skills, and talents, and believes that it is in the best interest of the school system to adhere to this concept when staffing all schools. Therefore, it is the policy of the Board of Education, regarding the staffing of all schools, to adhere to the following:

1. The composition of each school's staff should be balanced in regard to curricular skills and talents.
2. The Board of Education directs the administration to make a serious effort to see that the recruitment procedures of the district produce a total staff representative of the City's culturally and ethnically diverse applicant pool. Assignment procedures shall bring to each school staff members representative of the work force's diverse population.

The school system shall engage in professional and sound personnel practices in the appointment of all district employees. The administration shall be responsible for establishing recruitment, selection and appointment procedures.

Hiring decisions shall be made by the Board of Education based upon nominations made by the Superintendent.

Legal References: *Conn. Gen. Stat. §§ 10-151, 10-153; 46a-51 et seq.*
Charter of the City of New Haven, Art. XXIX, § 150

Personnel -- Certified

Recruitment and Selection (continued)

In the employment of teachers and other certified personnel, consideration is given to professional training, work history, teaching experience, and personal characteristics desirable in good teachers.

Each candidate will:

1. Submit a completed and signed application form.
2. Submit evidence of meeting the certification requirement of the State to the personnel office.
3. Submit official college and graduate school transcripts to the personnel office.
4. Submit a complete history of teaching and other work experience to the personnel office, including an unqualified authorization allowing the personnel office to obtain copies of all documents contained in the teacher's personnel file maintained by his or her former employers, including records of his or her performance and evaluation.
5. Submit to the personnel office an affidavit stating whether he or she has ever been convicted of a crime and whether criminal charges are pending against him or her; submit to state and national criminal history records checks, including a Federal Bureau of Investigation fingerprint check. This requirement applies to all employees, including teachers employed for noncredit adult classes or adult education activities.
6. Appear, unless excused by the personnel office by reason of unusual hardship, for a personal interview.

Personnel -- Certified**Recruitment and Selection (continued)**

7. Submit three letters of recommendation.
8. Submit student teaching evaluations.

*Legal References: Conn. Gen. Stat. §§ 10-145; 10-151, 10-153; 10-221d
Charter of the City of New Haven, Art. XXIX, § 150*

Personnel -- Non-Certified

Recruitment and Selection

In the employment non-certified personnel, consideration is given to training, work history, experience, and personal characteristics desirable in good employees.

Candidates for Civil Service positions shall comply with all requirements of the Civil Service Board. Candidates for other positions will:

1. Submit a completed and signed application form.
2. Submit evidence of meeting any certification or licensing requirements for the position.
3. Submit official college and graduate school transcripts to the personnel office.
4. Submit a complete history of work experience to the personnel office.
5. Submit to the personnel office an affidavit stating whether he or she has ever been convicted of a crime and whether criminal charges are pending against him or her; submit to state and national criminal history records checks, including a Federal Bureau of Investigation fingerprint check. This requirement applies to all employees, including teachers employed for noncredit adult classes or adult education activities.
6. Appear, unless excused by the personnel office by reason of unusual hardship, for a personal interview.
7. Submit three letters of recommendation.

Legal References: *Conn. Gen. Stat. §§ 10-145; 10-151, 10-153; 10-221d*
 Charter of the City of New Haven, Art. XXIX, § 150

Personnel -- Certified/Non-Certified

Nepotism: Employment of Relatives

The following policy shall govern conflicts of interest in the employment of staff:

1. Persons related by blood or marriage to a Board of Education member may only be employed following full disclosure of the relationship by the Board of Education member in a public meeting and a sufficient vote of appointment without counting the vote of the related Board of Education member, who shall excuse himself or herself from the discussion of and shall not vote upon such appointment.
2. Persons related by blood or marriage to a member of the administrative staff shall not be appointed to or serve in a position that is supervised, directly or indirectly and/or evaluated by the administrative staff member; provided, however, that persons appointed prior to the adoption of this policy who serves in a position that is indirectly supervised by a member of the administrative staff may continue to serve in that position so long as the position is not supervised directly or evaluated by the administrative staff member.
3. Members of the same family may be employed in the same department or at the same work location only when approved in writing by the Superintendent or the Superintendent's designee (except that the Superintendent may not approve the employment in his or her office or at his or her work location of a person related to him or her by blood or marriage).

It is the intent of these rules to avoid any situation where a conflict of interest can arise in the supervision and/or evaluation of employees either on the part of a member of the Board of Education or a member of the staff.

Legal References: *Conn. Gen. Stat. §§ 10-221*
 Charter of the City of New Haven, Art. XXIX, § 150

Personnel -- Certified/Non-Certified

Evaluation

The purpose of staff evaluation shall be the improvement of job performance and/or instruction and the effectiveness and/or efficiency of the school system and to inform employees how their performance compares with the District's standards. Where such performance falls below such standards, the evaluation informs the employee prior to adverse employment action being taken. All supervision and evaluation shall be aimed toward assisting the individual to improve his or her performance and/or to increase his or her contribution to the excellence of the programs and services offered the children of the District.

The Superintendent is directed to implement evaluation programs for all personnel. These programs shall provide for an evaluation of each staff member at least once annually, for appropriate record-keeping, and for timely reports to the Board.

The particular procedures used in the evaluation process, evaluative criteria, and any rating instruments shall be developed in a manner consistent with state law and contractual obligations.

Legal References: Conn. Gen. Stat. §§ 10-151b

Personnel -- Certified/Non-Certified

Duties of Personnel

All employees of the school district are subject to the policies of the Board of Education, applicable laws, and current collective bargaining agreements.

Job descriptions shall include the following:

1. Job title.
2. Duties to be performed, distinguishing the essential functions of each job from its other functions.
3. Type and extent of training required.
4. Degree of responsibility assumed.
5. Other related factors.

The job descriptions shall determine the job classification of the employee on the salary schedule. In each instance the employee shall meet the requirements set forth in the job description. Job descriptions for all employees shall be provided by the Superintendent and maintained in a separate manual. Where required, job descriptions shall be submitted to the Civil Service Commission for its approval.

Legal References:

Personnel — Certified and Non-Certified

Disabilities

Medical Examinations

The school Board may make pre-employment inquiries into the ability of an applicant to perform job-related functions. Medical examinations may be required after a conditional offer of employment has been extended to an applicant and before commencement of employment. Any information obtained from such medical examinations will be collected and maintained on separate forms and in separate medical files and will be treated with confidentiality.

An employee, who is not qualified to perform his or her duties, with or without reasonable accommodation, or whose medical condition or disability poses a direct threat to the health or safety of individuals in the workplace, once properly established by medical evidence, and after proper due process procedures, may be relieved of his or her duties or reassigned.

The Board of Education may lawfully refuse to assign a person having a communicable disease, which is transmittable through the handling of food, to such duty or position as specified in the Federal Register Food and Drug Administration Regulations of May, 1991.

Privacy

The confidentiality of medical records of applicants or employees shall be strictly observed in accordance with applicable state and federal laws. Medical records shall be maintained separately from an applicant or employee personnel file. Such information may be released in limited circumstances:

- A. Upon signed release by the individual;
- B. To inform supervisor or administrator about health risks, about restrictions in the performance of the job or where accommodation is required to enable the employee to perform the essential functions of his or her job;
- C. In connection with emergency medical treatment;
- D. In compliance with state or federal law.

Personnel — Certified and Non-Certified

Disabilities

Medical Examinations (continued)

In accordance with Connecticut General Statutes Section 19a-581 through 585, "Aids Testing and Medical Information", no person shall request HIV-related testing or disclose HIV-related information without the employee's written consent which is dated and which specifies to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective.

Reasonable Accommodations

The New Haven Public Schools will provide reasonable accommodations to employees and job applicants with disabilities. This policy statement describes basic procedures for processing requests for accommodations.

A reasonable accommodation is a modification to a job that will enable a person with physical or psychological limitations to perform the essential functions of a job. Reasonable accommodations may include, but are not limited to: (a) making existing facilities physically accessible to individuals with disabilities; (b) job restructuring (e.g. relieving the employee of the requirement to perform certain job functions), modification of work schedules or place of work, extended leave, telecommuting, or reassignment to a vacant position; and (c) acquisition or modification of equipment or devices.

Policy Approved: August 14, 1995
Policy Amended: January 11, 1999
Policy Amended: July 10, 2008

NEW HAVEN PUBLIC SCHOOLS
New Haven, Connecticut

Personnel — Certified and Non-Certified

Disabilities

Reasonable Accommodations Request Process

Job Applicants

Job applicants who seek accommodations in the application process may make requests for a reasonable accommodation to the individual identified in the appropriate vacancy announcement as the point of contact or other officials they have dealt with in the application process.

Employees

An employee who believes he/she may need a reasonable accommodation to perform his/her job should submit a request to the supervisor. The employee, supervisor and Director of Personnel for the New Haven Public Schools, shall meet promptly to discuss the request. A request for accommodation may be made verbally or in writing.

The discussion with the employee and supervisor(s) may address: (1) the job functions of the employee's position, (2) the job-related limitations imposed by the individual's disability and how those limitations could be overcome with a reasonable accommodation, (3) potential accommodations and an assessment of the effectiveness of those accommodations in enabling the employee to perform the essential functions of the job, (4) the preference of the employee and selection and implementation of the accommodation that is appropriate for the employee and the employer and (5) the overall needs of the workplace. The cost of an accommodation or the overall impact of the accommodation on the workplace can be a consideration. The accommodation need not be the most expensive, nor must it be exactly what the employee requested, but it must be *effective*.

In certain instances, supervisors may request medical documentation to establish that an employee has a disability or that the requested accommodation is needed. If an employee has concerns about disclosing his or her disability to a supervisor, the employee may send the request in the first instance directly to the Director of Personnel for the New Haven Public Schools. Employees should understand, however, that it may become necessary to disclose the information to the supervisors in order to facilitate the provision of the reasonable accommodation.

Request for accommodations will be kept confidential. Written requests for accommodations, along with any medical or other documentation provided, will be kept in files separate from the employee's personnel file. Access to information pertaining to requests for accommodations is strictly limited to those employees with an identifiable need to review the information.

Personnel - Certified and Non-Certified

Disabilities

Reasonable Accommodations Request Process (Continued)

Return to Work after Medical Leave

The District may require employees returning to work following an extended medical leave to obtain certification that they are fit to perform their job. Where the release to work includes limitations, the certification will be treated as a request for accommodation and be handled in accordance with the procedures in this guideline.

Under certain circumstances, where the District has concerns that an employee's *present* ability to perform essential job functions may be impaired by a medical condition or that she/he will pose a direct threat due to a medical condition, the District can ask employees to provide additional information from their physician or submit to a medical examination. Any inquiries or examination, however, will be limited in scope to the medical condition at issue and what is needed to make an assessment of an employee's ability to work.

Time Lines

Supervisors who receive requests for accommodation should respond to them promptly. The discussions between supervisors and the employee should commence immediately, and employees should provide all necessary medical information as soon as possible.

Retaliation

A supervisor may not retaliate against an employee because that employee has requested an accommodation.

Relation of Procedures to Statutory and Collective Bargaining Claims

The District's reasonable accommodation policy is in addition to statutory and collective bargaining protections for persons with disabilities. If an employee or applicant has questions, he or she should consult an attorney or union representative.

Personnel -- Certified/Non-Certified

Alcohol and Drugs

No employee of the New Haven Board of Education shall use, possess, manufacture, distribute or dispense any alcoholic beverage or controlled substance in any school building on the grounds of any school facility other than when such substance is medically prescribed by a licensed physician and is used in a manner consistent with such prescription.

Legal References: Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F
Drug-Free Schools and Communities Act of 1989, Pub.L. No. 101-226

Personnel -- Certified/Non-Certified

Alcohol, Drugs and Tobacco

The Board of Education working with the Superintendent shall make a good faith effort to continue to maintain a drug-free and alcohol-free workplace in accordance with state and federal laws through the implementation of this regulation.

The Board of Education will establish a drug-free awareness program to inform employees about the dangers of drug and alcohol abuse, the district's policy of maintaining a drug-free workplace, the employee assistance program, and the penalties that may be imposed on employees for drug or alcohol abuse violations occurring in the workplace.

Employees Funded by Federal Grant

Any employee who is funded by a federal grant, in an amount greater than \$25,000, is required to be given a copy of this policy and regulation concerning a drug-free workplace.

All such employees will be notified that, as a condition of employment under the grant, the employee will abide by the terms of Board's policy and will notify the Superintendent of Schools or his/her designee of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

If an employee who worked on a federal grant is convicted, the federal granting agency will be notified within ten days after the Superintendent of Schools or designee receives notice from an employee of such conviction.

One of the following actions will be taken within 30 days of receiving notice with respect to any employee who is so convicted:

1. Take appropriate personnel action against such an employee, up to and including termination;
2. Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by an appropriate federal, state or local agency.

Legal References:

Personnel -- Certified/Non-Certified

Alcohol, Drugs and Tobacco

Discovery of Controlled Drugs and/or Alcohol

- A. An employee finding such material will deliver it to the building principal.
- B. The principal will investigate the matter and notify the Superintendent of the incident.
- C. If the material is found to be or is suspected of being a controlled drug, the building principal will turn over the material to the police in exchange for a written receipt.

In cases where an employee is found to have brought such material onto school property, into a school building or vehicle, or to a school- or district-sponsored event, the Director of Staff Placement, Evaluation & Development will review and recommend to the Superintendent appropriate disciplinary action.

Legal References:

Personnel -- Certified/Non-Certified

Student Substance Abuse

The New Haven Board of Education recognizes that students should be drug-free so that the most effective learning experiences may take place. This policy is an integral part of the New Haven Public Schools Drug, Alcohol, and Tobacco Prevention Program and represents one component of a district-wide effort to respond effectively to drug, mood altering substance and alcohol related activities that may occur at school or at school sponsored activities.

Any New Haven Board of Education student is in violation of this policy if on a school bus, school grounds during a school session, or anywhere at a school sponsored activity such individual is under the influence of alcohol, drugs or mood-altering substances or unlawfully manufactures, possesses, uses, dispenses, distributes, sells or aids in the procurement of alcohol, narcotics, controlled substances, mood-altering substances, any substance purported to be a controlled substance, or drug paraphernalia. Such student shall be subjected to discipline up to and including expulsion, referral for prosecution. Copies of these standards of conduct and sanctions shall be provided to all students, parents and employees.

Drug and alcohol awareness, education and prevention programs for students shall be adopted and maintained to teach that the use of illegal drugs and the unlawful possession and use of alcohol is wrong and harmful.

The Board reserves the right to take additional actions to eliminate and control substance abuse, even if such actions are not specifically provided for in this policy.

The Board will review its program periodically to determine its effectiveness, to implement changes to the program if they are needed.

Legal References:

Personnel -- Certified/Non-Certified

Workplace Hazards

The Board has an ongoing program to communicate workplace hazards, including hazards related to bloodborne pathogens, to employees. Each at-risk employee will be trained in the elements of the program. In addition, a copy of this program is kept in all building principal's offices and the personnel office.

Training, needed protective equipment and vaccination, as provided in the procedures, will be at no cost to the personnel and are provided as a precaution for personnel safety.

Legal References: *Conn. Gen. Stat. § 31-372*
 Regs. Conn. State Agencies §31-372-101-1910.1030
 29 CFR Part 1910.1030

Personnel -- Certified/Non-Certified

Employee Protection

An employee may use reasonable force as is necessary to protect himself/herself from attack, to protect another person or property, to quell a disturbance threatening physical injury to others, or to obtain possession of weapons or other dangerous objects upon the person or in the control of a student.

Employees shall immediately report cases of assault suffered by them in connection with their employment to their principal or other immediate superior, and to local law enforcement agencies. Such notification shall be forwarded immediately to the Superintendent who shall comply with any reasonable request from the employee for information in the possession of the Superintendent relating to incident or the persons involved, and shall act as liaison between the employee, the police and the courts.

No school administrator shall interfere with the right of a teacher or other school employee to file a complaint with the local police authority in cases of threats of physical violence or actual physical violence against such teacher or employee.

As required by law, the Board of Education will file a report annually with the State Board of Education indicating the number of threats and physical assaults made by students upon teachers, administrators and other school personnel, and the number of physical assaults involving dangerous weapons made by students upon other students.

If criminal or civil proceedings are brought against an employee alleging that the employee committed an assault in connection with his/her employment, such employee may request the Board of Education to furnish legal counsel to defend the employee in any civil action or proceeding brought against the employee, within the limits set by law.

Personnel -- Certified/Non-Certified

Employee Protection (continued)

Section 52-557b of the General Statutes grants immunity from liability for emergency medical assistance to a person in need of it when the assistance is given by a teacher or other school personnel on the school grounds, in a school building, or at a school function, provided that the teacher or other staff member has completed a course in first aid offered by the American Red Cross, the American Heart Association, the State Department of Health Services, or any municipal health department, as certified by that agency, has such immunity that extends to civil damages for any personal injuries which result from acts or omissions by the person giving the emergency care or first aid, which might constitute ordinary negligence. Such immunity does not apply to acts or omissions constituting gross willful or wanton negligence.

Legal References: Conn. Gen. Stat. §§ 10-233b; 10-233c; 10-233g; 10-235; 10-236; 10-236a; 52-557b; 53a-18; 53a-19

Personnel -- Certified/Non-Certified**Injuries Received While Breaking Up A Student Fight**

Administrators, teachers and paraprofessionals, in the course of their employment, may be required to break up a fight between students. If one of the aforementioned employees is injured while breaking up a student fight and, in the written opinion of his or her physician or the School Medical Advisor, is required to miss work for medical reasons, the employee shall not be required to use accumulated sick time.

Legal References:

3.3 All specimens for urinalysis testing will be collected at Board designated medical and/or testing facilities and will be performed at the Board's expense. Currently, the Board's designated medical facility is the _____ and the Board's testing facility is _____. Said facility shall utilize the following procedures when a urine specimen is collected:

A. Collector verifies identification of donor and completes the following steps/blocks on the custody and control form:

1. Employer's name & address (and employer I.D. number if applicable)
2. Medical review officer (MRO) name and address
3. Drugs the specimen will be tested for
4. Type of test (i.e. pre-employment)
5. Donor's name, address and I.D. number (e.g. social security number, driver's license number, etc.).

B. Collector asks donor to remove unnecessary outer clothing (coat, jacket) and to leave briefcase, pocketbook, book bag or other personal belongings he/she is carrying with the jacket/coat.

C. Collector provides receipt for garments and belongings when requested by donor and secures items during collection.

D. Collector instructs donor to wash and dry his/her hands.

E. Collector presents donor a wrapped/sealed collection container or specimen bottle. Either the collector or the donor may unwrap or break the seal of the container/bottle.

F. Collector accompanies donor to the bathroom or stall where the donor will provide specimen. The donor enters the stall or bathroom and shuts the door; the collector remains outside the closed door. Collector shall NOT directly observe the applicant producing a urine specimen

G. The collector receives the specimen from the donor.

H. The collector checks the specimen:

1. reads the specimen temperature within 4 minutes of receiving specimen.

2. measures specimen volume to ensure there is at least 60 ml.
3. inspects the specimen for unusual color, odor or other signs of adulteration.

I. Collector pours specimen from the collection cup/container into the bottle, if separate collection container/cup was used. Temperature of specimen may be read from either collection cup/container or specimen bottle, so long as temperature reading is obtained within 4 minutes.

J. Collector places lid/cap on specimen bottle then applies tamper proof seal and label.

K. Donor initials the label/seal. Collector dates label/seal. At this point donor is allowed to wash his/her hands.

L. Collector records the temperature information on the custody and control form.

M. Donor completes the donor certification section of the form by signing the certification statement, providing his/her date of birth, and printed name and a contact phone number. This is a good point to remind the donor about his/her option to list prescriptions and over the counter medications he/she may have taken on the back of the donor copy of the custody and control form but not on any other copy.

N. Collector completes the collector certification section of the custody and control form, signing the certification statement, printing his/her name, location of the collection site, and the date of the collection.

O. Collector records any remarks concerning the collection in the "remarks" section of the custody and control form.

P. Collector signs the chain of custody block indicating he/she has received the specimen from the donor, and prints his/her name and the date. NOTE: The purpose of change entry has been pre-printed and explains the transfer of the specimen from the donor to the collector (provide specimen for testing).

Q. Collector completes chain of custody "released by" block, signing and printing his/her name and if the specimen is being prepared for shipment to

the laboratory, completes the "received by" block by printing the carrier or shipment service name and including the date. Collector then completes "purpose of change" section explaining the transfer of the specimen from the collector to the carrier or shipment service (i.e. transport specimen to lab).

R. Collector gives donor his/her copy of the custody and control form. Donor may leave collection site.

S. Collector prepares bottle and two laboratory copies of custody and control form for shipment, placing them in shipping container.

T. Collector seals shipping container and initials and dates seal on container.

U. Collector prepares additional copies of custody and control form for appropriate distribution (MRO copy to MRO, employer copy to employer, collection site copy for filing by collection facility).

3.4 Any urinalysis drug test determined to be positive shall be confirmed by a second test on that specimen performed utilizing Gas Chromatography/Mass Spectrometry or an equally reliable methodology approved by the Connecticut Commissioner of Labor. All testing shall be conducted in a manner that will ensure that the chain of custody has been maintained.

3.5 If urinalysis drug testing is used, no Board employee, representative, agent or designee or any other person shall directly observe the applicant producing a urine specimen.

3.6 Applicants will be advised of test results and will be provided with copies thereof upon request at no cost whatsoever to the applicant.

3.7 All medical records, including records pertaining to alcohol or drug tests or the therapy or rehabilitation efforts of drug or alcohol-dependent applicants will be treated confidentially as required by Conn. Gen. Stat. § 31-51w(b). Information concerning drug screening and rehabilitation procedures involving applicants will not be revealed except as appropriate on a need-to-know basis or for the purpose of protecting the applicant's safety, the safety of others, or Board operations or property.

NEW HAVEN BOARD OF EDUCATION

APPLICANT CONSENT TO
ALCOHOL AND DRUG SCREENING

Pursuant to the New Haven Board of Education's Substance Abuse Policy, I have been instructed by the Board to submit to a test which includes the collection of blood, urine and/or breath samples and other necessary medical procedures to determine the presence or use of alcohol, drugs or controlled substances.

In accordance with the Board's Substance Abuse Policy, I hereby voluntarily consent to provide the Board with blood, urine and/or breath samples for testing purposes at a medical and/or testing facility designated by the Board. I consent to having the specimen taken at _____ and tested at _____. Further, I certify that the specimen collected from me will be mine and will not be adulterated and altered in any manner.

The tests may be used to detect the presence of:

Alcohol	Methadone
Amphetamines	Methaqualone
Barbiturates	Opiate derivatives (e.g. heroin, morphine)
Benzodiazepines	Phencyclidine (PCP)
Cocaine Metabolites	Marijuana (cannabinoid metabolites)
Hallucinogens	Propoxyphene

Substances included in Schedules I through III of Section 202 of the Federal Controlled Substances Act, 21 U.S.C. § 812.

I have taken the following drugs, alcohol or substance(s) within the last thirty (30) days:

	<u>Name</u>	<u>Amount</u>
sleeping pills	_____	_____
diet pills	_____	_____
pain relief pills	_____	_____
cold tablets	_____	_____
any other over-the-counter medications	_____	_____
any other prescribed medications or substances	_____	_____
alcohol	_____	_____

All screening tests for drugs are subject to careful testing procedures with mandatory confirmation of any preliminary positive tests. I understand that if my test indicates a confirmed positive for illegal drugs I will not be hired by the Board. I will be given reasonable opportunity to explain confirmed positive tests for substances other than illegal drugs.

I understand the results of these tests and other relevant medical information may be used for hiring decisions and I hereby authorize _____ to release test results to the Board's outside medical advisor, _____, for appropriate review and for _____ to release test results to the Board.

I understand that I may request a copy of any tests taken as part of the physical examination upon receipt of the results by the Board's outside medical advisor from the laboratory and that such copy will be provided to me at no cost to me.

I understand that if I refuse to or fail to consent or take any test, I will not be considered for employment by the Board.

AGREED TO:

WITNESS:

Signature Date

Signature Date

REFUSED:

WITNESS:

Signature Date

Signature Date

REASON(S) FOR REFUSAL:

Personnel -- Certified/Non-Certified

Maintenance of a Drug Free Workplace

The safety of the students entrusted to the New Haven Board of Education and of the Board's employees and equipment, as well as the safety of the general public, is of paramount concern to the Board. Due to the nature of our work, imprecision, inaccuracy or lack of clear thinking on the part of any employee brought about by the use or misuse of drugs or alcohol is clearly unacceptable as it exposes employees, students, guests and members of the public to the risk of injury or death. It is the Board's expectation that all employees are in suitable mental and physical condition while at work and are thereby able to perform their jobs in a satisfactory manner.

For this reason, and in accordance with the Drug-Free Workplace Act of 1988, the attainment of an alcohol and drug free work force is one of the Board's primary goals. To that end, the Board hereby adopts the attached model Substance Abuse Policy and directs the Superintendent or his/her designee to take such steps as necessary to implement the policy in accordance with any obligations or requirements that may exist under applicable collective bargaining agreements and state or federal law.

Legal References: Drug-Free Workplace Act of 1988, 41 USC § 701 et seq.

NEW HAVEN BOARD OF EDUCATION
SUBSTANCE ABUSE POLICY AND
PRE-EMPLOYMENT TESTING PROCEDURES

Introduction

The safety of the students entrusted to the New Haven Board of Education and of the Board's employees and equipment, as well as the safety of the general public, are of paramount concern to the Board. Due to the nature of our work, imprecision, inaccuracy or lack of clear thinking on the part of any employee brought about by the use or misuse of drugs or alcohol is clearly unacceptable as it exposes employees, students, guests and members of the public to the risk of injury or death. For this reason, and also to comply with any obligations the Board may have under the Drug-Free Workplace Act of 1988, the attainment of an alcohol and drug free work force is one of the Board's primary goals. This Policy is an important element of the Board's general policy which requires all employees to be in suitable mental and physical condition while at work and to perform their jobs in a satisfactory manner.

Because of the Board's commitment to safety and to fulfilling any obligations it may have under Federal laws, the Board has established the following rules and regulations regarding alcohol and drugs:

ARTICLE 1: IN GENERAL

1.1 Definitions & Scope

1.1.1 "Illegal drug" means any drug (a) not legally obtainable or (b) legally obtainable but not legally obtained or used. Therefore, the term includes prescription drugs obtained illegally and prescription drugs not being used for prescribed purposes. It also includes marijuana, cocaine and heroin and derivatives of those drugs, among other illegal drugs.

1.1.1 "Legal drug" includes prescribed and over-the-counter drugs legally obtained and being used for the purpose for which they were prescribed and/or manufactured.

1.2 This Policy applies to all applicants for employment with the Board.

ARTICLE 2: PRE-EMPLOYMENT PHYSICALS

2.1 Physical Examinations and Chemical Testing

2.1.1 The Board reserves the right to condition employment offers on an applicant's successful passing of a mandatory pre-employment physical examination which includes a test for illegal drugs and for legal drugs at levels which are inconsistent with the therapeutic dose of the drug.

2.1.2 Applicants have the right to refuse to participate in such physical examinations or chemical testing and the Board has a similar right to refuse to hire applicants who do so.

2.1.3 As part of the application process, all applicants shall be required to execute a consent form for pre-employment drug screening prior to any physical examination or chemical testing. Failure to sign the consent form will render the application incomplete and render the applicant ineligible for employment.

2.1.4 All physical examinations and chemical tests will take place at a Board designated medical facility and will be performed at the Board's expense.

2.1.5 All drug testing will be conducted in accordance with applicable state and federal statutes and regulations.

2.1.6 The Board will not hire any applicant who has a confirmed positive urinalysis drug test for an illegal drug or who fails the physical examination. So long as an Applicant can perform the essential functions of the job for which he or she is applying with or without reasonable accommodation, the Applicant will not be deemed to have failed the physical exam. Applicants will be given a reasonable opportunity to provide an explanation acceptable to the Board for a confirmed positive drug test result for legal drugs. An applicant providing an unacceptable explanation will be denied employment.

2.1.7 Applicants are responsible for substantiating and authenticating all medical information required to complete a pre-employment evaluation. The Board will not hire any applicant who fails to respond in a full and honest manner.

ARTICLE 3: TESTING PROCEDURE

3.1 All applicants subject to testing pursuant to Article 2 will be provided with the consent forms for pre-employment alcohol and drug screening. No individual will be tested without having first executed such form. The Board reserves the right not to hire any applicant who refuses to submit to drug and/or alcohol testing or who refuses to execute and fully complete a consent form pursuant to this Policy.

3.2 The Board may test for the following substances and for any other substances as may be required by State or Federal law or regulation:

Alcohol	Methadone
Amphetamines	Methaqualone
Barbiturates	Opiate derivatives (e.g. heroin, morphine)
Benzodiazepines	Phencyclidine (PCP)
Cocaine Metabolites	Marijuana (cannabinoid metabolites)
Hallucinogens	Propoxyphene

Substances included in Schedules I through III of Section 202 of the Federal Controlled Substances Act, 21 U.S.C. § 812.

The Board reserves the right to conduct a periodic review of the foregoing list and to add additional drugs to the list, after notice to and negotiations with the applicable union. Any such negotiations shall be subject to the provisions of the Municipal Employee Relations Act, Conn. Gen. Stat. §§ 7-467 et seq.

NEW HAVEN BOARD OF EDUCATION
SUBSTANCE ABUSE POLICY AND
POST-EMPLOYMENT TESTING PROCEDURES

Introduction

Because of the Board's commitment to safety and to fulfilling any obligations it may have under Federal laws, the Board has established the following rules and regulations regarding alcohol and drugs:

ARTICLE 1: IN GENERAL

1.1 Definitions & Scope

1.1.1 For the purposes of this Policy, being "under the influence" means that the employee is affected by a drug or alcohol or the combination of a drug and alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance.

1.1.2 "Illegal drug" means any drug (a) not legally obtainable or (b) legally obtainable but not legally obtained or used. Therefore, the term includes prescription drugs obtained illegally and prescription drugs not being used for prescribed purposes. It also includes marijuana, cocaine and heroin and derivatives of those drugs, among other illegal drugs.

1.1.3 "Legal drug" includes prescribed and over-the-counter drugs legally obtained and being used for the purpose for which they were prescribed and/or manufactured.

1.2 This Policy applies to all employees of the Board.

ARTICLE 2: ALCOHOL

2.1 Consuming alcohol or being under the influence of alcohol during working hours is prohibited.

2.2 Consuming alcohol or being under the influence of alcohol in Board vehicles at any time is prohibited.

2.3 The possession, purchase, transfer or sale of alcohol during working hours is prohibited.

2.4 The possession, purchase, transfer or sale of alcohol in Board vehicles at any time is prohibited.

ARTICLE 3: LEGAL DRUGS

3.1 Except for over-the-counter drugs, no legal drugs shall be brought onto Board owned or controlled premises or into a Board vehicle by any person other than the one for whom the drug was properly prescribed. Legal drugs are to be used only in a manner, combination and quantity as prescribed or directed.

ARTICLE 4: ILLEGAL DRUGS

4.1 Using or being under the influence of illegal drugs at any time is prohibited.

4.2 The manufacture, distribution, dispensation, possession, purchase, storage, transfer or sale of illegal drugs at any time is prohibited.

ARTICLE 5: DISCIPLINE/DISCHARGE FOR VIOLATIONS

Any violation of Articles 2, 3 or 4 will subject the employee to discipline up to and including discharge.

ARTICLE 6: POST-EMPLOYMENT INVESTIGATIONS

6.1 Chemical Testing

6.1.1 The Board, acting through an administrator, manager or supervisor (hereinafter collectively referred to as the "Supervisor"), may require an employee to submit to a physical examination, blood test, breathalyzer test, screening test or urinalysis for drugs and/or alcohol if the Supervisor finds there is reasonable suspicion that the employee is under the influence of drugs or alcohol during working time or in an Board vehicle. For all purposes under this Policy, the existence of "reasonable suspicion" shall be determined solely based on personal observation of specific, objective facts where the rational inference to be drawn under the circumstances is that the person is under the influence of drugs or alcohol.

6.1.2 Any employee who receives a confirmed positive drug test for illegal drugs designated in Section 7.2 will be subject to discipline up to and including discharge, even for a first offense.

6.1.3 Employees will be given a reasonable opportunity to provide an explanation acceptable to the Board for a confirmed positive drug test result showing the presence of a higher than therapeutic level of legal drugs listed in Section 7.2 or a positive alcohol test. An employee providing an unacceptable explanation will be subject to discipline up to and including discharge, even for a first offense.

ARTICLE 7: TESTING PROCEDURE

7.1 All employees subject to testing pursuant to Article 6 will be provided with consent forms for either pre- or post-employment alcohol and drug screening. No individual will be tested without having first executed such form. The Board reserves the right to discipline, up to and including discharge, any employee who refuses a request to submit to drug and/or alcohol testing pursuant to this Policy or who refuses to execute and fully complete a consent form pursuant to the provisions of this Agreement.

7.2 The Board may test for the following substances and for any other substances as may be required by State or Federal law or regulation:

Alcohol

Methodone

Amphetamines	Methaqualone
Barbiturates	Opiate derivatives (e.g. heroin, morphine)
Benzodiazepines	Phencyclidine (PCP)
Cocaine Metabolites	Marijuana (cannabinoid metabolites)
Hallucinogens	Propoxyphene

Substances included in Schedules I through III of Section 202 of the Federal Controlled Substances Act, 21 U.S.C. § 812.

The Board reserves the right to conduct a periodic review of the foregoing list and to add additional drugs to the list, after notice to and negotiations with the applicable union. Any such negotiations shall be subject to the provisions of the Municipal Employee Relations Act, Conn. Gen. Stat. §§ 7-467 et seq.

7.3 All specimens for urinalysis testing will be collected at Board designated medical and/or testing facilities and will be performed at the Board's expense. Currently, the Board's designated medical facility is the _____ and the Board's testing facility is _____. The Board shall not change such facility or facilities without notice to and negotiations with the applicable union. Any such negotiations shall be subject to the provisions of the Municipal Employee Relations Act, Conn. Gen. Stat. §§ 7-467 et seq. The Supervisor who found that there was reasonable suspicion that the employee was under the influence of drugs or alcohol during working time or in an Board vehicle shall appear in person and consult with a physician at the Board designated medical and/or testing facility before the employee may be tested. Said facility shall utilize the following procedures when a urine specimen is collected:

V. Collector verifies identification of donor and completes the following steps/blocks on the custody and control form:

1. Employer's name & address (and employer I.D. number if applicable)
2. Medical review officer (MRO) name and address

3. Drugs the specimen will be tested for
4. Type of test (i.e. pre-employment, reasonable suspicion, etc.)
5. Donor's I.D. number (i.e. social security number, badge number or other employee number).

W. Collector asks donor to remove unnecessary outer clothing (coat, jacket) and to leave briefcase, pocketbook, book bag or other personal belongings he/she is carrying with the jacket/coat.

X. Collector provides receipt for garments and belongings when requested by donor and secures items during collection.

Y. Collector instructs donor to wash and dry his/her hands.

Z. Collector presents donor a wrapped/sealed collection container or specimen bottle. Either the collector or the donor may unwrap or break the seal of the container/bottle.

AA. Collector accompanies donor to the bathroom or stall where the donor will provide specimen. The donor enters the stall or bathroom and shuts the door; the collector remains outside the closed door. Collector shall NOT directly observe the employee producing a urine specimen

BB. The collector receives the specimen from the donor.

CC. The collector checks the specimen:

1. reads the specimen temperature within 4 minutes of receiving specimen.
2. measures specimen volume to ensure there is at least 60 ml.
3. inspects the specimen for unusual color, odor or other signs of adulteration.

DD. Collector pours specimen from the collection cup/container into the bottle, if separate collection container/cup was used. Temperature of specimen may be read from either collection cup/container or specimen bottle, so long as temperature reading is obtained within 4 minutes.

EE. Collector places lid/cap on specimen bottle then applies tamper proof seal and label.

FF. Donor initials the label/seal. Collector dates label/seal. At this point donor is allowed to wash his/her hands.

GG. Collector records the temperature information on the custody and control form.

HH. Donor completes the donor certification section of the form by signing the certification statement, providing his/her date of birth, and printed name and a contact phone number. This is a good point to remind the donor about his/her option to list prescriptions and over the counter medications he/she may have taken on the back of the donor copy of the custody and control form but not on any other copy.

II. Collector completes the collector certification section of the custody and control form, signing the certification statement, printing his/her name, location of the collection site, and the date of the collection.

JJ. Collector records any remarks concerning the collection in the "remarks" section of the custody and control form.

KK. Collector signs the chain of custody block indicating he/she has received the specimen from the donor, and prints his/her name and the date. NOTE: The purpose of change entry has been pre-printed and explains the transfer of the specimen from the donor to the collector (provide specimen for testing).

LL. Collector completes chain of custody "released by" block, signing and printing his/her name and if the specimen is being prepared for shipment to the laboratory, completes the "received by" block by printing the carrier or shipment service name and including the date. Collector then completes "purpose of change" section explaining the transfer of the specimen from the collector to the carrier or shipment service (i.e. transport specimen to lab).

MM. Collector gives donor his/her copy of the custody and control form. Donor may leave collection site.

NN. Collector prepares bottle and two laboratory copies of custody and control form for shipment, placing them in shipping container.

OO. Collector seals shipping container and initials and dates seal on container.

PP. Collector prepares additional copies of custody and control form for appropriate distribution (MRO copy to MRO, employer copy to employer, collection site copy for filing by collection facility).

7.4 Any urinalysis drug test determined to be positive shall be confirmed by a second test on that specimen performed utilizing Gas Chromatography/Mass Spectrometry or an equally reliable methodology approved by the Connecticut Commissioner of Labor. All testing shall be conducted in a manner that will ensure that the chain of custody has been maintained.

7.5 If urinalysis drug testing is used, no Board employee, representative, agent or designee shall directly observe the employee producing a urine specimen.

7.6 Employees will be advised of test results and will be provided with copies thereof upon request at no cost whatsoever to the employee.

7.7 All medical records, including records pertaining to alcohol or drug tests or the therapy or rehabilitation efforts of drug or alcohol-dependent employees will be treated confidentially as required by Conn. Gen. Stat. § 31-51w(b). Information concerning drug screening and rehabilitation procedures involving employees will not be revealed except as appropriate on a need-to-know basis or for the purpose of protecting the employee's safety, the safety of others, or Board operations or property.

ARTICLE 8: CRIMINAL DRUG STATUTE CONVICTIONS

8.1 Upon his or her conviction for a violation of a criminal drug statute, an employee must notify the Board of the conviction within five (5) calendar days if the violation occurred upon Board owned or controlled premises or in a Board vehicle.

8.2 An employee convicted of such a violation of a criminal drug statute will be subject to discipline up to and including discharge, even for a first offense.

8.3 For the purposes of this Policy, "criminal drug statute" means a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, possession or use of any controlled substance.

8.4 For the purposes of this Article, "controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. § 812) and as further defined in regulation at 21 CFR §§ 1308.11 - 1308.15.

8.5 For the purposes of this Policy "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

ARTICLE 9: EMPLOYEE ASSISTANCE PROGRAM

9.1 Both the Board and the Union strongly favor a drug free work environment. To that end, employees are urged to seek counseling, evaluation, and treatment if needed. The Board shall establish a list of area resources for counseling, evaluation and treatment.

9.2 **VOLUNTARY REQUESTS FOR ASSISTANCE:** If an employee requests help for a substance abuse problem before his or her job performance has been adversely affected, the Board will offer rehabilitation assistance. The employee must voluntarily request this assistance and must voluntarily agree to comply with the terms of the rehabilitation program. All requests for such assistance shall be made to the Executive Director, the appropriate Deputy Director, the Director of Public Safety, or the Board's Employee Assistance Officer. As regards internal Board communications, all such requests and other information concerning the employee's voluntary participation in the Employee Assistance Program shall be kept confidential by the officials listed above, with the understanding that they may discuss such requests with individuals outside of the Board, such as health care providers, representatives of the Board's health insurance administrators and insurers, and individuals with a similar need to know.

Certain approved treatment expenses are covered by the Board's major medical plan. If an unpaid leave of absence is required for adequate treatment, it will be granted for a period not to exceed forty-five (45) days. Accrued sick days and/or accrued vacation days may also be utilized, if requested

by the employee. To maintain appropriate confidentiality, internal Board communications regarding such leaves of absence shall identify as the reason for such leaves of absence as "personal". It is the responsibility of each employee, however, to seek assistance from the Board before alcohol and drug problems lead to disciplinary action, which can include discharge. The employee's decision to seek assistance through the Board or a rehabilitation program will not be used as a basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. Further, the employee's job, career, and promotability are not diminished due to any application for assistance or involvement in a treatment program.

In coordination with a rehabilitation program and/or upon the expiration of a leave of absence for rehabilitation purposes, the employee will be allowed to continue working or will be returned to work when the employee voluntarily agrees to submit to alcohol and drug screening, fully at the Board's expense, including blood or urine tests on a periodic or random basis for a period of one (1) year from the completion of the rehabilitation program. Failure to remain alcohol and drug free upon completion of a rehabilitation program will result in immediate dismissal.

Employee assistance is a two-way street. We recognize the need for Board understanding and involvement and are committed to offer such understanding and involvement. Individuals who are afflicted by these disabilities, however, must recognize the need to seek aid immediately. Since a violation of the rules established by this Substance Abuse Policy may result in immediate discharge, a request for employee assistance after such a violation may be too late.

ARTICLE 10: MISCELLANEOUS

10.1 Searches

The Board reserves the right to conduct unannounced searches of its property, vehicles and facilities, including work areas, desks and lockers assigned to employees, at any time. No employee has the right to interfere with or object to such searches of Board property based on expectations of privacy or otherwise.

Prior written approval of the Director of Staff Placement, Evaluation and Development, co-signed by the supervisor requesting the search, is required before any search will take place.

Searches of the persons of employees, including articles of clothing being worn by employees, are prohibited.

10.2 Involvement of Law Enforcement
or Regulatory Agencies

Violations of this Policy may be referred to appropriate state and/or federal law enforcement and regulatory agencies.

RELATIONSHIP BETWEEN SUBSTANCE ABUSE
POLICY, STATE LAW OR REGULATION, ANY COLLECTIVE
BARGAINING AGREEMENT, AND
THE BOARD'S RULES AND REGULATIONS

Nothing contained in this Policy shall be deemed or construed to limit in any way whatsoever any of the Board's rights under State law or regulation or under the Management Rights clause or other provision of any collective bargaining agreement.

NEW HAVEN BOARD OF EDUCATION

EMPLOYEE CONSENT TO
ALCOHOL AND DRUG SCREENING

Pursuant to the New Haven Board of Education's Substance Abuse Policy, I have been instructed by the Board to submit to a test which includes the collection of blood, urine and/or breath samples and other necessary medical procedures to determine the presence or use of alcohol, drugs or controlled substances.

In accordance with the Board's Substance Abuse Policy, I hereby voluntarily consent to provide the Board with blood, urine and/or breath samples for testing purposes at a medical and/or testing facility designated by the Board. I consent to having the specimen taken at _____ and tested at _____. Further, I certify that the specimen collected from me will be mine and will not be adulterated and altered in any manner.

The tests may be used to detect the presence of:

Alcohol	Methadone
Amphetamines	Methaqualone
Barbiturates	Opiate derivatives (e.g. heroin, morphine)
Benzodiazepines	Phencyclidine (PCP)
Cocaine Metabolites	Marijuana (cannabinoid metabolites)
Hallucinogens	Propoxyphene

Substances included in Schedules I through III of Section 202 of the Federal Controlled Substances Act, 21 U.S.C. § 812.

I have taken the following drugs, alcohol or substance(s) within the last thirty (30) days:

	<u>Name</u>	<u>Amount</u>
sleeping pills	_____	_____
diet pills	_____	_____
pain relief pills	_____	_____
cold tablets	_____	_____
any other over-the-counter medications	_____	_____
any other prescribed medications or substances	_____	_____
alcohol	_____	_____

All screening tests for drugs are subject to careful testing procedures with mandatory confirmation of any preliminary positive tests. I understand that if my test indicates a confirmed positive for illegal drugs I will be subject to discipline up to and including discharge. I will be given reasonable opportunity to explain confirmed positive tests for substances other than illegal drugs. I understand that an employee providing an unacceptable explanation is subject to discipline up to and including discharge.

I understand the results of these tests and other relevant medical information may be used for employment decisions and I hereby authorize _____ to release test results to the Board's outside medical advisor (_____) for appropriate review and for _____ to release test results to the Board.

I understand that I may request a copy of any tests taken as part of the physical examination upon receipt of the results by the Board's outside medical advisor from the laboratory and that such copy will be provided to me at no cost to me.

I understand that if I refuse to or fail to consent or take any test, I will be subject to discipline up to and including discharge.

AGREED TO:

WITNESS:

Signature	Date	Signature	Date
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REFUSED:

WITNESS:

Signature	Date	Signature	Date
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REASON(S) FOR REFUSAL:

Personnel -- Certified/Non-Certified

Smoking

No person shall smoke in any Board building or portion thereof except in designated smoking areas or otherwise specifically authorized.

Sanctions for Violation of Tobacco Policy

1. **First Offense**
Upon the first violation an employee found to be smoking in the school building during regular school hours, the employee will be warned verbally that he/she is violating Board policy and/or state law, as appropriate, and that further violation will lead to a written warning. The supervisor who issued the verbal warning shall document the fact of the verbal warning for the employee's personnel file.
2. **Second Offense**
Employees who are found to violate the policy a second time will be warned in writing that he/she is violating Board policy and/or state law, as appropriate, and that further violation will lead to the termination of his or her employment. The supervisor who issued the written warning shall send a copy of the warning to the employee's personnel file.
3. **Third Offense**
Upon a third violation, the employee will be terminated from his or her employment in accordance with the normal procedures for such terminations.

Legal References: Conn. Gen. Stat. §§ 1-21b, as amended.

Personnel -- Certified/Non-Certified

Health Examination

Any employee whom the administration intends to recommend to the Board for hire may be given a conditional offer of employment, subject to the employee's successfully passing a physical examination and/or the employee's successfully passing a urinalysis drug test.

The Superintendent may require a medical examination of any employee by the School Medical Advisor whenever the Superintendent has grounds to believe that the employee's work performance is adversely affected by illness or injury or to believe that the employee poses a health threat to co-workers or students or to believe that such examination is otherwise necessary for the protection of health. Nothing contained in this policy is intended to limit in any way the powers and authority of the school medical advisor.

(cf. 4118.14/4218.14 Disabilities)

Legal References: Conn. Gen. Stat. §§ 10-207; 10-220; 10-145; 10-151

Personnel -- Certified/Non-Certified

Compensation and Related Benefits

Staff Contracts and Compensation Plans

The Board annually reviews and sets the salaries of staff members who are not members of a recognized bargaining unit. Benefits extended shall be comparable to those extended to employees in bargaining units involving comparable work.

The Board also enters into individual written employment contracts with all certificated personnel and executive management personnel.

Legal References:

Personnel -- Certified/Non-Certified

Travel; Reimbursement

The Board of Education may reimburse employees and officials of the district for pre-approved actual and necessary expenses incurred while using private vehicles, or in connection with attendance at meetings or conferences approved by the Superintendent of Schools and/or the Board. Such reimbursement shall be in accordance with rates approved by the Board from time to time.

Legal References: Charter of the City of New Haven, Art. XXIX, § 150

Personnel -- Certified/Non-Certified

Employee Attendance

The New Haven Board of Education cannot serve its pupils and its various constituencies efficiently, or effectively manage its educational and education-support functions, if employees are not at work on their scheduled work days to the greatest extent possible.

While the Board recognizes that employees will be absent from work from time to time for acceptable and legitimate reasons, it also recognizes that an employee who is excessively absent or tardy for illegitimate reasons is not a contributing member of the school staff and may adversely impact upon student learning and school operations.

For this reason, the Board has sought to provide a methodology for evaluating employee attendance, to establish procedures for the periodic review of employee attendance, and to provide for the recognition of excellence in attendance and for the improvement of excessive absenteeism and tardiness as appropriate to maintain efficient operations. To that end, the Board hereby adopts the attached model Attendance Policy and directs the Superintendent or his/her designee to take such steps as necessary to implement the policy in accordance with any obligations or requirements that may exist under applicable collective bargaining agreements and state or federal law.

Legal References: Charter of the City of New Haven, Art. XXIX, § 150

NEW HAVEN BOARD OF EDUCATION ATTENDANCE POLICY

I. BASIS OF POLICY:

The New Haven public schools cannot properly educate their students or serve their various constituencies if employees are not at work on their work days to the greatest extent possible. While the New Haven Board of Education (the "Board") recognizes that employees will be absent from work from time to time for acceptable and legitimate reasons, it also recognizes that an employee who is unavailable for work an excessive amount of time is not an appropriately contributing member of the New Haven public school workforce. As a result, abuse of sick leave, excessive absenteeism, and excessive tardiness are unacceptable and are subject to corrective action and, if not corrected, will lead to discharge.

The number of sick leave days granted to each employee yearly is not intended to establish a guideline for acceptable attendance. Sick leave is allowed by the Board to accumulate at an annual rate in excess of that which is normally expected to be used as "insurance" for periods of serious and extraordinary personal health conditions.

II. EXTENT OF POLICY:

This policy is not intended to and shall not be interpreted to amend the existing provisions of any collective bargaining agreement between the Board and any collective bargaining representative of the Board's employees. With relation to any particular bargaining unit, to the extent that any specific provision of this policy is inconsistent with the specific provisions of its collective bargaining agreement, the provisions of that agreement shall prevail.

III. ATTENDANCE GOAL:

Every employee has the responsibility to maintain a good attendance record. When it is not possible for an employee to come to work due to an illness, he/she should seek appropriate medical attention and take the steps necessary to ensure a swift return to work. It is imperative that each employee not let minor inconveniences cause him or her to be absent from work.

Excessive employee absences and/or habitual tardiness is unacceptable.

The Personnel Department should be contacted with any questions.

IV. GUIDELINES:

While the thrust of this Attendance Policy is prevention and correction of problems, the Board has also established guidelines to assist supervisors in dealing with employees who persist in having poor attendance. Employees with problem absenteeism must be counseled by their supervisors and encouraged to improve their records. Supervisors will also explain and offer the Employee Assistance Program (the "EAP") to employees. In addition, the Personnel Department is available to employees wishing to avail themselves of the EAP, and to Supervisors for counseling assistance.

While this Policy is intended to encourage employees to improve their attendance records, the Board will take appropriate action in cases where records clearly show excessive use of or abuse of leave privileges. The following guidelines shall be adhered to by ALL supervisors for ALL employees. Each supervisor will consider all the facts relating to an individual employee's attendance. PLEASE NOTE: These steps are progressive. Prior to taking any action beyond counseling/oral warning, a Supervisor should first consult with the Personnel Department.

V. DEFINITIONS:

Absence - An Absence is defined as any unscheduled absence from work during scheduled working hours, excluding absence for vacation, personal leave, jury duty, documented personal emergencies, death in the family, or military leave. An absences covered by the Family Medical Leave Act will not be counted as an Absence for the purposes of this Policy.

Tandem Occasion - An unscheduled absence immediately prior to or following a regularly scheduled day off (week-end, vacation, holiday, etc.).

Tardiness - Reporting late to work or returning late from lunch.

Occasional Tardiness - Tardiness occurring three (3) times or less in a ninety calendar day period

Habitual Tardiness - Tardiness occurring more than three (3) times in a ninety calendar day period

Occasion - A single absence covering consecutive work days.

Incident - A single event.

VI. PROCEDURES:

Supervisors will administer the attendance standards and procedures outlined below, regardless of employee position, eligibility for sick leave benefits, or length of service.

A. Commendations.

The Board feels that the recognition of a good attendance record is as important as corrective discipline is for a poor attendance record. Supervisors and Principals are urged to commend employees with good attendance records. Such commendation may be in the form of an annual letter which should be personalized. Copies of the letter should be placed in the employee's personnel file. A good attendance record is one with three or fewer days of absence during a school year.

B. Attendance Standards.

The Board will seek to maintain the following attendance standard:

1) No more than three (3) occasions of unscheduled absence or five (5) days of unscheduled absence per employee per academic year will be considered acceptable. The reason for the absence (except for leaves under the Family and Medical Leave Act) is immaterial; and,

2) No more than three incidents of tardiness within any 90-day calendar period will be considered acceptable.

C. Physician's Documentation Any employee who is Absent due to illness for five (5) consecutive days or more at any point during an academic year may be required to submit a physician's return to work authorization statement acceptable to the Board at the time he or she returns to work. Such doctor's statement shall include the doctor's diagnosis of the illness or injury that caused the absence and the dates of occurrence. Failure to provide satisfactory evidence of illness or injury shall result in no pay for the absence, and other corrective action, if appropriate. A physical examination at the Board's expense by an independent physician acceptable to the teacher and the Board may be required by the Board or the Superintendent or his designee if there exists any reasonable doubt concerning the teacher's illness. The restrictions provided for in this

subsection shall remain in effect until such time as the employee has completed six months without a health related Absence.

D. Physician's Certification For Leave Under The Family Medical Leave Act ("FMLA"). Employees will be required to submit a physician's certification on U. S. Department of Labor Form 400 documenting a leave under the Family Medical Leave Act, as defined by the FMLA. An employee who believes that an absence may be covered under the FMLA must contact the Personnel Department directly to obtain a United States Department of Labor "Certification of Health Care Provider" form which must be completed and returned to the Personnel Department by the employee's physician. In other cases where the Form is required, the Board shall provide the employee with a copy of the Form. Full details of employees' FMLA rights are available in the Personnel Department.

E. Leaving Work Early. An employee who leaves work early without authorization will not be tolerated. Any employee doing so shall be considered as Absent Without Leave (AWOL), and will be subject to appropriate disciplinary action, up to and including termination of employment.

F. Notification.

1. Advance Notice. Employees are required to give advance notice, whenever possible, of lateness or anticipated absence, and provide the reason for the absence. If advance notice is not possible, the employee must give notification by phone personally and directly to his or her supervising administrator or his or her designee -- such calls must be made in accordance with the rules of the school to which the teacher is assigned or with the rules established by the teacher's supervising administrator if the teacher is not assigned to a school.

2. Employee to Maintain Contact. Administrators will inform teachers of their obligations to report when they are Absent for more than one day, unless the employee has provided a doctor's certification covering a specified period. Frequency of contact between employee and supervisor will be by mutual agreement in the case of prolonged illness and/or hospitalization.

G. Absence Without Notice/Absence Without Authorization. If the employee fails to notify the Board of an absence as required by this policy, the employee's absence is considered unauthorized. After three consecutive days absence without notice, the employee will be considered to have resigned from employment.

H. Scheduling Absences. Employees who must be absent for personal reasons or medical appointments will be advised to schedule such appointments outside

working hours, if possible. In instances where a medical appointment cannot be scheduled outside working hours, and the need to be absent from work is known in advance, the employee must request leave in writing in advance from his/her supervisor and receive his/her Supervisor's written approval for same in advance. Medical appointments covered under Workers Compensation which cannot be scheduled outside of working hours must be authorized by the Personnel Department.

I. Reports. Supervisors are responsible for maintaining complete records of employees' attendance. The Board will provide Supervisors with monthly attendance/tardiness reports. Supplemental reports are available to Supervisors on an as-needed basis from the Personnel Department.

J. Performance Appraisal. Employee attendance will be evaluated by each supervisor as part of each employee's performance appraisals. The records of employees with attendance problems will be reviewed frequently and regularly. No employee shall be considered performing at a satisfactory level if his/her attendance is unacceptable.

VII. CORRECTIVE ACTION:

A. Excessive Absenteeism, habitual tardiness or other infractions of attendance standards will be cause for disciplinary action, up to and including termination of employment.

B. Employees who incur either four (4) occasions of absence or six (6) days of Absence in any twelve month period shall have their Absence Record discussed with them by their Supervisor. This discussion shall be considered an oral warning, if appropriate.

Employees who incur four (4) incidents of tardiness within any 90 calendar day period shall have their tardiness record discussed with them by their supervisors, which shall be considered an oral warning, if appropriate.

This oral warning/counseling session shall be documented by a written memorandum to the employee from the supervisor. In connection with the determination of whether or not to issue an oral warning, the supervisor shall consider the following criteria:

- (1) number of occasions
- (2) pattern of absences (including, but not limited to, tandem absences, Monday/Friday absences, day before or day after a Holiday absence, etc.)
- (3) employee's past record

(4) extenuating circumstances

C. Employees who incur an additional Absence after an oral warning (for a total of seven (7) Absences in any twelve month period, or who incur an additional tardy incident (for a total of five (5) during any 90 calendar day period), shall be given a Formal Written Reprimand by the Supervisor in conjunction with the Personnel Department, and a written Performance Improvement Plan ("PIP") (form attached), all of which shall be placed in the Employee's Personnel File.

D. Employees who incur an additional Absence after receiving a PIP (for a total of eight (8) Absences in any twelve month period or who incur an additional tardy incident (for a total of six (6) during any 90 calendar day period) shall be given a final written warning by their supervisor, in conjunction with the Personnel Department, and will be placed on probation by the appropriate Supervisor or the Superintendent of Schools.

E. At each step, the Supervisor shall discuss with the employee contributing problems and possible corrective measures.

F. Subsequent Absences or Tardy incidents by employees will result in suspension without pay, and, ultimately, termination of employment in cases where the employee fails to improve his/her attendance.

VIII. ABUSE OF SICK LEAVE:

A. Supervisors are expected to follow up on employee absences to show that the Board is interested in the employee's welfare and also to ascertain whether or not there is abuse of sick leave.

B. If it has been determined that an employee has abused sick leave or is absent without authorized leave, immediate disciplinary action, up to and including discharge will be taken. Each case of such abuse will be discussed with the employee and considered on an individual basis.

PERFORMANCE IMPROVEMENT PLAN

EMPLOYEE NAME _____

JOB TITLE _____ LOCATION _____

Performance deficiency requiring improvement:

1. What does it look like now?

2. What will the employee do to change it?

3. When?

4. What will Supervisor do to help?

5. When?

6. Follow-Up Date?

7. Did the Employee do what he/she said would be done?
Yes ___ No ___

8. Result observed (What did it look like?)

Supervisor _____ Date _____
Reviewed By _____ Date _____

This Performance Improvement Plan has been discussed with me:

Employee Signature _____ Date _____

Comments: _____

Personnel Department Review: _____ Date _____

To be retained in Personnel File until at least the end of a 12-month Performance Management Cycle on _____

Personnel -- Non-Certified

Discipline/Discharge

The following shall comprise just cause for discipline and/or discharge:

1. incompetence or inefficiency in the performance of the duties of the assigned position; sleeping during working time;
2. misfeasance, carelessness or negligence in the performance of duty or in the care or use of New Haven public school property;
3. discourteous, offensive or abusive language or conduct toward other employees, students or the public
4. malfeasance;
5. dishonesty;
6. conviction of any crime involving moral turpitude, including a sex offense;
7. immoral conduct; conduct unbecoming an employee of the district; gambling during working time; offering anything of value or offering any service in exchange for special treatment in connection with the employee's job;
8. insubordination (including, but not limited to, refusal to do assigned work);
9. failure to abide by the policies and regulations of the New Haven public schools;
10. violation of or refusal to obey safety rules and regulations made applicable to public schools by the Board of Education, the Superintendent, or a state or governmental agency of competent jurisdiction;
11. falsifying any information supplied to the New Haven public schools, including but not limited to, information supplied on application forms, employment records, or any other school district record;
12. abuse of privileges or benefits provided by the New Haven public schools under a collective bargaining agreement or policy;
13. excessive or unexcused absence or tardiness
14. engaging in political activity during assigned hours of employment or otherwise in violation of applicable law
15. inability to perform the essential functions of the job, with or without reasonable accommodation;
16. actions which are, in the opinion of the Board of Education, inimical to the welfare of the New Haven public schools or their employees or students;
17. abandonment of position or violation of no call-no show rules;
18. other just cause.

Personnel -- Non-Certified**Discipline/Discharge (continued)**

The Superintendent may recommend to the Board the dismissal of any employee. The Superintendent may suspend or demote an employee for just cause. The Superintendent or his or her designee(s) may impose lesser disciplinary penalties upon an employee for just cause.

Legal References:

Personnel -- Non-Certified

Dismissal/Suspension

Definitions

"Suspension" means the temporary removal of an employee from a position without pay, as a disciplinary measure.

"Suspension Pending Investigation" means the temporary removal of an employee from a position with pay while an investigation concerning the employee is being conducted. Suspensions Pending Investigation are not disciplinary measures.

"Demotion" means the reduction of an employee from a given class or group of similar position combined under a common title to a class or group having a lower salary rate.

"Dismissal" means the separation, discharge or permanent removal of an employee from service in the New Haven public schools for cause in accordance with the policies and regulations of the New Haven public schools.

Notice of Disciplinary Action

A notice of disciplinary action shall contain a statement in ordinary and concise language of the specific charges on which the disciplinary action is based. If a violation of a policy or regulation of the New Haven public schools is alleged, the policy or regulation shall be set forth in the notice. The notice must contain the specific action or omission with which the employee is charged. A general charge will not serve this purpose.

Legal References: