

Personnel – Certified

Appointments and Conditions of Employment

The Andover Board of Education delegates the Superintendent the authority to hire certified (except administration), and supplementary positions. In the case of administrative or supervisory personnel, the Superintendent shall nominate a candidate to the Board.

The Superintendent shall insure that all certified personnel recommended to the Board meet state certification requirements for the position, including required fingerprinting and other criminal records checks.

Within guidelines of any existing provisions in negotiated agreements, the Superintendent shall be responsible for placement of appointed employees on the salary schedule. The Superintendent shall award credit for years of previous professional experience based upon the collective bargaining unit agreement.

Legal Reference: Connecticut General Statutes

10-144o through 10-145f re teacher certification.

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

10-153 Discrimination on account of marital status.

10-155f Residency requirement prohibited.

46a-60 Discriminatory employment practices prohibited.

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

Policy adopted: November 11, 2009

ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Personnel -- Certified

Certification

The Superintendent of Schools shall carefully review candidates' certification status and their qualifications for positions prior to hiring.

Every instructional employee shall be certified according to the provisions of applicable state law. It is the responsibility of the employee to submit proof of appropriate certification to the school system prior to the commencement of employment with the Andover Public Schools. The school system will maintain a record of the employee's credential as required by law.

It shall be the sole responsibility of the certified employee to see that his/her credentials for certification are completed before the date of expiration and to file the completed certification with the school system.

In the event of a lapse in certification, employee's status shall be immediately changed to "Substitute" (per diem) with no benefits, and his/her salary will be reduced to the current rate of pay for substitutes. If employee fails to obtain appropriate certification within 40 days s/he may be subject to termination of employment. If, within a reasonable period of time following a lapse in certification, employee provides evidence of appropriate certification, the employee's salary and benefits shall be reinstated, retroactive to the effective date of certification.

Legal Reference:	Connecticut General Statutes
	10-145d-400 (as amended by PA 04-138, An Act Concerning National Board Certification)
Part I	Definitions
Part II	General Conditions
Part III	Types of Certificates
Part IV	Special Authorizations
Part V	Reissue and Cross Endorsement of Certificates
Part VI	Early Childhood, Elementary or Middle School Certificates
Part VII	Middle Grades
Part VIII	Secondary Academic
Part IX	Special Subjects or Instructional Areas
Part X	Applied Curriculum and Technology Subjects
Part XI	Vocational Technical
Part XII	Special Education: Blind, Partially Sighted or Hearing Impaired

Personnel -- Certified

Certification

Legal Reference: (continued)

Part XIII Special Services Certificates

Part XIV Administrative

Part XV Adult Education

Part XVI Discontinued Endorsements and Prior Authorization

Part XVII Appeal Process

20 U.S.C. 1119 – No Child Left Behind Act of 2001

34 C.F.R. 200.55 – Federal Regulations Regarding Highly Qualified Teachers

Policy adopted: November 11, 2009

ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Personnel -- Certified

Health Examinations

Chest X-Ray or Intradermal Test

All employees upon initial employment shall present evidence of having submitted to examination (chest x-ray, skin test, or other tests designated as acceptable by the school medical advisor) to determine that they are free of active tuberculosis prior to commencing service and every four (4) years thereafter or more often if directed by the Board of Education upon recommendation of the local health officer.

Physical Examinations

Each new employee, other than day-to-day substitutes, tutors, and those who fill supplemental pay positions exclusively, shall have a physical examination by the physician of his/her choice prior, if possible, to assuming his/her duties and if not possible at least within thirty days of beginning work in the district. The Board of Education will pay the co-pay for the required physical examination. The results of such examination shall be recorded by the examining physician on the form provided by the school and the completed form shall be retained in the employee's personnel file.

As necessary, the Superintendent may require a medical examination, to evaluate the employee's ability to perform assigned duties of any certified employee whenever the Superintendent has grounds to believe that the performance of the employee is adversely affected by illness of any kind. Such additional medical examinations will be performed by a physician selected by the Superintendent, and the Board of Education will bear the costs of these examinations.

Personnel -- Certified/Non-Certified

Security Check/Fingerprinting

In order to create a safe and orderly environment for students, all offers of employment will be conditional upon the successful outcome of a criminal record check. In addition, any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired.

Applicants, as required, shall make disclosures containing (1) current and past employers' contact information; (2) authorization allowing contact with such employers; (3) statements about any past misconduct, discipline, or licensure penalties as a result of sexual misconduct or abuse allegations.

The District, prior to hiring such applicants, will (1) ensure that they complete the above stated three requirements; (2) review applicants' employment history after making a documented, good faith effort to contact previous employers for information; and (3) request any available information about applicants from SDE.

The background/reference checks shall be done in compliance with the statutory guidelines contained in Board policy #4112.51/4212.51, as amended.

District employees shall, within 30 days after they are hired, submit to state and national criminal checks. District students employed by the school system are exempted from this requirement.

Workers placed in a school under a public assistance employment program shall also submit to the criminal check if such individuals will have direct contact with students.

School nurses and nurse practitioners appointed by the Board or under contract with the Board shall also submit to a criminal history check pursuant to C.G.S. 29-17a.

Student teachers placed in District schools as part of completing preparation requirements for the issuance of an educator certificate, effective July 1, 2010, shall also be required to undergo the same criminal background checks already required for school employees.

Legal Reference: Connecticut General Statutes

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissed. (As amended by PA 01-173, PA 04-181 and June 19 Special Session, PA 09-1, PA 11-93 and PA 16-67)
29-17a Criminal history checks. Procedure. Fees.
PA 16-67 An Act Concerning the Disclosure of Certain Education Personnel Records

Policy adopted: November 11, 2009
Policy revised: December 14, 2016

ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Personnel -- Certified/Non-Certified

Employment/Reference Checks

The Board of Education (Board) believes that it is critical that references on an application be checked prior to an offer of employment. Also, in order to create a safe and orderly environment for students, all offers of employment will be conditional upon the successful outcome of a criminal record check. In addition, any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired.

Requirements for Applicants

The Board shall not offer employment to an applicant for a position, including any position which is contracted for, if such applicant would have direct student contact, prior to the Board requiring of such applicant to provide:

1. Contact information for current and former employers if they were education employers or the employment otherwise involved contact with children. The contact information must include the name, address and telephone number of each current or former employer.
2. Written authorization that consents to and authorizes such former employers to disclose information and related records about him or her that is requested on the State Department of Education (SDE) designated standardized form that interviewing employers send. The authorization also must consent to and authorize SDE to disclose information and related records to the District upon request and release such former employees and the SDE from any liability that may arise as a result of such disclosure or release.
3. To provide a written statement of whether he or she:
 - a. was the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated;
 - b. was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by the Department of Children and Families (DCF), or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated by DCF of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct; or
 - c. has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered one while an allegation of abuse or neglect was pending or under investigation by DCF, or an investigation of sexual misconduct was pending or under investigation, or because an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct.

Personnel -- Certified/Non-Certified

Employment/Reference Checks (continued)

Reference Checking Procedures

The District shall conduct a review of the applicant's employment history by contacting those employers listed in the required information provided by the applicant. Such review shall be conducted using the SDE form that requests:

1. the dates of employment of the applicant;
2. a statement as to whether the employer has knowledge that the applicant was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency or municipal police department or which has been substantiated; was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct.

Such review may be conducted by telephone or through written communication, not later than five business days after any such current or former employer of the applicant receives a request for such information, and responds with such information. The Board may request more information concerning any response made by a current or former employer. Such employer shall respond not later than five business days after receiving such request; and

The District shall also request information from SDE concerning:

1. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit;
2. whether SDE has knowledge that a finding has been substantiated by the Department of Children and Families of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding;
3. whether SDE has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.

Personnel -- Certified/Non-Certified

Employment/Reference Checks

Reference Checking Procedures (continued)

The Board shall notify SDE if it receives information that an applicant for a position with the District or a current employee has been disciplined for a finding of abuse or neglect or sexual misconduct.

The Board will not employ an applicant for a position involving direct student contact who does not comply with the provisions of this policy.

Temporary Hires

The Board may employ or contract with an applicant on a temporary basis for a period not to exceed ninety days, pending the Board's review of the required and submitted applicant information provided:

1. The applicant has submitted to the District the three required disclosures;
2. The Board, has no knowledge of information pertaining to the applicant that would disqualify him/her from employment; and
3. The applicant affirms that he or she is not disqualified from employment with the Board.

Employment Agreements

The Board shall not enter into any collective bargaining agreement, employment contract, resignation or termination agreement, severance agreement or any other contract or agreement or take any action that:

1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
2. Affects the ability of the local or regional Board of Education, council or operator to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
3. Requires the Board, to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the Board, unless after investigation such allegation is dismissed or found to be false.

Substitute Teachers

The Board shall only hire applicants for substitute teaching positions who comply with this policy and who fulfill the disclosure requirements and after requesting information from the applicant's prior employers and SDE. The Board shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The Board shall hire only substitutes who are on such list.

Personnel -- Certified/Non-Certified

Employment/Reference Checks

Substitute Teachers (continued)

Approved substitutes shall remain on such list as long as he or she is continuously employed by the Board as a substitute teacher, provided the Board does not have any knowledge of a reason that such person should be removed from the list.

Contractors and Their Employees

In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to the contractor all information required of any applicant for a position in the district as previously described in this policy. The contractor shall contact any current or former employer of such employee that was a Board of Education, council or operator or if such employment caused the employee to have contact with children, and request, either by telephone or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee.

Such employer shall report to the contractor any such finding, either by telephone or through written communication. If the contractor receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, immediately forward such information to the Board of Education with which the contractor is under contract, either by telephone or through written communication.

Any Board of Education that receives such information shall determine whether such employee may work in a position involving direct student contact at any school under the Board's jurisdiction. No determination by a Board of Education that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.

Falsification of Records/Information

Any applicant who knowingly provides false information or knowingly fails to disclose information required by this policy in compliance with applicable statutes shall be subject to discipline by the Board. Such discipline may include denial of employment, or termination of the contract of a certified employee.

It is understood that any employer and SDE who provide information to the Board and in accordance with this policy shall be immune from criminal and civil liability, provided the employer or SDE did not knowingly supply false information.

Personnel -- Certified/Non-Certified

Employment/Reference Checks (continued)

Communication

The District, as required, shall communicate with other education employers and also between an education employer and SDE, about findings of abuse or sexual misconduct by applicants or employees. The Board will notify SDE when it receives information that applicants or employees have been disciplined for a finding of abuse or sexual misconduct. In addition, the Board will provide, upon request, to any other education employer or to the Commissioner of Education, information it may have about a finding of abuse or sexual misconduct for someone being vetted for hire as a direct employee of an education employer or a contractor's employee.

Definitions

“Sexual misconduct” means any verbal, nonverbal, written or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature and any other sexual, indecent or erotic contact with a student;

“Abuse of a child or youth” is defined as (a) inflicting physical injury or non-accidental injuries; (b) inflicting injuries that do not match the story associated with their origin; or (c) maltreatment, including malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment, or cruel punishment; and

“Neglect of a child or youth” is defined as (a) abandonment; (b) denial of proper care and attention physically, educationally, emotionally, or morally; or (c) allowing the child to live under conditions, circumstances, or associations injurious to the child's well-being.

“Abuse and neglect” also includes sexual assault as defined in the statutes. (C.G.S. 46b-120, and includes any violation of section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a).

Offer of Employment

Prior to offering employment to an applicant, the Board shall make a documented good faith effort to contact each current and any former employer that was a Board of Education, council or operator or if such employment otherwise caused the applicant to have contact with children of the applicant in order to obtain information and recommendations which may be relevant to the applicant's fitness for employment, provided such effort shall not be construed to require more than three telephone requests made on three separate days.

The Board shall not offer employment to any applicant who had any previous employment contract terminated by a Board, council or operator or who resigned from such employment, if such person has been convicted of abuse or neglect or sexual misconduct.

Personnel -- Certified/Non-Certified

Employment/Reference Checks

(cf. 4112.5 – Security Check/Fingerprinting)
(cf. 4121 – Substitute Teachers)

Legal References: Connecticut General Statutes

1-200 through 1-241 of the Freedom of Information Act.

5-193 through 5-269 -State Personnel Act

10-151c Records of teacher performance and evaluation not public records.

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissal. (as amended by PA 16-67)

10-222c Hiring policy. (as amended by PA 16-67)

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

PA 16-67 An Act Concerning the Disclosure of Certain Educational Personnel Records

Personnel -- Certified/Non-Certified

Security Check/Fingerprinting

Criminal History Record Information (CHRI)

(Proper Access, Use and Dissemination Procedures)

Purpose

The Andover Board of Education's intent of this policy is to ensure the protection of the Criminal Justice Information (CJI) and its subset of Criminal History Record Information (CHRI) until the information is purged or destroyed in accordance with applicable record retention rules.

This policy is based upon the FBI's Criminal Justice Information Services (CJIS) Security Policy. The Board considers the FBI CJIS Security Policy as the minimum standard. This Board policy may augment, or increase the standards, but shall not detract from the CJIS Security Policy standards.

Scope

This policy applies to any electronic or physical media containing FBI CJI while being stored, accessed or physically moved from a secure location within the District. This policy applies to any authorized person who accesses, stores, and/or transports electronic or physical media.

Criminal Justice Information (CJI) and Criminal History Record Information (CHRI)

CJI refers to all of the FBI CJIS provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data.

CHRI is a subset of CJI and for the purposes of this policy is considered interchangeable. Due to its comparatively sensitive nature, additional controls are required for the access, use and dissemination of CHRI. In addition to the dissemination restrictions outlined below, Title 28, Part 20, Code of Federal Regulations (CFR), defines CHRI and provides the regulatory guidance for dissemination of CHRI.

Proper Access, Use, and Dissemination of CHRI

Information obtained from the Interstate Identification Index (III) is considered CHRI. Rules governing the access, use, and dissemination of CHRI are found in Title 28, Part 20, CFR. The III shall be accessed only for an authorized purpose.

Personnel -- Certified/Non-Certified

Security Check/Fingerprinting

Criminal History Record Information (CHRI)

Proper Access, Use, and Dissemination of CHRI (continued)

Further, CHRI shall only be used for an authorized purpose consistent with the purpose for which III was accessed. Dissemination to another agency is authorized if (a) the other agency is an Authorized Recipient of such information and is being serviced by the accessing agency, or (b) the other agency is performing noncriminal justice administrative functions on behalf of the authorized recipient and the outsourcing of said functions has been approved by appropriate CJIS Systems Agency (CSA) or State Identification Bureau (SIB) officials with applicable agreements in place.

Personnel Security Screening

Access to CJI and/or CHRI is restricted to authorized personnel. Authorized personnel is defined as an individual or group of individuals, appropriately vetted through a national fingerprint-based record check and granted access to CJI data. Agencies, including school districts, located within states with legislation authorizing or requiring civil fingerprint-based background checks for personnel with access to CHRI for the purposes of licensing or employment shall submit a fingerprint-based record check within 30 days of employment or assignment on all personnel with those who have direct access to CJI, those who have direct responsibility to configure and maintain computer systems and networks with direct access to CJI, and any persons with access to physically secure locations or controlled areas containing CJI.

Security Awareness Training

Basic security awareness training is required, within six months of initial assignment, and biennially thereafter, for all personnel with access to CJI.

Physical Security

A “physically secure location” is a facility or an area, room, or group of rooms within a facility with sufficient physical and personnel security controls to protect the FBI CJI and associated information systems. The perimeter of the physically secure location shall be prominently posted and separated from non-secure locations by physical controls.

Only authorized personnel shall access physically secure non-public locations. The District will maintain a current list of authorized personnel. All physical access points into the District’s secure areas will be authorized before granting access. The District will implement access controls and monitor physically secure areas to protect all transmission and display mediums of CJI. Authorized personnel will take necessary steps to prevent and protect the District from physical, logical and electronic breaches.

Personnel -- Certified/Non-Certified

Security Check/Fingerprinting

Criminal History Record Information (CHRI) (continued)

Media Protection

Controls shall be in place to protect electronic and physical media containing CJI while at rest, stored, or actively being accessed. "Electronic media" includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. "Physical media" includes printed documents and imagery that contain CJI.

The District shall securely store electronic and physical media within physically secure locations or controlled areas. The District restricts access to electronic and physical media to authorized individuals. If physical and personnel restrictions are not feasible then the data shall be encrypted per Section 5.10.1.2.

Media Transport

Controls shall protect electronic and physical media containing CJI while in transport (physically moved from one location to another) to prevent inadvertent or inappropriate disclosure and use. The District shall protect and control electronic and physical media during transport outside of controlled areas and restrict the activities associated with transport of such media to authorized personnel.

Media Sanitization and Disposal

When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, printouts, and other similar items used to process, store and/or transmit FBI CJI shall be properly disposed of in accordance with measures established by the District.

One of the following methods shall dispose of physical media (printouts and other physical media):

1. Shredding using District issued shredders;
2. Placed in locked shredding bins for private contractor to come on-site and shred, witnessed by District personnel throughout the entire process;
3. Incineration using District incinerators or witnessed by District personnel onsite at District or at contractor incineration site, if conducted by non-authorized personnel.

Personnel -- Certified/Non-Certified

Security Check/Fingerprinting

Criminal History Record Information (CHRI)

Media Sanitization and Disposal (continued)

Electronic media (hard-drives, tape cartridge, CDs, printer ribbons, flash drives, printer and copier hard-drives, etc.) shall be disposed of by one of the following District methods:

1. *Overwriting* (at least 3 times) – an effective method of clearing data from magnetic media. Overwriting uses a program to write (1's, 0's, or a combination of both) onto the location of the media where the file to be sanitized is located.
2. *Degaussing* – a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses. Common magnets are weak and shall not be used to degauss magnetic media.
3. *Destruction* – a method of destroying magnetic media. Destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled.

IT systems that have been used to process, store, or transmit FBI CJI and/or sensitive and classified information shall not be released from the District's control until the equipment has been sanitized and all stored information has been cleared using one of the above methods.

Account Management

The District shall manage information system accounts, including establishing, activating, modifying, reviewing, disabling, and removing accounts. The District shall validate information system accounts at least annually and shall document the validation process.

All accounts shall be reviewed at least annually by the designated CJIS point of contact (POC) or his/her designee to ensure that access and account privileges are commensurate with job functions, need-to-know, and employment status on systems that contain Criminal Justice Information. The POC may also conduct periodic reviews.

Remote Access

The District shall authorize, monitor, and control all methods of remote access to the information systems that can access, process, transmit, and/or store FBI CJI. Remote access is any temporary access to the District's information system by a user (or an information system) communicating temporarily through an external, non-District controlled network (e.g., the Internet).

Personnel -- Certified/Non-Certified

Security Check/Fingerprinting

Criminal History Record Information (CHRI)

Remote Access (continued)

The District shall employ automated mechanisms to facilitate the monitoring and control of remote access methods. The District shall control all remote accesses through managed access control points. The District may permit remote access for privileged functions only for compelling operational needs, but shall document the rationale for such access in the security plan for the information system.

Utilizing publicly accessible computers to access, process, store or transmit CJI is prohibited. Publicly accessible computers include but are not limited to hotel business center computers, convention center computers, public library computers, public kiosk computers, etc.

Personally Owned Information Systems

A personally owned information system is not authorized to access, process, store or transmit CJI unless the District has established and documented the specific terms and conditions for personally owned information system usage. A personal device includes any portable technology like camera, USB flash drives, USB thumb drives, DVDs, CDs, air cards and mobile wireless devices such as Androids, Blackberry OS, Apple iOS, Windows Mobile, Symbian, tablets, laptops or any personal desktop computer.

Reporting Information Security Events

The District shall promptly report incident information to appropriate authorities to include the state CSA or SIB's Information Security Officer (ISO). Information security events and weaknesses associated with information systems shall be communicated to allow for timely corrective action to be taken. Formal event reporting and escalation procedures shall be in place. Wherever feasible, the District shall employ automated mechanisms to assist in the reporting of security incidents. All employees, contractors and third party users shall be made aware of the procedures for reporting the different types of event and weakness that might have an impact on the security of agency assets and are required to report any information security events and weaknesses as quickly as possible to the designated point of contact.

Policy Violation/Misuse Notification

Violation of any of the requirements contained in this CJIS Security Policy or Title 28, Part 20, CFR, by any authorized personnel will result in suitable disciplinary action, up to and including loss of access privileges, civil and criminal prosecution and/or termination.

Personnel -- Certified/Non-Certified

Security Check/Fingerprinting

Criminal History Record Information (CHRI)

Policy Violation/Misuse Notification (continued)

Likewise, violation of any of the requirements contained in the CJIS Security Policy or Title 28, Part 20, CFR, by any visitor can result in similar disciplinary action against the sponsoring employee, and can result in termination of services with any associated consulting organization or prosecution in the case of criminal activity.

(cf. 4112.5/4212.5 - Security Check/Fingerprinting)

(cf. 4112.51/4212.51 - Employment/Reference Checks)

Legal Reference: Connecticut General Statutes

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissed. (as amended by PA 01-173, PA 04-181 and June 19 Special Session, PA 09-1, PA 11-93 and PA 16-67)

29-17a Criminal history checks. Procedure. Fees.

PA 16-67 An Act Concerning the Disclosure of Certain Education Personnel Records

Criminal Justice Information Services (CJIS) Security Policy, Version 5.4, U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, October 6, 2015.

CJIS Security Policy

Title 28 C.F.R. Part 20

Policy adopted: May 10, 2017
Policy revised:

ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Personnel -- Certified/Non-Certified

Personnel Records

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

A file shall be kept for all resigned or retired employees, including such essential information as shall seem appropriate to the administration specified by state and federal laws.

The Superintendent, on behalf of the Board, shall notify an employee and a collective bargaining representative, if any, in writing when a request is made for disclosure of the employee's personnel, medical, or similar files, if the Superintendent reasonably believes disclosure would invade the employee's privacy.

The records will be disclosed unless written objection is received from the teacher or employee's collective bargaining representative, within seven business days from the receipt by employee or collective bargaining representative.

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

Records maintained or kept on file by the Board, which are records of a teacher's personal misconduct, shall be deemed to be public records, and subject to disclosure under the Freedom of Information Act. Disclosure of such records of a teacher's personal misconduct shall not require the consent of the teacher.

All written materials shall be made available for inspection by the employee and a collective bargaining representative, if any, involved at an off-duty time in the presence of an administrator. Upon request, a professional employee will be provided a copy of supervisory records and reports maintained in said employee's personnel file as a guide to evaluation of performance.

In accordance with federal law, the District shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians upon request for any teacher or paraprofessional who is employed by a school receiving Title 1 funds and who provides instruction to their child at that school.

Files containing medical information regarding an employee will be kept separate from other personnel files.

Personnel -- Certified/Non-Certified

Personnel Records (continued)

Legal Reference: Connecticut General Statutes

1-206 Denial of access to public records or meetings.

1-213 Agency administration. Disclosure of personnel, birth and tax records.

1-214 Objection to disclosure of personnel or medical files

1-215 Record of arrest as public record

10-151a Access of teacher to supervisory records and reports in personnel file.

10-151c Records of teacher performance and evaluation not public records.
(as amended by PA 02-138)

PL 107-110, No Child Left Behind Act, Sec. 1119.

The Americans with Disabilities Act

Policy adopted: November 11, 2009

ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Personnel-Certified/Non-Certified

Use and Disclosure of Employee Medical Information (HIPAA)

Other than health information contained in employment records held by the District in its role as employer, all information in the District's possession which is related to employee past, present and future health conditions and that identifies the individual employee or could reasonably be utilized to identify the employee, will be protected under the terms of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

To the extent the District possesses personally identifiable health information regarding employees, aside from health information contained in employment records held by the District in its role as employer, the Superintendent or his/her designee shall act as the Privacy Officer to oversee the administration of privacy of such records. The Superintendent or his/her designee shall provide all employees with the following information regarding such records:

1. The use and disclosure of personally identifiable health information;
2. Each employee's rights to privacy with respect to his/her personally identifiable health information;
3. Duties under HIPAA with respect to employee's personally identifiable health information;
4. Each employee's rights to file a complaint with the District, Health Benefit Plan, and/or the Secretary of the United States Department of Health and Human Services; and
5. The person or office that an employee can contact for further information about privacy practices.

In addition, the District shall notify the administrator of each of the District's health benefit plans of the requirement under HIPAA that it take reasonable steps to maintain the privacy of each employee's personally identifiable health information and to inform each employee about the information set forth above in items 1 through 5. Further, the District shall notify the administrator of the health benefit plan of the requirement under HIPAA that it provide reasonable notice to all employees of whom the benefit plan designates as the Privacy Officer to oversee the administration of privacy of the benefit plan and to receive complaints.

(cf. 4112.6/4212.6 - Personnel Records)

Legal Reference: 42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)
65 Fed. Reg. 50312-50372
65 Fed. Reg. 92462-82829
63 Fed. Reg. 43242-43280
67 Fed. Reg. 53182-53273

Policy adopted: November 11, 2009

ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Authorization Form for Release of Health Information under HIPAA

I, _____, hereby authorize the use or disclosure of my health information as described in this authorization.

1. Specific person/organization (or class of persons) authorized to provide the information:

2. I authorize release of information to the _____ Public Schools at _____ (address)
3. I authorize release of health information regarding [body parts], from [insert date], forward.
4. I understand that this information will be used by the _____ Public Schools in connection with employment related issues or in connection with my receipt of benefits from the _____ School District.
5. Right to Revoke: I understand that this authorization is voluntary and that I have the right to revoke this authorization at any time by notifying the Privacy Officer in writing at _____ Public Schools. I understand that such a revocation is only effective after it is received and logged by the Privacy Officer. I understand that any use or disclosure made prior to the revocation of this authorization will not be affected by a revocation.
6. I understand that after this information is disclosed, federal law might not protect it and the recipient might disclose it again.
7. I understand that I am entitled to receive a copy of this authorization and the information described on this form if I ask for it.
8. I understand that this authorization will expire six months from the date I sign it, unless I revoke it sooner.
9. I understand that no treatment, payment, enrollment or eligibility for benefits is conditioned upon receipt of this authorization.

Signature of Individual

Date

Signature of Personal Representative

Date

If a Personal Representative executes this form, that Representative warrants that he or she has authority to sign the authorization form on the basis of:

Personnel -- Certified

Orientation

Orientation shall be considered a year-long process for certified employees new to the school system, with the programs conducted jointly by the central administration.

The program shall assist new teachers in becoming acquainted with, and adjusted to, the community, school district, and school - including policies of the Board, rules and regulations, and the instructional program.

Administrators, and experienced staff members may be assigned specific roles in carrying out orientation programs.

The cooperation and active involvement of all staff members in helping newcomers become adjusted in the district is requested by the Board.

Personnel -- Certified/Non-Certified

Nepotism: Employment of Relatives

It is the intent of this policy to avoid any situation where a conflict of interest can arise either on the part of the members of the Board of Education or a member of the staff.

1. No member of the immediate family (spouse, civil union partner, child, parent, sibling, or household member) of a Board of Education member shall be appointed to a full-time position in the school district.
2. Persons related otherwise by blood, marriage or civil union partner, to a Board of Education member may be employed following full disclosure of the relationship by the Board of Education member in a public meeting. For appointment of the Superintendent, sufficient vote of appointment shall be without counting the vote of the related Board of Education member.
3. A spouse or civil union partner, or child of a Board of Education member may be employed for limited term or short-term employment on a competitive basis among persons who are eligible.
4. Employees whose employment predates the election of a relative to the Board of Education are exempt from the provisions of this policy.
5. Persons related by blood or marriage, or civil union partner to members of the staff shall not be appointed to a position that is in a line relationship involving supervision and evaluation of the position.
6. Members of the same family may be employed at the same department or work location when approved in writing by the Superintendent or the Superintendent's designee (Exception: members of the same family shall not be approved in direct line of supervision.)
7. Nothing in this policy shall be construed as requiring the resignation of an employee should a member of his/her immediate family be elected or appointed to the Board of Education.

(cf. 9270 - Conflict of Interest)

Legal Reference: Connecticut General Statutes
7-479 Conflicts of interest
46b-38nn Equality of benefits, protections and responsibilities (civil unions)
46b-38oo applicability of statutes to civil unions and parties to a civil union.

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