

Revised policy

Additions are bolded text Deletions are [bracketed]

Holds on the Destruction of Electronic and Paper Records

The Board of Directors (the “Board”) complies with all state and federal regulations regarding the retention, storage and destruction of electronic information and paper records. The LEARN Executive Director or [his/her] designee shall be responsible for developing and implementing administrative regulations to preserve and place a “hold” on records, including e-mails and electronically stored information, [concerning the placing of a “hold” on electronic and paper records] could potentially be related to any matter that is currently in litigation or may be anticipated to result in future litigation and/or that may reasonably be anticipated to be subject to discovery in the course of litigation. Such regulations shall identify those individuals responsible for identifying those matters for which records must be preserved as well as developing procedures, with the help of technical staff, for the preservation of electronically stored information.

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

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

Legal References: Rules 34 and 45 of the Federal Rules of Civil Procedure

Policy adopted: January 14, 2021
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LEARN

Business and Non-Instructional Operations
Office Services/Records and Reports

Revised policy Additions are **bolded text** Deletions are [bracketed text]

Electronic Communications Use and Retention

This policy applies to the retention, storage, and destruction of electronic information and records within LEARN and does not supersede any state or federal laws, or any other LEARN policies regarding confidentiality, information dissemination, or standards of conduct. Generally, electronic information should be used only for legitimate LEARN business.

Electronic communications [is] means transmittal of a communication between two or more computers or electronic devices, whether or not the message is converted to hard copy format, whether or not the message is viewed upon receipt or stored for later retrieval, and whether or not the transmittal is through a local, LEARN or global computer network.

Electronic communications, including records made with other software and sent in e-mail, which are sent or received by the LEARN Board of Directors (the "Board") or LEARN employees, pertaining to the business of the schools may contain information that must be retained in LEARN official records; and may be subject to public disclosure and inspection as public records under the Connecticut Freedom of Information Act and discovery in litigation as evidence in support of a claim. [The LEARN

Executive Director (the "Executive Director") or [his/her] designee shall be responsible for implementing administrative regulations concerning] Policy 3543.311 and accompanying regulation address the placing of a "hold" on electronic and paper records that may reasonably be anticipated to be the subject of discovery in the course of litigation.

Use of electronic mail should conform to the same standards of judgment, propriety and ethics as other forms of school business-related communications.

LEARN is obligated to respect and, where necessary, to protect confidential data. The Board recognizes technical and legal limitations may restrict LEARN's ability to protect confidentiality. Electronic communication is recognized as similar to a paper document for legal purposes. [The Board understands it may be legally compelled to disclose electronic information including business or personal use of e-mail to community members in accordance with the Freedom of Information Act. Such information will be disclosed to governmental authorities or, in the context of litigation, to other third parties. E-mail may also contain information that should be retained in the official records of the LEARN.]

Electronic communication on LEARN computers or electronic communication systems shall be retained only as long as necessary. The same record retention policy that applies to paper records applies to electronically stored information, including e-mail communications. Therefore, like paper records, the content and function of an electronic record, including e-mail communications, determines the retention period for that document and will be retained in accordance with the Management and Retention Guide for State and Municipal Government Agencies (General Letter 98-1) administered by the Connecticut State Library, Public Records Administrator.

[In addition to the Board's retention guidelines, all LEARN employees have a duty to preserve all paper records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve litigation. The Executive Director or [his/her designee] shall develop administrative regulations to preserve such records and electronically stored information that could potentially be related to any matter currently in litigation or which may be anticipated to result in future litigation.]

The responsible authority for the maintenance and security of records shall be the Executive Director or [his/her] designee. The Executive Director shall designate a Records Custodian who will be responsible for implementation of LEARN policies and administrative regulations pertaining to the preservation of paper records and electronically stored information, including e-mails and to respond to requests to inspect electronic mail pursuant to the Freedom of Information Act.

When security of certain financial, student, and other confidential information must be maintained, employees shall take appropriate security measures such as the use of personal identification passwords and/or encryption codes. Employees shall safeguard the confidentiality of passwords and codes and shall take reasonable steps to ensure that computer terminals do not become available for unauthorized use.

Users are responsible for appropriate access to and use of electronic mail systems. Illegal or improper use of the electronic mail systems, including, but not limited to, pornography, obscenity, harassment, solicitation, gambling and violating copyright or intellectual property rights are prohibited.

Use of the electronic mail systems for which LEARN will incur an expense without written permission of a supervisor is prohibited.

Violation of this policy shall constitute just cause for appropriate disciplinary action.

Legal Reference: Connecticut General Statutes

1-17 et seq. Public Records: General Provisions.

1-200 – 1-259. The Freedom of Information Act.

[1-15 Application for copies of public records.

1-200 Definitions.

1-210 to 1-213 Access to public records.

1-211 Access to computer stored records.

1-214 Public contracts as part of public records.

1-225 to 1-240 Meetings of public agencies.]

7-109 Destruction of documents.

10-15b Access of parent or guardians to student's records.

10-154a Professional communications between teacher or nurse & student.

10-209 Records not to be public.

10-221 Boards of education to prescribe rules.

11-8a Retention, destruction and transfer of documents.

11-8b Transfer or disposal of public records. State Library Board to adopt regulations.

31-48d Employers engaged in electronic monitoring required to give prior notice to employees.

46b-56 (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V Disposition of Education Records (Revised 1983).

General Letters 98-1, 96-2 and 2001-1 of the Public Records Administrator Record Retention Schedules Towns, Municipalities, and Boards of Education.

9.6c

Policy
3543.31

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.).

Department of Education 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C.

1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

Rules 34 and 45 of the Federal Rules of Civil Procedure (2006 Amendments).

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331.

Policy adopted: January 14, 2021

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LEARN

Revised Policy

Additions are **bolded text** Deletions are [bracketed text]

FACE MASKS/ FACE COVERINGS

Health and Safety Protocols Related to the COVID-19 Pandemic

The LEARN Board of Directors (the “Board”) recognizes the importance of protecting the health and safety of students, staff, and the community during the COVID-19 pandemic. [As such, and in accordance with requirements and guidelines issued by the Connecticut State Department of Education (“SDE”), the] The Board thus directs the Superintendent or designee to develop health and safety protocols consistent with applicable laws, rules, regulations, requirements, and current guidance. [requires that all individuals entering a school building, a LEARN facility, and while riding school transportation vehicles wear an appropriate face covering. An appropriate face covering shall is described by in the LEARN Face Mask Procedures. Any individual who presents for entrance into a school building, LEARN facility or LEARN transportation vehicle who is not wearing an appropriate face covering shall be provided an appropriate face covering by LEARN.]

Compliance with such health and safety protocols shall be mandatory for all individuals while on LEARN property or participating in a LEARN-sponsored activity, unless a legally recognized exemption or exception applies. Failure to comply with such health and safety protocols may lead to disciplinary action for students and staff, in accordance with applicable laws, rules, regulations, and/or LEARN policies.

Notice of such health and safety protocols shall be provided by electronic mail, regular mail, website posting, student handbooks, employee handbooks, and/or any other appropriate methods.

[Compliance with this policy shall be mandatory for all individuals while in a school building, LEARN facility and/or LEARN transportation vehicle, unless an applicable exception applies. Any individual who refuses to wear an appropriate face covering at all times while in a school building, LEARN facility or LEARN transportation vehicle shall be denied admission and/or required to leave the premises, unless an applicable exception applies. In addition, failure to comply with this policy may lead to disciplinary action for students and staff, and exclusion from school property for members of the community, in accordance with applicable laws, rules, regulations, and/or Board policies.

All individuals participating in or attending any LEARN sponsored activities must wear an appropriate face covering, whether or not those activities occur in a LEARN school building, LEARN facility or LEARN transportation vehicle.

The Board authorizes the Superintendent or designee to develop administrative regulations and/or protocols to implement this policy. Such administrative regulations and/or protocols shall outline authorized exceptions to the requirement that all individuals wear an appropriate face covering in the LEARN school buildings, LEARN facilities and LEARN transportation vehicles and may identify additional face covering rules as related to the safe operation of the school community.]

Legal References:

Connecticut General Statutes § 10-221

Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together, Connecticut State Department of Education, as amended by Addendums 1-11 (June 29, 2020 through August 31, 2020).

[LEARN]

Policy Adopted: November 12, 2020

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LEARN

Revised policy- Additions are **bolded text** Deletions are [bracketed text]

EMPLOYEE SAFETY

It is the obligation of LEARN to promote safe work practices and to maintain a safe work environment in an effort to minimize the incidence of illness and injury experienced by its employees. The Executive Director and administrative staff shall maintain safe and healthy work places in each school and LEARN facility with safe equipment and proper materials; and safe methods and practices shall be developed and practiced by staff and students.

[, Thus, LEARN recognizes its responsibility to limit occupational exposure for its employees to blood and other potentially infectious materials.

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

Use of Physical Force

Employees may use reasonable physical force upon a student when and to the extent they reasonably believe such force is necessary to protect themselves or others from immediate physical injury; to obtain possession of a dangerous instrument or controlled substance; to protect property from physical damage; or to restrain the student or remove the student to another area in order to maintain order.

Physical Assaults on Teachers, Administrators, and Other School Personnel

Employees shall report assaults on them on school property or in performance of school duties to their principal or other immediate supervisor as soon as possible. The principal or supervisor shall notify the Executive Director and report the incident to the local police department. Employees may also, in their discretion, file a complaint with the local police department.

Legal Reference: Connecticut General Statutes

10-233g Boards to report school violence. Reports of principals to police authority.

10-235 Indemnification of teachers, board members and employees in damage suits; expenses of litigation.

10-236a Indemnification of educational personnel assaulted in the line of duty.

53a-18 Use of reasonable physical force.

[Reference: OSHA Bloodborne Pathogens Standard (29 CFR 1910.1030)

(Federal Register 12/6/91)]

Policy adopted: January 14, 1993

Revised:

LEARN

Civil Rights Complaint Procedures for School Nutrition Programs

9.9a

This document provides a process for school food authorities (SFAs) to follow for handling civil rights complaints. SFAs must insert the required information in the gray highlighted sections to customize the template with district-specific information.

LEARN is a sponsor of the U.S. Department of Agriculture (USDA) Food and Nutrition Services (FNS) Child Nutrition Programs, including the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP), and Fresh Fruit and Vegetable Program (FFVP). The LEARN Family of Schools provides benefits to all eligible individuals without discrimination in accordance with Federal civil rights laws and USDA policy, as governed by FNS Instruction 113-1. The USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity.

Program participants who feel they have been discriminated against while participating in the Child Nutrition Programs, including during the serving of meals, will be instructed to contact LEARN's Chief Human Resources Officer at 860-434-4800 x1115 for procedures to voice their complaint. All complaints alleging discrimination on the basis of race, color, national origin, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity either written or verbal, must be processed within the established time frames.

Right to file

Any person or representative alleging discrimination based on a prohibited basis has the right to file a complaint within **180 days** of the alleged discriminatory action. Only the Secretary of Agriculture may extend this time under special circumstances. The complainant must be advised of confidentiality and Privacy Act applications. The Chief Human Resources Officer will not attempt to resolve the complaint themselves, without first providing the complainant with information on how they can file a complaint.

Civil Rights Complaint Procedures for School Nutrition Programs

9.9b

Forms

The Chief Human Resources Officer will provide, all persons wishing to file a complaint, instructions on where to obtain the [USDA Program Discrimination Complaint Form](#) online or where they can obtain a hard copy. However, use of this form will not be a prerequisite for acceptance of the complaint.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) may contact USDA through the USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. for assistance in filing a complaint.

Filing a complaint

The Chief Human Resources Officer will provide instructions to the complainant on where to forward the completed [USDA Program Discrimination Complaint Form](#) by:

- mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
- fax: (833) 256-1665 or (202) 690-7442; or
- e-mail: program.intake@usda.gov.

Verbal complaints

In the event a complainant wishes to make the allegations verbally or in person and refuses or is not inclined to place such allegations in writing, the Chief Human Resources Officer will write up the elements of the complaint for the complainant utilizing the [USDA Program Discrimination Complaint Form](#).

Civil Rights Complaint Procedures for School Nutrition Programs

9.9c

Acceptance of written or verbal

All complaints received by Chief Human Resources Officer, written or verbal, will be forwarded to the U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights (OCR) within 5 calendar days of receipt of the complaint. Anonymous complaints will be handled as any other complaints, to the extent feasible, based on available information. Complaints will be forwarded to OCR via:

- mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
- fax: (833) 256-1665 or (202) 690-7442; or
- e-mail: program.intake@usda.gov.

LEARN will:

- maintain a copy of any correspondence regarding the complaint for at least four years after the date the complaint is closed;
- make its employees available to the FNS Civil Rights Director (CRD) to be interviewed as necessary during investigations;
- provide necessary documents as requested by the FNS CRD or the Connecticut State Department of Education (CSDE) within the timeframes established by FNS guidance;
- participate in attempts to resolve the complaint

State agency notification

If the Chief Human Resources Officer is notified that a program participant has filed a Civil Rights complaint or they have filed a complaint on behalf of a program participant, they will notify their [school nutrition team member](#) at the CSDE. The Chief Human Resources Officer will provide information as requested by the CSDE during the OCR investigation of the complaint.

Civil Rights Complaint Procedures for School Nutrition Programs

9.9d

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. fax: (833) 256-1665 or (202) 690-7442; or
3. email: program.intake@usda.gov

This institution is an equal opportunity provider.