

BOARD OF EDUCATION
FAIRFIELD PUBLIC SCHOOLS
FAIRFIELD, CT

Policy Committee Meeting

Monday, August 29, 2016

4:30 p.m.

501 Kings Highway East
Superintendent's Conference Room

Agenda

- I. Call to Order
- II. Approval of June 20, 2016 Meeting Minutes
- III. Policy
 - Policy #3560 Business – Safety and Security, Modified/replaced with new policy compliant with PA 13-3 (Recodified and renamed to CABE Policy # 3516, Safe and Secure School Facilities, equipment, and Grounds) with recommendations on revisions from CABE
 - Policy #3563 Business – Pest Management/Pesticide Application, Modified/replaced by CABE to reflect recent legislation (Recodified to CABE #3524.1) with recommendations on revisions from CABE
 - Policy #4127 Personnel – Appointment and Conditions of Employment, modified by CABE to reflect all legal references (Recodified to CABE 4115/4215)
 - Policy #4935 Personnel – Personal Leaves, Family and Medical Leave Act, two Versions to consider from CABE, existing policy would require too much new language to be compliant with statute (Recodified to CABE 4152.6/4252.6)
 - Policy #3120 Business – Budget Implementation, recommended by CABE for deletion, replaced by new CABE recommended Policy #3170, adopted by BOE on June 21, 2016
 - Policy #3120.2 Business – Budget Control, recommended by CABE for deletion, replaced by new CABE recommended Policy #3170, adopted by BOE on June 21, 2016
- IV. Open Discussion/Public Comment
- V. Adjournment

Future Mtg. Dates and Times: *All meetings will be on Mondays, starting at 4:30 unless otherwise noted: **September 12**, September 26, October 10, November 7, December 5, 2016.*

All meetings will be held at 501 Kings Highway East, Superintendent's Conference Room unless otherwise noted.

BOARD OF EDUCATION
FAIRFIELD PUBLIC SCHOOLS
FAIRFIELD, CT
Policy Committee Meeting
Monday, June 20, 2016
4:30 p.m.
501 Kings Highway East
Superintendent's Conference Room

Minutes

- I. Call to Order – The meeting was called to order by Chairperson, Jennifer Kennelly at 4:40 p.m. with Donna Karnal and Anthony Calabrese in attendance. Also in attendance representing the administration were Tom Cullen, Sal Morabito, Jim Coyne, and Karen Parks.
- II. Approval of May 23, 2015 Meeting Minutes – Approved 3:0:0
- III. Policy
 - Policy #3560 Business – Safety and Security, Modified/replaced with new policy compliant with PA 13-3 (Recodified and renamed to CABE Policy # 3516, Safe and Secure School Facilities, equipment, and Grounds)

Mr. Morabito presented the committee with a marked up version of the Policy showing his requested changes. The committee discussed all of the changes and requested that Mrs. Parks send the change requests to CABE to get their recommendations regarding compliance with statute. The feedback from CABE will be discussed at the next Policy Committee Meeting in August.

 - Policy #3563 Business – Pest Management/Pesticide Application, Modified/replaced by CABE to reflect recent legislation (Recodified to CABE #3524.1)

Mr. Cullen presented the committee with a marked up version of the Policy showing his requested changes. The committee discussed all of the changes and requested that Mrs. Parks send the change requests to CABE to get their recommendations regarding compliance with statute. The feedback from CABE will be discussed at the next Policy Committee Meeting in August.
- IV. Open Discussion/Public Comment – None
- V. Adjournment – 6:06 p.m.

Future Mtg. Dates and Times: *All meetings will be on Mondays, starting at 4:30 unless otherwise noted: August 29, September 12, September 26, October 10, November 7, December 5, 2016.*

All meetings will be held at 501 Kings Highway East, Superintendent's Conference Room unless otherwise noted.

A new and recommended policy to consider as the recommended replacement for existing policy #3560, adopted 8/27/04 which is not compliant with PA 13-3.

Business/Non-Instructional Operations

Safety

Safe and Secure School Facilities, Equipment, and Grounds

Safety and Hazard Assessments: The District shall develop and implement a written school security and safety plan to conduct regular safety and hazard assessments of all classrooms, buildings, school grounds, gymnasiums, playgrounds, sports-related equipment, and buses and other vehicles used to transport students.

The school security and safety plan shall be an all-hazards approach to emergencies at schools and shall include, but not be limited to:

1. involvement of local officials, including the First Selectman, Superintendent of Schools, law enforcement, fire, public health, emergency management and emergency medical services, in the plan's development;
2. a command center organization structure based on the federal National Incident Management System and a description of the responsibilities of such command center organization;
3. a requirement that a school security and safety committee be established of each school;
4. crisis management procedures;
5. a requirement that local law enforcement and other local public safety officials evaluate, score and provide feedback on fire drills and crisis response drills;
6. a requirement that the District on behalf of the Board of Education submit annually reports to the Department of Emergency Services and Public Protection regarding fire drills and crisis response drills;
7. procedures for managing various types of emergencies;
8. a requirement that the District on behalf of the Board of Education conduct a security and vulnerability assessment for each school in the district every two (2) years and develop a school security and safety plan for each school based upon the school security and safety plan standards developed by the Department of Emergency Services and Public Protection. (DESPP)

Business/Non-Instructional Operations

Safety

Safe and Secure School Facilities, Equipment, and Grounds (continued)

9. a requirement that the Safe School Climate Committee of each school collect and evaluate information relating to instances of disturbing or threatening behavior that may not meet the statutory definition of bullying;
10. a requirement that each school provide an orientation pertaining to the security and safety plan to each employee and provide violence prevention training as prescribed in the school security and safety plan.

The District will annually submit each school's security and safety plan to the Department of Emergency Services and Public Protection.

School Security and Safety Committee

Each District school shall have a school security and safety committee under the jurisdiction of the District. Such committee is responsible for assisting in the development of the school security and safety plan for the school and administering the plan.

Membership must consist of a local police officer, a local first responder, a teacher at the school, a school administrator, a mental health professional (guidance counselor, social worker, school psychologist, school nurse, or child mental health specialist), a parent/guardian of an enrolled student and any other person the District finds necessary.

Parents/guardians on the committee shall not have access to information about disturbing or threatening student behavior reported to the committee, as such access may compromise student confidentiality.

Legal Reference: Connecticut General Statutes
 10-203 Sanitation
 10-207 Duties of medical advisers
 10-231 Fire Drills
 P.A. 13-3 An Act Concerning Gun Violence Prevention and Children's
 Safety

Policy adopted:

FAIRFIELD PUBLIC SCHOOLS
 Fairfield, Connecticut

The recommended replacement for existing policy #3563 adopted 11/27/07 which is no longer compliant with recent legislation. This policy is the updated version of the District's existing #3563.

Business/Non-Instructional Operations

Hazardous Material in Schools

Pest Management /Pesticide Application

The Board of Education believes that structural and landscape pests can pose significant hazards to people, property and the environment. Pests are living organisms such as plants, animals or microorganisms that interfere with human uses for the school site. Strategies for managing pest populations will be influenced by the pest species and the degree to which that population poses a threat to people, property or the environment. Further, the Board also believes that pesticides can also pose hazards to people, property and the environment. The intent of this policy is to ensure the health and safety of students, teachers, staff and all others using district buildings and grounds.

The goal of this pest management program is to manage pests in order to:

- reduce any potential human health hazard and/or to protect against a significant threat to public safety;
- prevent loss or damage to school structures or property;
- prevent pests from spreading in the community or to plant and animal populations beyond the site;
- enhance the quality of life and to provide a safe and healthy learning environment for students, staff and others.

The school district shall incorporate Integrated Pest Management procedures (IPM) to manage structural and landscape pests and the toxic chemicals for their control in order to alleviate pest problems with the least possible hazard to people, property and the environment. In addition, staff, students and the public shall be educated, at least annually, about potential school pest problems and the IPM policies and procedures to be used to achieve the desired pest management objectives. **Cannot remove per statute 10-231d(b)** Integrated Pest Management (IPM) is the coordinated use of pest and environmental information with available pest control methods to prevent unacceptable levels of pest damage by the most economical means with the least possible hazard.

IPM procedures will determine when to control pests and whether to use mechanical, physical, chemical, cultural or biological means. Chemical controls shall be used as a last resort. The Board establishes that the school district shall use pesticides only after consideration of the full range of alternatives, including no action, based upon an analysis of environmental effects, safety, effectiveness and costs. The Superintendent or his/her designee shall be responsible to implement Integrated Pest Management (IPM) procedures and to coordinate communications with members of the staff who are responsible for pest control, such as maintenance personnel and custodians, and hired contractors when utilized by the district to control a pest problem. The Maintenance Supervisor is the designated Integrated Pest Management Supervisor and shall direct and supervise all IPM procedures to be carried out by a licensed, certified contractor.

Business/Non-Instructional Operations

Hazardous Material in Schools

Pest Management /Pesticide Application (continued)

Any district employees who use chemicals to control a pest problem must be trained and shall follow all precautions and application regulations. The District will only employ certified pesticide applicators for any necessary and non-emergency pesticide use in school building or on school grounds. Contractors hired to do this work shall give evidence of appropriate training and certification in the proper use of pesticides. Pest control contractors shall be utilized, when deemed necessary, to inspect for conditions conducive to pest problems and to develop appropriate prevention measures. Pest control contractors will be expected to write recommendations for structural improvements or repairs and housekeeping and sanitation measures required to reduce or prevent recurrence of pest problems.

Whenever it is deemed necessary to use a chemical substance that school must provide notification to all parents and staff who have registered for advanced notification in conformity with state statutes. The District, prior to any application of pesticide within any building or on school grounds shall provide such notice by electronic mail no later than twenty-four hours prior to the pesticide application. Notices shall also be posted in designated areas at school at least forty-eight (48) hours prior to the application. The District's website must indicate how parents/guardians may register for prior notice of pesticide application.

At the beginning of each school year and at the time a student is registered, parents/guardians shall be informed of the District's pest management policy. Those parents/guardians and staff who register a request shall be notified prior to every pesticide application. Parents/guardians who have registered for prior notice shall receive a transmittal of notice by electronic mail no later than twenty-four hours prior to such application.

The notice shall include:

- the name of the active ingredient of the pesticide being applied;
- the target pest;
- the location of the application on school property;
- the date of the application;
- the name of the school administrator or designee who may be contacted for further information.

The Board of Education must post notice of pesticide application not less than twenty-four hours prior to the application on or through the (1) home page of the school's website where the application will occur, or in the absence of a school's website, on the District's website; and (2) the primary social media account of the school or Board of Education.

Notice shall be given by any means practicable to school staff who have registered for such notice.

Not later than March 15 of each year, a notice of applications made since January first of such year, and a listing of such notices for applications made during the period March 15th through December 31st time frame from the preceding calendar year shall be sent through the District's electronic mail notification or alert system. This notification is for those parents/guardians who previously registered for prior notification of pesticide applications.

Business/Non-Instructional Operations

Hazardous Material in Schools

Pest Management /Pesticide Application (continued)

The District shall include the Family Guide of the Fairfield Public Schools.

Information regarding pesticides used and areas treated shall be maintained for a period of five years at the school site and available to the public and staff upon request. The district shall establish and maintain accurate records of all chemical use and their location. In addition, records of all pest control actions including information on indicators of pest activity that can verify the need for action.

Pesticide applications shall be limited to non-school hours and when activities are not taking place.

The application of lawn care pesticides on the grounds of any schools with students in grade eight or lower, except on an emergency basis, must be according to an integrated pest management plan (IPM). An emergency application may be made to eliminate a human health threat in any school with students through grade eight as determined by the Superintendent of Schools, subject to applicable Connecticut statutory and regulatory provisions.

Legal Reference: Connecticut General Statutes
 10-231b Pesticide applications at schools: Authorized applicators.
 Exception. (as amended by P.A. 09-56)
 10-231c Pesticide applications at schools without an integrated pest
 management plan. (as amended by June 2015 Special Session PA 15-5)
 22a-46 Short title: Connecticut Pesticide Control Act.
 22a-54 Pesticide applicators, certification, classification, notice, fees,
 reciprocity; financial responsibility; aircraft, tree, public employee
 applicators.
 22a-58 Records to be kept by distributors and applicators.
 23-61b Licensing for arboriculture; examination; fees; renewal;
 suspension, revocation. Nonresidents. Records. Pesticides.
 P.A. 09-56 An Act Concerning Pesticide Applications At Child Day Care
 Centers and Schools.
 Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) 7 U.S. Code
 136 et seq

Policy adopted:

FAIRFIELD PUBLIC SCHOOLS
 Fairfield, Connecticut

Personnel

Permanent Personnel

Appointment and Conditions of Employment

EVALUATION

4127

The Board shall act in accordance with Connecticut General Statutes and/or the respective Collective Bargaining Agreement(s) developed by the Board of Education and the various bargaining unit(s).

All non-certified personnel are on probation for a period of one (1) year from the date of employment or as noted within the respective Collective Bargaining Agreement.

Non-certified personnel shall be formally evaluated twice during the first year of services and once a year thereafter.

Legal Reference: Connecticut General Statutes
 10-145b Teaching certificates
 10-151a Access of teacher to supervisory records and reports in personnel file
 10-151b Evaluation by superintendent of certain educational personnel. (amended by PA 04-137, An Act Concerning Teachers' Evaluations)
 10-151c Records of teacher performance and evaluation not public records
 10-220a(b) In-service training. Professional development. Institutes for educators.
 Cooperative and beginning teacher programs, regulations.
 20 U.S.C. Section 1119 No Child Left Behind
 34 C.F.R. 200.55 Federal Regulations
 Circular Letter C-6, Series 2004-2005, Determining "Highly Qualified" Teachers
 Circular Letter C-9, Series 2004-2005, "No Child Left Behind" and District' High Objective Uniform State Standard of Evaluation (HOUSSE) Plans.

Approved 8/27/04

Existing policy #4127 adopted 3/27/04, recodified, with modification to legal references. Another version follows for applicable to certified staff evaluation.

Personnel – Certified/Non-Certified

Appointment and Conditions of Employment

Evaluation

The Board shall act in accordance with Connecticut General Statutes and/or the respective Collective Bargaining Agreement(s) developed by the Board of Education and the various bargaining unit(s).

All non-certified personnel are on probation for a period of one (1) year from the date of employment or as noted within the respective Collective Bargaining Agreement.

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(amended by PA 04-13 7, An Act Concerning Teachers' Evaluations)
10-151 c Records of teacher performance and evaluation not public records
10-220a(b) In-service training. Professional development. Institutes for educators. (as amended by PA 15-215)
Connecticut's System for Educator Evaluation and Development (SEED) state model evaluation system.
"Flexibility to Guidelines for Educator Evaluation" adopted by Connecticut State Board of Education, February 6, 2014
PA 10-111 An Act Concerning Education Reform in Connecticut
PA 12-116 An Act Concerning Education Reform (as amended by PA 13-
Cooperative and beginning teacher programs, regulations.
~~20 U.S.C. Section 1119 No Child Left Behind~~
34 C.F.R. 200.55 Federal Regulations
Circular Letter C-6, Series 2004-2005, Determining "Highly Qualified" Teachers
Circular Letter C-9, Series 2004-2005, "No Child Left Behind" and Districts' High Objective Uniform State Standard of Evaluation (HOUSSE) Plans.

Policy adopted: August 27, 2004
Policy reviewed:

FAIRFIELD PUBLIC SCHOOLS
Fairfield, Connecticut

Personnel

Absences and Leaves

FAMILY AND MEDICAL LEAVE ACT

4935

The Board will provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA). Eligible employees are entitled to up to twelve (12) work weeks of unpaid family and medical leave in any twelve (12) month period. The district will continue to pay the district's share of the employee's health benefits during the leave. In addition, the district will restore the employee to the same or an equivalent position after the termination of the leave in accordance with Board policy.

Employees will not be deprived of any employment benefits accrued before taking FMLA leave. Conversely, employees on FMLA leave are not entitled to accrue any seniority or benefits during the leave unless determined otherwise due to a Collective Bargaining Agreement. When an employee returns from FMLA leave, benefits will be resumed in the same manner as provided prior to taking the leave, subject to any changes in benefit levels that may have occurred during the FMLA leave period and that affect the entire work force.

In complying with the FMLA, the district will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

Legal Reference: PL 103-3 and 29 CFR Part 825 The Family and Medical Leave Act of 1993
 Final Rule-published in Federal Register, Vol. 60, Nov. 4, Friday, January 6, 1995, as amended on February 3, 1995 and on March 30, 1995.
 Rules and Regulations (29CFR Part 825)
 Connecticut General Statutes
 46b-3800 Applicability of statutes to civil unions and parties to a civil union.
 PA 07-245 An Act Concerning Family and Medical Leave for Municipal Employees.

Approved 8/27/04

The recommended replacement policy pertaining to the Family and Medical Leave Act, for existing policy #4935 adopted 8/27/04 which is not compliant with recent legislation.

Personnel -- Certified/Non-Certified

Personal Leaves

Family and Medical Leave Act

The Board will provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA) as amended and the Family Medical Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances) and 2013 Final Rules. Eligible employees (employment for at least one-year and at least 1,250 hours actually worked in the twelve month period immediately preceding the commencement of the leave) are entitled to up to 12 work weeks of unpaid family and medical leave in any 12-month period.

Paraprofessionals are also eligible to benefits equal to those under the federal FMLA if such paraprofessional was employed for at least one year and for at least 950 hours over the previous twelve month period preceding the commencement of the leave. A paraprofessional is defined as a school employee who performs duties that are instructional in nature or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and services.

The District will continue to pay the District's share of the employee's health benefits during the leave. In addition, the District will restore the employee to the same or an equivalent position with equivalent benefits, pay and other conditions of employment after the termination of the leave in accordance with Board policy and collective bargaining agreements.

Eligible employees are entitled to take unpaid leave for a covered family member's service in the Armed Forces, for any one or for a combination of the following reasons:

- A "qualifying exigency" as defined by Department of Labor regulations arising out of a covered family member's covered active duty or Federal call to covered active duty (includes National Guard and Reserves) in the Armed Forces including deployment to a foreign country or to international waters;
- To care for a covered family member who has incurred a serious injury or illness in the line of duty while on covered active duty in the Armed Forces (including as a member of the National Guard or Reserves) provided that such duty or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating;
- To care for a covered family member who is a veteran who is undergoing medical treatment, recuperation or therapy for a service related illness or injury that was incurred or aggravated while on active duty and manifested itself before or after the member became a veteran, within five years after a veteran leaves service; and/or

Personnel -- Certified/Non-Certified

Personal Leaves

Family and Medical Leave Act (continued)

- To care for a parent of a military member called to active duty provided the military member is the spouse, (including same-sex marriages*), parent or child of the employee.

When leave is due to a “qualifying exigency” of a service member, an eligible employee may take up to 12 work weeks of leave during any 12 month period. When such leave is to care for an injured or ill service member, an eligible employee may take up to 26 work weeks of leave during a single 12 month period to care for the service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12 month period. Employees will not be deprived of any employment benefits accrued before taking FMLA leave.

The District will maintain health insurance benefits at the same basis as is provided to other similarly situated employees. Conversely, employees on FMLA leave are not entitled to accrue any seniority or benefits during the leave unless determined otherwise due to a collective bargaining agreement. When an employee returns from FMLA leave, benefits will be resumed in the same manner as provided prior to taking the leave, subject to any changes in benefit levels that may have occurred during the FMLA leave period and which affect the entire work force. Leave available for eligible employees under FMLA is not intended to supplement leave otherwise provided to such employees. The District may require the eligible employee substitute any accrued vacation or sick leave for any part of the twelve week period that may be taken for the serious health condition of a spouse, child or parent, or for the employee’s own serious health condition.

In complying with the FMLA, the District will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

The Board, in compliance with state statute, shall provide to its employees who are a party to a civil union with the same family and medical leave benefits under the federal Family Medical Leave Act (FMLA) as are provided to employees who are party to a marriage. The term “marriage” includes a same-sex marriage which all states must now recognize, or common law marriages that either was entered into in Connecticut or another state that recognizes such marriages or if entered into out of Connecticut is valid in the place where entered into and could have been entered into in at least one state. In addition, the Board shall allow its employees leave time under this policy to serve as organ or bone marrow donors.

The District, in compliance with FMLA’s regulations, will post and keep posted on its premises, in conspicuous places where employees are employed, a notice explaining the provisions of the FMLA and providing information concerning the procedures for filing complaints of violations of the Act. Electronic posting may be utilized.

**Due to the Obergefell Supreme Court Decision, there is no distinction under the law between same sex and opposite sex spouses. It is advisable to refer to “marriage” and “spouse.”*

Personnel -- Certified/Non-Certified

Personal Leaves

Family and Medical Leave Act

(cf. 4118.14 - Disabilities)

(cf. 4151.2 - Family Illness)

(cf. 4152.3 - Maternity; Adoptive; Child Care)

Legal Reference: P.L. 103-3 and 29 CFR Part 825 - The Family and Medical Leave Act of 1993, as amended by H.R. 4986, the National Defense Authorization Act for Fiscal Year 2008, Section 585. 29 U.S.C. §2601 et seq. and the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, section 565, Title V.
Final Rule - published in Federal Register, Vol. 60, Nov. 4, Friday, January 6, 1995, as amended on February 3, 1995, March 30, 1995, and on November 17, 2008. Rules and Regulations (29 CFR Part 825).
Final Rule – published in Federal Register, Vol. 78, Wed. February 6, 2013.
Final Rule – published in Federal Register, Vol. 80, No. 37, Wednesday, February 25, 2015
Connecticut General Statutes
46b-3800 Applicability of statutes to civil unions and parties to a civil union.
PA 07-245 An Act Concerning Family and Medical Leave for Municipal Employees.
PA 12-43 An Act Concerning Family and Medical Leave Benefits for Certain Municipal Employees
United States v. Windsor, U.S. 133 S. Ct. 2675 (2013)
Obergefell v. Hodges, No. 14-556, 135 S. Ct. 2584 (2015)

Policy adopted:

rev. 4/09

rev. 4/10

rev. 3/13

rev. 3/14

rev 10/14

rev. 3/15

rev 9/15

Another version of this policy.

Personnel -- Certified/Non-Certified

Personal Leaves

Family and Medical Leave

The _____ Board of Education shall comply with all provisions of the Family and Medical Leave Act of 1993, as amended, the Military Family Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leaves to military families and veterans for specific circumstances), 2013 Final Rules and with the related U.S. Department of Labor regulations. The Superintendent shall develop appropriate procedures to implant the Act.

Paraprofessionals are also eligible to benefits equal to those under the federal FMLA if such paraprofessional was employed for at least one year and for at least 950 hours over the previous twelve month period preceding the commencement of the leave. A paraprofessional is defined as a school employee who performs duties that are instructional in nature or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and services.

Eligible employees are entitled to take unpaid leave for a covered family member's service in the Armed Forces, for any one or for a combination of the following reasons:

- A "qualifying exigency" as defined by Department of Labor regulations arising out of a covered family member's covered active duty or Federal call to covered active duty (including National Guard and Reserves) in the Armed Forces including deployment to a foreign country;
- To care for a covered family member who has incurred a serious injury or illness in the line of duty while on covered active duty in the Armed Forces (including as a member of the National Guard or Reserves) provided that such duty or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating;
- To care for a covered family member who is a veteran who is undergoing medical treatment, recuperation or therapy for a service related illness or injury that was incurred or aggravated while on active duty and manifested itself before or after the member became a veteran, within five years after a veteran leaves service; and/or
- To care for a parent of a military member called to active duty provided the military member is the spouse, (including same-sex marriages*), parent or child of the employee.

When leave is due to a "qualifying exigency" as defined by Department of Labor regulations of a service member, an eligible employee may take up to 12 work weeks of leave during any 12 month period.

**Due to the Obergefell Supreme Court Decision, there is no distinction under the law between same sex and opposite sex spouses. It is advisable to refer to "marriage" and "spouse."*

Personnel -- Certified/Non-Certified

Personal Leaves

Family and Medical Leave (continued)

When such leave is to care for an injured or ill service member, an eligible employee may take up to 26 work weeks of leave during a single 12 month period to care for the service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12 month period.

The Board, in compliance with state statute, shall provide to its employees who are a party to a civil union with the same family and medical leave benefits under the federal Family Medical Leave Act (FMLA) as are provided to employees who are party to a marriage. The term “marriage” includes a same-sex marriage, which all states must now recognize, or common law marriages that either was entered into in Connecticut or another state that recognizes such marriages or if entered into out of Connecticut is valid in the place where entered into and could have been entered into in at least one state. In addition, the Board shall allow its employees leave time under this policy to serve as organ or bone marrow donors.

(cf. 4118.14 - Disabilities)

(cf. 4151.2 - Family Illness)

(cf. 4152.3 - Maternity; Adoptive; Child Care)

Legal Reference: P.L. 103-3 and 29 CFR Part 825 - The Family and Medical Leave Act of 1993, as amended by H.R. 4986, the National Defense Authorization Act for Fiscal Year 2008, Section 585, and the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, section 565, Title V.
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United States v. Windsor, U.S. 133 S. Ct. 2675 (2013)
Obergefell v. Hodges, No. 14-556, 135 S. Ct. 2584 (2015)

Policy adopted:
rev. 9/15

*Recommended by CABE for deletion
Replaced by CABE revised Policy 3170; BOE
approved 6/21/16*

Business and Non-Instructional Operations

Business

Budget

EDUCATION BUDGET IMPLEMENTATION

3120

"No officer, board, commission, or department shall expend any sum for any purpose in excess of the amount appropriated by the Town for such purpose unless such expenditure shall first be approved by the Board of Finance and appropriate transfers in such budget shall have been made by the Board" (Charter of the Town of Fairfield).

The total amount which, may be expended during the fiscal year for the operation of the school system shall be set forth in the budget approved annually by the Representative Town Meeting.

Approved 8/27/04

*Recommended by CAFE for deletion
Replaced by CAFE revised Policy 3170;
BOE approved 6/21/16*

Business and Non-Instructional Operations

Business

Budget

Education Budget Implementation

DAY-TO-DAY BUDGET CONTROL

3120.2

The education budget shall serve as the control on expenditures. The Board of Education shall have overall responsibility for the education budget. The Superintendent shall be directly responsible to the Board for the administration of the education budget. The Superintendent maintains ultimate authority over all subordinates in matters of budget. The Director of Finance shall be directly responsible to the Superintendent for the day-to-day administration of the education budget. All subordinates of the Superintendent are directly accountable to the Director of Finance in procedural matters relating to finance. All Board of Education employees shall comply with the fiscal policies established by the Board.

In keeping with the need for periodic reconciliation of the operating budget of the Fairfield Public Schools, the Superintendent may authorize the Director of Finance to transfer funds within major categories. Only the Board, upon recommendation of the Superintendent, may authorize individual transfers of more than \$10,000 between major classifications of accounts. All transfers made in such instances shall be announced at the regularly scheduled meeting of the Board. Only the Board, upon recommendation of the Superintendent, may authorize a series of transfers to or from a single account totaling more than \$10,000 between major classifications of accounts.

Major classifications shall be defined as:

- Personnel Services
- Fixed Charges
- Pupil Personnel Expenses
- School Expenses
- Support Expenses
- Maintenance / Operation / Transportation
- Capital

Business and Non-Instructional Operations

Business

Budget

Education Budget Implementation

DAY-TO-DAY BUDGET CONTROL (continued)

3120.2

Examples of policy use:

The Superintendent could authorize a transfer of funds from school supplies to textbooks.

Only the Board could authorize the transfer of \$10,000 or more (or a series of transfers totaling \$10,000 or more) from teachers' salaries to textbooks.

Legal Reference: Connecticut General Statutes 10-222 Appropriations and budget (as amended by PA98-141)

Approved 8/27/04