

RHTA meeting agenda

Date: February 26, 2023

Location: Virtual <http://meet.google.com/xdm-cvdv-wur> (due to inclement weather)

Time: 4:05

1. Presidents' report

- The negotiations team will have its first meeting March 7, 2023.
- As we prepare for the upcoming negotiations with the BOE, we will design a survey to elicit your help identifying issues that are important to you. The information obtained from the survey will assist the negotiation team in determining the priorities during the negotiations process. We ask that you become familiar with our current contract which may be found on the RHTA website <https://rhta.org>
- Kim Davis, our CEA UniServ representative, has responded to our question about what a teacher should do to stop a student who has "eloped" (fled) from the building even though the teacher is not trained in restraint. Her answer is as follows:

“Unless a teacher is acting recklessly, wanton or maliciously, they would be covered under 10-235 in state statutes, which indemnifies them from any legal suits of any kind. So, if a car was coming and the (untrained to restraint) teacher picked up the kid to keep the student from being hit by a car, that teacher would never suffer any legal suits or anything like that, if the parent sued. The district would be sued and teacher would be covered by legal through the district as well. If teachers use common sense in these situations, they should be fine. Yes, it would be better if the kid was stopped by someone trained in restraint, however that may not be possible in every circumstance”

The statute is attached at the end of these minutes

- Other situations such as the one above was discussed in our meeting for what to do:
 - Not all teachers in the district are trained in restraint
 - You are not responsible to stop a fight. You may do so if you feel comfortable and you feel you are not in danger.
 - Use common sense
 - We recommend you go to your phone to immediately report

2. Committee News

- a) Treasurer's Report-nothing new to report
- b) Grievance Report: Reminder: Procedure for grievances is that your grievance first goes to the building rep.
- c) Membership-the roster continues to update with new teachers coming to the district

3. New Business:

a) Please be reminded as this issue has been brought up in the past, if you choose/volunteer to play for the "Rocky Hill Dream Team" (against the Harlem Wizards) and get injured, it is NOT considered workmen's comp. You are NOT covered by workman's comp as this activity takes place after school hours, after your contractual time. YOU will be responsible for all (insurance) bills should you get injured during the activity. This is not to discourage you from playing, but simply to make you fully aware of the protocol; essentially play at your own risk. (A more detailed document will be coming out about this)

b) What to do if you are having issues or difficulties with your FSA (Flexible Spending Account)

- If you are having issues with reimbursement/charges please let one of us know
- If you are having any issues with 90° benefits, and it is hard to contact someone about this, we recommend that you call Jo-Ann Turcotte as she has a direct line to a contact

c) Please check your paycheck stubs for correct leave accumulated personal discretionary, personal non-discretionary, and sick days. Call central office to correct this.

4. Upcoming Events:

Remaining RHTA meeting

RHTA MEETINGS
4TH Wednesday of every month at GMS
library media center 4:05

February 22 nd
March 22 nd
April 26 th
May 24 th ~ Elections

5. Remaining CEA Retirement workshops

Tuesday, March 7

Thursday, March 30

Wednesday, April 26

Monday, May 15

Tuesday, June 6

**Limited to the
first 100
registrants per
workshop!**

**Register on the
CEA website
or call
Heidi Krutzky
860.725.6327**

➤ RHTA Officers for 2022-2023 are:

Co-President	Doug Russell (RHHS)
Co-President	Michelle Bartha (GMS)
Vice President	Kirsten Hassett (Moser)
Secretary	Adele Gali (RHHS)
Treasurer	Sandy Fravel (Stevens)

➤ RHTA Building reps for 2022-2023 are

RHHS Rep	Dave Fortier & Matt Bennett
GMS Rep	Karla Harding & Michelle Walerysiak
Stevens Rep	Laura O'Brien & Kristen Carter
West Hill Rep	Christina Boucher
Moser School	Carissa Lastrina & Joe Couture

➤ Other RHTA positions 2022-2023:

Grievance Chair	Heidi Kokoska (Moser)
Membership Chair	Sarah Sherman (Moser)
Web Master	Laura Litke (GMS)

**2012 Connecticut General Statutes
Title 10 - Education and Culture
Chapter 170 - Boards of Education**

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

Universal Citation: [CT Gen Stat § 10-235 \(2012\)](#)

(a) Each board of education shall protect and save harmless any member of such board or any teacher or other employee thereof or any member of its supervisory or administrative staff, and the State Board of Education, the Board of Regents for Higher Education, the board of trustees of each state institution and each state agency which employs any teacher, and the managing board of any public school, as defined in section 10-183b, including the governing council of any charter school, shall protect and save harmless any member of such boards, or any teacher or other employee thereof or any member of its supervisory or administrative staff employed by it, from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence or other act resulting in accidental bodily injury to or death of any person, or in accidental damage to or destruction of property, within or without the school building, or any other acts, including but not limited to infringement of any person's civil rights, resulting in any injury, which acts are not wanton, reckless or malicious, provided such teacher, member or employee, at the time of the acts resulting in such injury, damage or destruction, was acting in the discharge of his or her duties or within the scope of employment or under the direction of such board of education, the Board of Regents for Higher Education, board of trustees, state agency, department or managing board; provided that the provisions of this section shall not limit or otherwise affect application of section 4-165 concerning immunity from personal liability. For the purposes of this section, the terms "teacher" and "other employee" shall include (1) any person who is a cooperating teacher, teacher mentor or assessor pursuant to section 10-220a, (2) any student teacher doing practice teaching under the direction of a teacher employed by a local or regional board of education or by the State Board of Education or Board of Regents for Higher Education, (3) any student enrolled in a technical high school who is engaged in a supervised health-related field placement program which constitutes all or part of a course of instruction for credit by a technical high school, provided such health-related field placement program is part of the curriculum of such technical high school, and provided further such course is a requirement for graduation or professional licensure or certification, (4) any volunteer approved by a board of education to carry out a duty prescribed by said board and under the direction of a certificated staff member including any person, partnership, limited liability company or corporation providing students with community-based career education, (5) any volunteer approved by a board of education to carry out the duties of a school bus safety monitor as prescribed by said board, (6) any member of the faculty or staff or any student employed by The University of Connecticut Health Center or health services, (7) any student enrolled in a constituent unit of the state system of higher education who is engaged in a supervised program of field work or clinical practice which constitutes all or part of a course of instruction for credit by a constituent unit, provided such course of instruction is part of the curriculum of a constituent unit, and provided further such course (i) is a requirement for an academic degree or professional licensure or (ii) is offered by the constituent unit in partial fulfillment of its accreditation obligations, and (8) any student enrolled in a constituent unit of the state system of higher education who is acting in the capacity of a member of a student discipline committee established pursuant to section 4-188a.

(b) In addition to the protection provided under subsection (a) of this section, each local and regional board of education and each charter school shall protect and save harmless any member of such local or regional board of education or charter school governing council, or any teacher or other employee thereof or any member of its supervisory or administrative staff from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand or suit instituted against such member, teacher or other employee by reason of alleged malicious, wanton or wilful act or ultra vires act, on the part of such member, **teacher or other employee while acting in the discharge of his duties.** In the event such member, teacher or other employee has a judgment entered against him for a malicious, wanton or wilful act in a court of law, such board of education or charter school shall be reimbursed by such member, teacher or other employee for expenses it incurred in providing such defense and shall not be held liable to such member, teacher or other employee for any financial loss or expense resulting from such act.

(c) Legal fees and costs incurred as a result of the retention, by a member of the State Board of Education, the Board of Regents for Higher Education or the board of trustees of any state institution or by a teacher or other employee of any of them or any member of the supervisory or administrative staff of any of them, or by a teacher employed by any other state agency, of an attorney to represent his or her interests shall be borne by said State Board of Education, Board of Regents for Higher Education, board of trustees of such state institution or such state agency employing such teacher, other employee or supervisory or administrative staff member, as the case may be, only in those cases wherein the Attorney General, in writing, has stated that the interests of said board, Board of Regents for Higher Education, board of trustees or state agency differ from the interests of such member, teacher or employee and has recommended that such member, teacher, other employee or staff member obtain the services of an attorney to represent his interests and such member, teacher or other employee is thereafter found not to have acted wantonly, recklessly or maliciously.

(1949 Rev., S. 1494; 1949, 1951, 1955, S. 951d; 1959, P.A. 521, S. 1; February, 1965, P.A. 330, S. 43; 1971, P.A. 344; 1972, P.A. 201, S. 1; P.A. 73-651; P.A. 77-573, S. 24, 30; P.A. 78-54; 78-65; 78-208, S. 30, 35; 78-218, S. 167; P.A. 79-63; P.A. 80-197, S. 3; P.A. 81-450, S. 2; P.A. 82-218, S. 37, 46; P.A. 84-241, S. 2, 5; P.A. 88-273, S. 7, 9; P.A. 90-230, S. 15, 101; 90-325, S. 21, 32; P.A. 93-259, S. 1, 2; P.A. 95-79, S. 186, 189; P.A. 96-214, S. 7; P.A. 11-48, S. 285; P.A. 12-116, S. 87.)

History: 1959 act extended protection of state board of education, etc., to members of the board, other employees, and members of the supervisory or administrative staff as well as to teachers; 1965 act included commission for higher education under provisions of section; 1971 act included definition of "other employee" and extended definition of "teachers" and "other employees" to include faculty, staff and student employees of University of Connecticut Health Center or health services; 1972 act included protection for acts resulting in injury "which acts are not wanton, reckless or malicious" and included in definition of terms volunteers approved by boards of education to carry out prescribed duty under direction of certificated staff member; P.A. 73-651 included protection for acts which may infringe on person's civil rights and added Subsec. (b) re payment of legal fees and costs; P.A. 77-573 replaced commission for higher

education with board of higher education; P.A. 78-54 included in definition of terms students enrolled in higher education institution engaged in supervised field work or clinical practice under certain conditions; P.A. 78-65 included in definition “any person, partnership or corporation providing students with community-based career education”; P.A. 78-208 substituted Sec. 10-183b for reference to repealed Sec. 10-161; P.A. 78-218 substituted “local or regional” boards of education for “town” boards in Subsec. (a), included feminine personal pronoun in Subsecs. (a) and (b) and made other technical changes; P.A. 79-63 included in definition students in vocational-technical high schools who are engaged in supervised health-related field placement programs under certain conditions; P.A. 80-197 explicitly stated in Subsec. (a) that provisions do not “limit or otherwise affect application of section 4-165 concerning immunity from personal liability”; P.A. 81-450 included student members of discipline committees with the definition of “other employee” for purposes of indemnification; P.A. 82-218 replaced board of higher education with board of governors pursuant to reorganization of higher education system, effective March 1, 1983; P.A. 84-241 added “of higher education” to board of governors’ title; P.A. 88-273 in Subsec. (a) amended the definition of “teacher” and “other employee” to include a person who is a cooperating teacher, teacher mentor or assessor; P.A. 90-230 made technical corrections to the internal numbering of Subsec. (a); P.A. 90-325 added new Subsec. (b) re protection against alleged malicious, wanton, wilful etc., acts and relettered previous Subsec. (b) as Subsec. (c); P.A. 93-259 amended Subsec. (a) to include in the definition of “teacher” and “other employee” volunteer school bus safety monitors, effective June 28, 1993; P.A. 95-79 amended Subsec. (a)(4) to include a “limited liability company” providing students with community-based career education; P.A. 96-214 amended Subsecs. (a) and (b) to include charter schools and charter school governing councils; pursuant to P.A. 11-48, “Board of Governors of Higher Education” was changed editorially by the Revisors to “Board of Regents for Higher Education” in Subsecs. (a) and (c), effective July 1, 2011; pursuant to P.A. 12-116, “regional vocational-technical school” and “vocational-technical school” were changed editorially by the Revisors to “technical high school” in Subsec. (a), effective July 1, 2012.

See Sec. 10-212a re immunity from liability in cases involving administration of medications.

Cited. 28 CA 272; 30 CA 594; 42 CA 542.

Statute provides teacher with indemnification from loss, not indemnification from liability; board of education not deprived of defense of governmental immunity. 19 CS 396. Board of education could not interpose defense of governmental immunity to action by student against teacher which joined board as defendant as well as teacher. 27 CS 337. Demurrer to count of complaint for injuries sustained in school track meet which joined board of education in suit against school coaches was proper as statute provides for indemnification from loss of coaches who may ultimately have cause of action against board for reimbursement. 28 CS 198.

Subsec. (a): Indemnification available for losses sustained from claims or suits for injunctive relief as well as for damages. 195 C. 70.

Subsec. (b): Board of education not required to provide teacher with legal representation in suit alleging malicious, wanton or willful conduct, but board may have duty to indemnify under specified circumstances. 260 C. 167.