

TOLLAND BOARD OF EDUCATION
PLEASE NOTE CHANGE IN LOCATION AND DATE

Tolland High School
Library Media Center
Tolland, CT 06084

SPECIAL MEETING

7:30 – 10:00 P.M.

AGENDA
April 10, 2012

VISION STATEMENT

*To represent education at its best, preparing each student for an ever-changing society,
and becoming a full community of learning where excellence is achieved through each
individual's success.*

- A. CALL TO ORDER, PLEDGE OF ALLEGIANCE
- B. APPROVAL OF MINUTES
March 27, 2012 - Special Meeting
- C. PUBLIC PARTICIPATION (2 minute limit)
The members of the Tolland Board of Education welcome members of the public to share their thoughts and ideas at this time. When appropriate to do so, members of the Board and the administration may respond to comments during "Points of Information." However, in consideration of those in attendance and in an effort to proceed in a timely manner, follow-up discussion may need to take place outside of the meeting setting.
- D. POINTS OF INFORMATION
- E. STUDENT REPRESENTATIVE REPORT
- F. SUPERINTENDENT'S REPORT
 - F.1. Participation Fees
 - F.2. Enrichment Programs – Status
 - F.3. Strategic Planning Status
 - F.4. Medical Insurance Collaborative – By Laws
 - F.5. Proposed 2012/2013 Budget – (no enclosure)
- G. COMMITTEE & LIAISON REPORTS
- H. CHAIRPERSON'S REPORT
- I. BOARD ACTION
 - I.1. Proposed School Calendar for 2012-2013

- I.2. Board Policies
 - Policy 5080 – Student Discipline
 - Policy 4080 – Family and Medical Leave
- I.3. Proposed Increase in Lunch Prices
- I.4. Budget Transfer Request

J. PUBLIC PARTICIPATION (2 minute limit)
Comments must be limited to items on this agenda.

K. POINTS OF INFORMATION

L. CORRESPONDENCE

- Minutes from a Special Meeting of the Town Council on March 20, 2012
- Minutes from a Special Meeting of the Town Council on March 21, 2012
- Minutes of the Regular Meeting of the Town Council on March 27, 2012
- Minutes from a Special Meeting of the Town Council on March 28, 2012
- Minutes from a Special Meeting of the Town Council on March 29, 2012

M. FUTURE AGENDA ITEMS

N. ADJOURNMENT

**TOLLAND BOARD OF EDUCATION
Tolland, CT****MINUTES – Special Meeting March 27, 2012**

Members Present: Mr. Andy Powell, Chairman; Mr. Robert Pagoni, Vice Chairman; Mr. Steve Clark; Mr. Thomas Frattaroli; Mrs. Karen Kramer; Mrs. Althea Gill and Mr. Frank Tantillo.

Administrators Present: Mr. William Guzman, Superintendent of Schools; Dr. Kathryn Eidson, Director of Curriculum and Instruction; Mrs. Jane Neel, Business Manager and Ms. Dominique Fox, Principal, Tolland High School.

The meeting was called to order at 7:30 p.m.

APPROVAL OF MINUTES

Mrs. Kramer motioned and Mr. Tantillo seconded to approve the minutes of the regular meeting of March 14, 2012. Mr. Powell stated that the \$259,000 mentioned in the Points of Information referred to the cost of funding athletics for the entire year. All in favor to approve with changes. Motion carried.

PUBLIC PARTICIPATION

Mary-Pat Soucy of 111 Torry Road asked that the Board not approve the pay to play amounts because it was an added burden to the parents of students who wanted to be involved in sports.

Kelly Pabilonia of 33 Deer Meadow thanked the Board for all its efforts. As she reviewed the handout on the losses since 2003-2004 she was hopeful that some of these positions and clubs would be brought back to the system.

POINTS OF INFORMATION

Mr. Powell stated that the Board was unanimous on how important sports are to the community, but the Board was still faced with the need to spend the money for programs. It is better to partially fund sports than not to fund at all. Mr. Clark mentioned that the partial funding was already in the budget as approved by the Board of Education.

STUDENT REPRESENTATIVE REPORT

Kate-Lynn Walsh reported that Mr. THS was Colton Bridge and the runner up was Matt Beckius. There were eleven senior boys who competed and all had fantastic acts.

On Friday, March 30, 2012, the Freshman class will be hosting a Spring Fling dance with a black light theme. There will be a prize for the group that glows the most and also for being the best dressed costume.

The Tolland High School Chorus and Symphonic Band will be hosting its spring concert on Thursday, March 29, 2012 at 7:00 p.m. in the Tolland High School Auditorium.

SUPERINTENDENT'S REPORT**F.1. Tolland High School Girls Basketball Team**

The Superintendent recognized the Girls Basketball Team for the wonderful season that they had and showing of talent and sportsmanship at the Class M Championship game at Mohegan Sun.

Members of the Basketball team are:

<u>Name</u>	<u>Year</u>
Allie Gallo	Senior
Jenna Lovett	Senior
Jessica Olson	Senior
Kristen Schatzlein	Senior
Ashley Clawson	Junior
Jacqui Foreman	Junior
Sam Olson	Junior
Chelsea Domian	Sophomore
Kelsey Reisbeck	Sophomore
Kristin Shea	Sophomore
Courtney Akerley	Freshmen
Sarah Allen	Freshmen
Sammy Downham	Freshmen
Lauren Heery	Freshmen
Kelsey Murray	Freshmen

Rocco Sansone is the coach of the Girls' Basketball team and was also present at the meeting.

Mr. Powell read the following Proclamation:

WHEREAS the Tolland High School Girls Basketball Team completed its regular season with a record of 24 wins and 4 losses to reach the Class M Championship game for the first time in school history;

WHEREAS the Tolland High School Girls Basketball Team won the Avon Holiday Tournament;

WHEREAS the Tolland High School Girls Basketball Team was named the Connecticut Sun Team of the week in December;

WHEREAS team member Kristin Schatzlein was named the Gatorade Player of the Year;

BE IT RESOLVED that the Tolland Board of Education hereby commends and congratulates the Tolland High School Girls Basketball Team for its success and efforts in the 2011-2012 high school basketball season.

Dated at Tolland, Connecticut, this 27th day of March, 2012.

Jessica Olson, a senior on the team read a statement thanking the coach, staff, administrators and their parents for all their support during the season. It had been a wonderful experience for all of the team members.

F.2. Contribution

The Superintendent presented a March 14, 2012 letter from Mrs. Jaime Summers and a check in the amount of \$3,000 that was contributed to the Tolland Middle School to help support the Positive Behavior program.

Mr. Guzman stated that he has accepted this check as per Board Policy 3050 (Gifts, Grants, and Bequests to the District) and wished to thank Mr. and Mrs. Summers for their thoughtful contribution. The Board requested the Superintendent send a letter of thanks to CNC Software for the contribution and their continued support.

F. 3. Proposed School Calendar for 2012-2013

Mr. Guzman presented the proposed school calendar for 2012-2013. The calendar has 183 school days with the first day of school being August 29, 2012. The February break is proposed for two days. Professional development will be three half-day sessions falling on September 19, October 24, and January 30. The tentative last day of school falls on June 14, 2012.

This calendar will be placed on the District's website for parents to review and comment. It will be placed on the agenda for Board of Education consideration at the April 11, 2012 meeting.

F.4. Board Policies and Administrative Regulation

- **Administrative Regulation 4022 – Concussion Training for Athletic Coaches**
- **Board Policy 5080 – Student Discipline**
- **Board Policy 4080 – Family and Medical Leave**

The Superintendent presented Administrative Regulation 4022 – Concussion Training for Athletic Coaches, Board Policy 5080 – Student Discipline and Board Policy 4080 Family and Medical Leave.

Administrative Regulation 4022 – Concussion Training for Athletic Coaches, Board Policy 5080 – Student Discipline and Board Policy 4080 Family and Medical Leave were reviewed by the Policy Committee on March 14, 2012.

Board Policies 5080 and 4080 are revised. The language to be deleted is in brackets and new language is in caps and is bolded. These will be an action item at the April 11, 2012 meeting of the Board of Education

The Administrative Regulation 4022 is enclosed for your information and does not require Board approval.

F.5. Proposed Increase in Lunch Prices

Mr. Guzman presented a request from the Food Service Director seeking approval to increase lunch prices at all grade levels for the fiscal year 2012-13. Lunch prices have not increased since 2006.

The Administration recommends approval of increases in the price of school lunches beginning in the 2012-13 fiscal year as follows:

Elementary	\$2.25	
Middle School	\$2.50	Deli Lunch \$2.75 (no change)
High School	\$2.75	Deli Lunch \$3.00 (no change)
Milk	\$.50	(no change)

This will be an action item at the April 11, 2012 meeting of the Board of Education.

F.6. Status of the Budget

In accordance with Board of Education policy 3010, Mr. Guzman presented the status report of the budget for fiscal year 2011-12 as of March 26, 2012.

The adjusted budget for fiscal year 2011-2012 is \$34,665,483.

As of March 26, 2012, projected expenditures and encumbrances total \$34,282,147. The projected balance at this time is \$383,336.

The following programs have notable changes since the last budget projection:

- ♦ Program 131 Special Services – several adjustments have been made to this account to cover student outplacement changes and for additional legal fees. The program is currently in a deficit of \$152,306.
- ♦ Program 710 Principals' Office – projected expenses at this time are being held to cover graduation costs only leaving a projected balance of \$26,005.
- ♦ Program 701 Transportation – a review of open purchase orders and a change in transportation vendor for student delivery leaves a balance of \$82,820. We are recommending a transfer from this account in the amount of \$20,350 to the Maintenance Program (662) to cover anticipated expenses leaving a year end balance of \$62,470.

- ♦ Program 756 Business Office – a review of open purchase orders yielded funds after closing a purchase order to our workers' compensation carrier leaving a projected balance of \$10,219.
- ♦ Program 663 Utilities – Energy Management – the latest review of the entire program based on expenditures to date and projected expenses through year end shows an anticipated balance surplus of \$135,019. This balance may increase based upon favorable weather conditions in April.
- ♦ Program 662 Maintenance – a transfer in the amount of \$20,350 from the transportation program (Program 701) has been initiated to this account due to the lack of funds in the program and anticipated maintenance work.
- ♦ Program 791 Board of Education – after a review of the encumbrances and expenses for legal services, the projected balance on the purchase order was reduced from \$50,672 to \$5,000 leaving a balance in this program of \$45,672.
- ♦ Program 177 Staff Services – Other and Health Insurance - a review of this program includes a projected balance in the health insurance line item in the amount of \$103,936. Other elements of this program which include course reimbursement, social security taxes, non-certified retirement costs and other miscellaneous items shows a deficit in the amount of \$62,071. The overall program balance for the Staff Services account is \$41,865.
- ♦ Program 187 – Substitutes – based on the average expenses over the past three years and considering the increase in sub usage, this account is projected to close in a deficit of \$29,151.
- ♦ Program 188 – Systemwide Services – this program has a projected balance due to savings of staff replacement. The estimated costs for tutoring has increased due to a variety of tutoring needs such as student Individualized Education Plan (IEP's), expulsions, and student absences due to long term illnesses.

In accordance with Board Policy 3060, an authorization will be requested for the following transfer of funds:

<u>From Account</u>	<u>Amount</u>	<u>To Account</u>	<u>Amount</u>
Program 701 Transportation	(\$20,350)	Program 662 Maintenance	\$20,350

Explanation: Maintenance program requires funds through end of year projected expenses.

This will be an action item at the next regular meeting of the Board of Education on April 11, 2012.

The Superintendent also explained that the 3% increase as recommended by the Town Manager would result in a reduction of \$568,517 from the Board's budget request. In attempting to reduce the Budget request by \$560,000E every effort will be made not to impact programs or personnel. There will be a meeting concerning the Insurance Collaborative at EASTCONN on Thursday and CIGNA will be reviewing costs. It would be another possibility to reduce the impact of the budget reduction.

A table detailing the end of year Utility Projections was also distributed. It was noted that these projections were dependent on the weather over the next three months.

COMMITTEE & LIAISON REPORTS

- **Policy Committee – March 20, 2012**

Mr. Clark reported that the Policy Committee had met to discuss the proposed 2012/2013 proposed calendar that was part of the Superintendent's report.

- **Finance and Facilities – March 19, 2012**

Mrs. Gill reported that what was discussed at the Finance and Facilities Committee Meeting had been presented during the meeting. They were the increase in school lunch prices, the 2012/2013 Budget, the proposed school calendar, emergency preparedness and the energy performance study.

- **EASTCONN Executive Committee Meeting – February 28, 2012**

Mrs. Kramer reported that there was an announcement that EASTCONN had received the Notification of Award for the Head Start Program. EASTCONN won a first place award for publications submitted by the Marketing & Communications Department. Larry Schaeffer, the Education Associate from CAPSS presented the Education Transformation Report. The whole education system would be redesigned. There is strong support from the Governor and the State Board of Education for this plan which as of yet has no timeline.

CHAIRPERSON'S REPORT

Mr. Powell stated that he believed that the budget proposal by the Town Manager provides Tolland with the resources necessary to continue our tradition of superior education. While Mr. Werbner's proposal is lower than the Board request, cost savings provided by the continuing efforts of our dedicated staff and consultation with our partners on the Town Council should offset the difference with minimal impact on our plans for 2012-2013. We understand and appreciate that the Town Manager has to look at a larger picture than the Board of Education to provide affordable services to all of Tolland's citizens.

Through conversations with the Town Council and Mr. Werbner, we will continue to explore financial opportunities that might provide additional savings as we move into our upcoming year. Depending on their magnitude, these savings could help us to expand services and programs that the district has lost over the past few years. Or, these

savings could help to reduce the impact that increasing costs have had on us next year. This is the true value of partnership in the governance of our Town. Partnership provides us with the vision to look beyond one year's budget and examine where we need and want to go in the future, rather than just focusing on just a number.

BOARD ACTION

None

PUBLIC PARTICIPATION

Bob Rubino of 296 Weigold Road was very please that the Board and the Town would be working together to solve the technology issue through grant money. He was concerned that the impact of retirees would result in a brain drain. He suggested that half of any savings should be used for professional development.

Sam Adlerstein of 164 Pine Hill Road was glad that he was very pleased that the Board was optimistic that programs could be maintained.

POINTS OF INFORMATION

Mr. Powell thanked Mr. Rubino for his comments about professional development. He also explained that the use of the University of New Haven interns would create a pool that would perhaps allow some of the interns to be hired and they could be assimilated in the district easier than a brand new teacher.

CORRESPONDENCE

- School Calendars for April
- March 6, 2012 – Joint Meeting Town Council/ Board of Education
- Town Council Minutes of March 13, 2012

FUTURE AGENDA ITEMS

1. Board Polices
2. School Calendar for 2012/2013
3. School Lunch Prices
4. Enrichment Program Update
5. Steve May – Insurance Consultant on Collaborative
6. Community Conversation Review for Possible Grant Writers
7. Strategic Planning Update
8. Proposed 2012/2013 Budget

ADJOURNMENT

Mr. Pagoni motioned and Mr. Tantillo seconded to adjourn at 9:06 p.m. All in favor. Motion carried.

Respectfully submitted,

Cheryl J. Abbott
Board Clerk

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: April 10, 2012

SUBJECT: Athletic Participation Fees

Attached is a spreadsheet that lists the Board of Education's 2012/2013 budget request for the athletic program at the High School (Varsity and Junior Varsity) and at the Middle School. The attachment estimates the costs for the athletic programs at each of the three levels. Listed in the attachment are the projected personnel costs, program costs, as well as the estimated number of participants in each sport.

Column 1 of the attachment outlines the estimated costs of each program with the participation fee of \$325 per sport/per participant at the High School and \$225 per sport/per participant at the Middle School. The Board's budget request includes an amount of \$112,358 to cover the difference between the anticipated costs of all three programs less the projected revenue generated from the participation fees.

Column 2 shows the estimated budgetary impact to the 2012/2013 Board budget should the participation fee be reduced to \$125 per sport, per participant at each level (Varsity, JV, and Middle School). The decrease in the participation fee has a corresponding increase in the Board's budget of \$146,900.

Andy Powell, Chair of the Board of Education, will provide additional information at the meeting about the athletic program accounts.

WDG:ca

Tolland Public Schools
 Business Services
 Increase in cost if fees changed from \$225 @ TMS and \$325 @ THS to \$125 for both TMS/THS
 Athletic Participation Fees

	<u>Column 1</u>	<u>Column 2</u>	
	Currently		
	Budgeted in		
	FY 2012-13	Fees at \$125	
Athletic Program	(BOE Budget)	per Student	
<u>THS Varsity Athletics</u>	<u>Fee @ \$325</u>	<u>Fee @ \$125</u>	
Personnel	\$ 126,611	\$ 126,611	
Program	\$ 109,925	\$ 109,925	
Less Participation Fees	\$ (134,875)	\$ (51,875)	Assumption: 415 students pay to participate
Total	\$ 101,661	\$ 184,661	
 <u>THS JV Athletics</u>	 <u>Fee @ \$325</u>	 <u>Fee @ \$125</u>	
Personnel	\$ 56,223	\$ 56,223	
Program	\$ 27,627	\$ 27,627	
Less Participation Fees	\$ (68,250)	\$ (26,250)	Assumption: 210 students pay to participate
Total	\$ 15,600	\$ 57,600	
 <u>TMS Athletics</u>	 <u>Fee @ \$225</u>	 <u>Fee @ \$125</u>	
Personnel	\$ 28,247	\$ 28,247	
Program	\$ 16,125	\$ 16,125	
Less Participation Fees	\$ (49,275)	\$ (27,375)	Assumption: 219 students pay to participate
Total	\$ (4,903)	\$ 16,997	
 Total Cost THS Varsity, JV, and TMS	 <u>\$ 112,358</u>	 <u>\$ 259,258</u>	 <u>\$ 146,900</u> Increase to current BOE budget to change all fees to \$125
		\$ 146,900	edit check

F.2.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: April 10, 2012

SUBJECT: Enrichment Programs – Status

At the January 11, 2012 meeting, the Board requested an update on the afternoon enrichment program offered students at Birch Grove, Tolland Intermediate and Tolland Middle schools. Three separate sessions were planned for each school as follows:

<u>School</u>	<u>Club Name</u>	<u>Start Date</u>
Birch Grove	Adventures with Jack and Annie	Jan. 26
	Super Solvers	Mar. 8
	Math Magic	Apr. 26
Intermediate School	Adventures in Science Enrichment – Grade 5	Jan. 26
	Adventures in Science Enrichment – Grade 4	Mar. 8
	Adventures in Science Enrichment – Grade 3	Apr. 26
Middle School	Girl Power (Postponed until end of April/May)	
	Culinary Adventures	Apr. 9
	Rocketry	Apr. 30

Enrollment in each of the three sessions is as follows:

	Session I	Session II	Session III
Birch Grove	30	30	
Tolland Intermediate	23	11	
Tolland Middle	X	15	

WDG:ca

F.3.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: April 10, 2012

SUBJECT: Strategic Planning – Status

Attached is a memorandum from Diane Clokey, Chair of the Strategic Planning Steering Committee indicating the status of the Strategic Planning process. The Steering Committee is comprised of teachers from the four schools as well as Kathryn Eidson, Director of Curriculum and Instruction, Diane Clokey and myself.

WDG:ca

TO: Members of the Board of Education

FROM: Diane Clokey, Strategic Planning Steering Committee

DATE: April 3, 2012

RE: Status Update

As of this writing, we have begun wrapping up the first phase of the planning process which involved our consultants, the New England School Development Council. They will be providing summaries of their meetings with our staff, additional survey data and a district profile to the Steering Committee early next week. They will also be presenting their findings to you at a board meeting before the end of the school year. In the meantime Michele Burge and Linda Hodge, our Survey Research interns from UConn, have been coding the original survey responses. Next week, the Strategic Planning Committee will meet and hear their findings and recommendations based on those responses. You are welcome to join the committee for that meeting, Wednesday, April 11th at 2:30 in the Birch Grove Conference Room.

Coming up, we are anticipating that Michele and Linda will be running several stakeholder focus groups over the next couple of months which will further clarify goals and priorities. We are also planning to put up a page on the district website that will help keep everyone one informed about the process. As it looks now, we hope to begin the new academic year with a focus on vision, values, and priorities that the district as a whole can embrace moving forward. This timeline could shift depending on how long the focus groups need to meet, among other factors.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: April 10, 2012

SUBJECT: Medical Insurance Collaborative – By Laws

Steve Werbner, Town Manager, and I have been working with EASTCONN and other member Towns to explore the option of forming a Coalition to purchase and administer health benefits. Tolland will be one of the first Towns in the State to take advantage of legislation passed last year which allows the formation of these types of Coalitions.

At this time some six towns within the Coalition that all use CIGNA as a benefit provider have received pricing to join together and move from a fully insured plan to an ASO (Administrative Services Only) type plan. This type of plan allows for much lower administrative fees (about 8% lower) since the Towns are responsible for paying bills, handling cash flow, investing funds, etc and there is no premium tax, no built in claim fluctuation margin and no risk margin. The advantage of this type of set up is that if there is better than expected claim experience the Towns get to keep the money rather than the insurance company and any cash flow during the year can be invested to our benefit. The down side is that we are immediately responsible for any unexpected claims rather than that experience being built into future rates which means you must at all times have sufficient cash reserves.

The Coalition is including within the pricing stop loss insurance in the amount of \$160,000 for any large claims. Currently the rate of stop loss coverage we have in our fully insured plan is at the \$150,000 level. East Conn has agreed to handle all the administrative responsibilities including setting up individual reserve accounts for each of the towns which we would fund at a certain percentage level each year. Currently the group is looking at a range of 2%-4%. I would recommend that we fund the plan initially at the 4% rate. Initially the rates between the fully insured plan and self-insurance are somewhat comparable although the latest projection shows about a 1.9% overall savings which equates to about \$128,696 for the combined Town and Board of Education Account.

In the future as the Coalition matures and more members are added additional savings may be achieved which hopefully will lead to a smoothing of future rate increases. A decision which must be made is how much of the potential savings over that amount included for claims and related expenses should be added to the reserve for the smoothing of future year rates or be used as a one time offset to any budget concerns. The rates below do not include dental plan costs which will remain fully insured at this time.

An example of rate savings within the Town is as follows:

- For the family HSA plan our new renewal rate under a fully insured plan is \$16,647 annually
- For the family HSA plan our ASO rate is \$16,347 annually

Within the Board of Education most employees are on a PPO plan currently. The rate differential is as follows:

- For the family PPO plan our renewal rate under a fully insured plan is \$27,801 annually
- For the family PPO plan our ASO rate is \$27,208 annually

The Coalition at this time is waiting for at least two of the towns to give a tentative commitment to moving forward. Should either of these towns remove themselves from the process the pricing for the other towns may be impacted. We should have further information regarding this by April 12th.

Members of the Coalition are looking to get by-laws approved by May 1st for a July 1st start date. Based on the various meeting schedules of the Town Council and BOE it is suggested that there be a special meeting on April 25th at 6:30 p.m. to review this matter at which time our Benefits Consultant will be in attendance to answer any questions. Hopefully following discussions both the BOE and Town Council will be in a position to vote on this matter. Attached to this memo is a draft of by-laws of the Coalition which you will be asked to approve on the 25th.

As more information is received it will be passed on to both the Town Council and BOE.

WDG:ca

EASTERN CONNECTICUT REGIONAL HEALTH COOPERATIVE

BY-LAWS

ARTICLE I – NAME, STATUTORY CREATION, PURPOSE & PRINCIPLE ADDRESS

Section 1 – Name – The name of the cooperative shall be the Eastern Connecticut Regional Health *Insurance* Cooperative (“the Cooperative”).

Section 2 – Address – The principal office of the Cooperative is 376 Hartford Turnpike, Hampton, Connecticut 06247. The Cooperative may have other such offices within the State of Connecticut as determined by the Board of Directors.

Section 3 – Statutory Creation – In accordance with Public Act 10-174 Connecticut General Statutes (Attachment A), Connecticut public school districts and municipalities are eligible to become members of the Cooperative. Membership shall at all times be consistent with State statutes.

Section 4 – Purpose – The purpose of the Cooperative is to jointly provide health insurance benefits to member Towns and/or Boards of Education.

ARTICLE II – MEMBERSHIP

Section 1 – Qualifications – In accordance with Public Act 10-174 of the C.G.S. (Attachment A), Connecticut public school districts and municipalities are eligible to become members of the Cooperative. Membership shall at all times be consistent with State statutes.

Section 2 – Initial Members – The initial members of the Cooperative are listed on Attachment B and their local legislative bodies have approved these by-laws and authorized the Chief Administrative Officer and Superintendent to sign this document acknowledging their approval of the Cooperative’s by-laws. The initial members may not withdraw their membership during the Cooperative’s first two fiscal years.

Section 3 – Additional Members – Subsequent to the establishment of the initial membership of the Cooperative, additional eligible Connecticut public school districts and municipalities may *request to* join the Cooperative by providing to the Board of Directors a certified copy of the resolution of its board of education, board of directors, or legislative body which states its approval for joining the Cooperative. *The decision for accepting new members is subject to 2/3 approval of the existing Board of Directors.* Additional members may not withdraw their membership for two fiscal years from the date they join the Cooperative.

Section 4 – Withdrawal from Membership –

4.1 – A current member may withdraw from the Cooperative only as of the last day of the Cooperative’s fiscal year, specifically June 30th, provided written notice has been given to the Board of Directors and all other current members *by April 1st of the year prior to the year of withdrawal.*

4.2 – A withdrawing member shall receive its prorated share of income or shall be required to reimburse the Cooperative for its prorated share of any losses after a full reconciliation of the Cooperative's fiscal year has been completed. A withdrawing member shall also be responsible for any expenses incurred, including but not limited to paid claims and administrative costs, as a result of the member's withdrawal. A member who does not adhere to the notice requirement shall forfeit its right for any prorated gains for which it might otherwise be eligible.

Section 5 – Removal of Members – Members may be removed from the Cooperative by a 2/3 vote of the Board of Directors if the member fails to remit premium contributions within sixty (60) days after written notice of delinquency. The removed member shall be responsible for any expenses incurred as a result of its removal as well as its prorated share of any losses of the Cooperative after full reconciliation of the Cooperative's fiscal year.

Section 6 – Reinstatement of Members – Former members of the Cooperative shall be eligible for renewed membership two years after the expiration of their last date of participation. Written notice of the former members' request to rejoin the Cooperative must be provided to the Board of Directors at least six months before the start of the Cooperative's fiscal year. Members who have been removed on two occasions are not eligible for reinstatement. Members who have withdrawn are eligible for reinstatement subject to 2/3 Board approval.

ARTICLE III – BOARD OF DIRECTORS

Section 1 – General Powers – The business and affairs of the Cooperative shall be managed by its Board of Directors, and the Board of Directors shall have, and may exercise all of the powers of the Cooperative.

Section 2 – Qualifications – All directors and alternate directors must be an active employee of their respective public school district or municipality. Directors whose employment has ended with their public school district or municipality will be removed from the Board of Directors effective with their last day of active employment. Consultants and brokers are not eligible to be directors.

Section 3 – Appointment of Directors – The initial directors shall be appointed by the initial members with each member appointing one person to the Board of Directors. A Town and local/regional Board of Education of the same Town are separate members. *Appointment of directors shall be effective as of* the annual meeting of the Board of Directors and shall serve until the next succeeding annual meeting. Once appointed, each member of the Board of Directors may appoint one alternate director who shall assume all of the director's responsibility in the event of the director's absence from a Board of Directors meeting. Consultants and brokers are not eligible to serve as an alternate director. Such appointments shall be provided in writing to the Chair of the Board of Directors.

Section 4 – Vacancies – Any vacancy occurring in the Board of Directors shall be filled by the member public school district or municipality which the former director represented within two months.

Section 5 – Executive Committee – The Board of Directors may elect from its members an Executive Committee of up to seven directors representing seven different members and there shall be no more than one representative from the same Town and Board of Education. At no time shall there be a total of more than four members representing either a Town or local/regional Board of Education. The Executive Committee shall manage the on-going program and operation of the Cooperative subject to any specific or general directions regarding such management imposed by a 2/3 vote of the Cooperative members present and voting at a duly called meeting of the Cooperative's full membership. Members of the Executive Committee shall serve for a staggered term of one year, two years or three years with two members appointed for one year, two members for two years and three members for three years, and may be elected for succeeding terms. The Chairperson of the Executive Committee shall be the Chairperson of the Board of Directors.

Section 6 – Meetings – The Board of Directors shall meet for its annual meeting each June. There shall be at least one annual meeting each year to:

6.1 – fill member vacancies on the Executive Committee, provided however that initial members of the Executive Committee need not be elected at the annual meeting.

6.2 – to adopt the final budget for the Cooperative.

6.3 – to address any financial related matters of the Cooperative as may arise.

6.4 – to consider or enact such other business as shall be deemed advisable at such meeting. Any matters relating to the affairs of the Cooperative may be brought up for discussion and added to the agenda by a 2/3 vote of those present at the annual meeting *or* of any other meeting of the Cooperative.

Additional quarterly meetings will be held in September, December and March and other regular meetings as needed. A special meeting will be held each January to establish the rates for health insurance. The meetings will take place at the Cooperative's principle office. Alternate meeting sites may be designated by the Executive Committee and communicated to the Board of Directors by the Chairperson. Special meetings may be called by the Chairperson, provided the notice of the special meeting is delivered to all board members at least five business days before the day on which the meeting is scheduled to occur. Every notice of a special meeting shall state the time and place of the meeting and state the purpose of the meeting. *Meetings and voting may take place electronically or by telecommunications in the event of extraordinary circumstances and shall be determined by the Chair of the Board of Directors.* In the conduct of its meetings, the Board of Directors shall be guided by Robert's Rules of Order unless such provisions are inconsistent with these by-laws or any subsequent modifications to these by-laws.

Section 7 – Quorum – A majority of the total number of filled directors positions shall constitute a quorum for the transaction of business at all meetings; but if less than such majority is present at any meeting, a majority of members present may adjourn the meeting from time to time without further notice.

Section 8 – Voting – Each member is entitled to one vote upon each matter submitted for a vote at a Board of Directors meeting. The Chair vote is the one which breaks any ties.

Section 9 – Prohibition of Compensation – Directors may not be paid compensation for performance of their duties as directors.

Section 10 – Notice – Written or printed notice stating the place, day and hour of the meeting of the full membership of the Cooperative shall be delivered not less than ten (10) days, not more than thirty (30) days before the date of the meeting by mail, email or fax to the *Town Clerk* and Board of Education and to each identified Board member.

Section 11- Removal- Any Director may be removed at any time when in the judgment of the Board of Directors the best interest of the Cooperative shall be served. Such removal shall be effected by a *2/3 decision* of the Directors at any meeting of the Board of Directors, provided that written notice of such meeting and purpose shall have been given to the Director(s) whose removal is to be considered. Such notice shall be met by sending it by first class mail to the Directors most recent address shown on the records of the Cooperative. The vacancy in the Board caused by any such removal may be filled by the Directors at such meeting or any subsequent meeting.

ARTICLE IV – OFFICERS

Section 1 – Structure – The Cooperative's officers shall include a Chairperson, a Secretary and a Treasurer, plus other such officers as may be deemed necessary by the Board of Directors. The Chairperson may not hold more than one office. An officer must be a director of the Cooperative. Officers shall not be compensated for their service.

Section 2 – Election and Term of Office – The Cooperative's officers specifically designated in Section 1 of Article IV shall be elected every two years by the Board of Directors at its annual meeting or as soon thereafter as is practical.

Section 3 – Removal – Any Officer may be removed at any time when in the judgment of the Board of Directors the best interest of the Cooperative shall be served. Such removal shall be effected by a *2/3 decision* of the Directors at any meeting of the Board of Directors, provided that written notice of such meeting and purpose shall have been given to the Officer(s) whose removal is to be considered. Such notice shall be met by sending it by first class mail to the Officer's most recent address shown on the records of the Cooperative.

Section 4 – Vacancies – Any position vacated by an officer may be filled by *2/3 decision* of the Board of Directors for the unexpired portion of the term in the manner prescribed in these by-laws.

Section 5 – Chairperson – The Chairperson shall preside over all regular and special meetings of the Board of Directors, and shall call special meetings of the Board of Directors at his/her own discretion or upon petition as set forth in these by-laws.

Section 6 – Secretary – The Secretary shall perform all duties incident to the office of Secretary including, but not limited to, being the custodian of the Cooperative's records, keeping minutes of the proceedings of the Board of Directors, as well as other such duties from time to time as may be assigned by the Executive Officer or Board of Directors.

Section 7 – Treasurer – The Treasurer shall have charge and custody of, and shall be responsible for, all funds and financial instruments of the Cooperative. The Treasurer shall also have charge of the books and records of account of the Cooperative, which shall be kept at the principle office or other location as directed by the Board of Directors. The Treasurer shall provide a

financial report of the Cooperative to the Board of Directors at each regularly scheduled board meeting. The Treasurer is responsible for the filing of all reports and returns relating to or based upon the books and records of the Cooperative kept under the direction of the Treasurer and other such duties from time to time as may be assigned by the Executive Officer or Board of Directors.

ARTICLE V – STAFF TO THE BOARD OF DIRECTORS

Section 1 – Executive Manager – Upon authorization of the members at an annual meeting the Executive Committee may hire or contract with an Executive Manager who, acting on behalf of the Board of Directors, shall be the principal executive of the Cooperative and shall have responsibility for carrying out the business affairs of the Cooperative. The Executive Manager's compensation shall be determined by the Board of Directors.

Section 2 – Support Staff – The Cooperative may employ or contract with staff, including but not limited to, accountants and administrative assistants, who shall work under the direction of the Executive Manager. These positions and the corresponding compensation shall be approved by the Board of Directors.

ARTICLE VI – CONTRACTS, LOANS AND CHECKS

Section 1 – Contracts – The Board may authorize the Executive Manager to enter into contracts and agreements in the name of and on behalf of the Cooperative. Any contract amount involving amounts in excess of any threshold established by the Board of Directors shall require the signature of both the Executive Manager and Chairperson. Unless specifically authorized by the Board of Directors, no other officers, employees or agents shall have any authority to enter into any contracts or behalf of the Cooperative.

Section 2 – Loans – No loans shall be contracted on behalf of the Cooperative and no indebtedness shall be issued in its name unless authorized by a specific resolution of the Board of Directors.

Section 3 – Checks, Drafts or Other Similar Orders – All checks, drafts, bills of exchange or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Cooperative, shall be signed by *two* officers of the Cooperative in such a manner determined by resolution of the Board of Directors.

ARTICLE VII – INDEMNIFICATION

To the extent permitted by the laws of the State of Connecticut, the Eastern Connecticut *Regional Health Insurance* Cooperative shall indemnify any Officer, Representative or Employee of the Cooperative who was or is a party or is threatened to be made a party to any threatened, pending or completed claim, action, suit or proceeding (other than an action by or in the name of the Cooperative) by reason of the fact that he or she is an Officer, Representative or Employee of the Cooperative, against expenses including attorney fees, judgments, fines and amounts paid in settlement activity and reasonably incurred by him or her in connection with any such claim, actions, suit or proceeding; provided that no indemnification shall be provided with respect to any civil matter in which he or she shall have been finally adjudicated not to have

acted in good faith in the reasonable belief that his or her action was in the best interests of the Cooperative or in any criminal matter not to have had reasonable cause to believe that his or her conduct was lawful. To the extent permitted by law, the Cooperative may purchase and maintain insurance against the liabilities of its Officers, Representatives, Employees and Agents.

ARTICLE VIII – GENERAL PROVISIONS

Section 1 – Fiscal Year – The Cooperative's fiscal year shall be July 1st through June 30th.

Section 2 – Operating Policies – The operating policies developed for conducting the business affairs of the Cooperative must be approved by the Board of Directors. These operating policies shall include payment requirements by members, development of financial accounts and other pertinent provisions necessary for operating the Cooperative.

Section 3 – Amendments – These by-laws may be amended and new by-laws may be adopted by a 2/3 decision of the Board of Directors at any regular or special meeting of the Board of Directors provided that in each case the notice of the proposed amendment or new by-law be included in the notice of the meeting. Such amendments or new by-law shall be effective upon the signed agreement of all the signatories to these by-laws.

Section 4 – Termination Provision – The Cooperative and its related agreements shall terminate upon:

- 4.1 – cessation of business of the Cooperative;
- 4.2 – insolvency, receivership or dissolution of the Cooperative; or
- 4.3 – the unanimous agreement of all Members. In the event of such termination, each member shall remain fully obligated to pay its prorated share of all outstanding expenses, and each member shall be eligible to receive its prorated share of income, if any, after a full reconciliation of all accounts.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: April 10, 2012

SUBJECT: Proposed 2012-2013 School Calendar

The calendar has 183 school days with the first day of school being August 29, 2012. The February break is proposed for two days. Professional development will be three half-day sessions falling on September 19, October 24, and January 30. The tentative last day of school falls on June 14, 2012.

The Administration recommends approval of the 2012-2013 school calendar.

WDG:ca

Tolland Public Schools

2012-13



August/Sept. (22 days)				
M	T	W	TH	F
IS	IS	29	30	31
3	4	5	6	7
10	11	12	13	14
17	18	HD	20	21
24	25	26	27	28

October (21 days)				
M	T	W	TH	F
1	2	3	4	5
8	IS	10	11	12
15	16	17	18	19
22	23	HD	25	26
29	30	31		

November (18 days)				
M	T	W	TH	F
			1	2
5	6	7	8	9
12	IS	14	15	16
19	20	HD	22	23
26	27	28	29	30

December (14 days K-8) (15 days 9-12)				
M	T	W	TH	F
3	4	5	PTC-HD	PTC
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

January* (21 days K-8) (20 days 9-12)				
M	T	W	TH	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	HD	31	

February (18 days)				
M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	

March (20 days)				
M	T	W	TH	F
				1
4	5	PTC-HD	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

April (17 days)				
M	T	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30			

May (22 days)				
M	T	W	TH	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

June (10 days)				
M	T	W	TH	F
3	4	5	6	7
10	11	12	13	LD
17	18	19	20	21
24	25	26	27	28

*There will be an inservice meeting day for high school staff only on the day after the first semester ends. **No School for High School students.**

Note: Make up days due to inclement weather will be scheduled after June 14 up to June 21, if needed. If more school days need to be made up, the days may be made up during the April vacation beginning with the first day of the week. This decision will be made by March 22.

DATES

August 29, 2012
June 14, 2013
June 14, 2013
*TENTATIVE

First Day
*Last Day
*THS Graduation

NO SCHOOL =

August 27-28 Teacher Inservice
September 3 Labor Day
October 8 Columbus Day
October 9 Teacher Inservice
November 12 Veterans Day
November 13 Teacher Inservice
November 22-23 Thanksgiving
December 7 K-8 Conferences (PTC)
December 24-January 2 Winter Break
January 21 Martin Luther King Day
T.B.D. **THS Mid-Semester Day
February 18-19 Mid Winter Break
March 29 Contractual Holiday
April 15-19 Spring Break
May 27 Memorial Day

HALF DAYS = HD

September 19 K-12 Teacher Inservice
October 24 K-12 Teacher Inservice
November 21 Thanksgiving
December 6 K-5 Conferences (PTC)
January 30 K-12 Teacher Inservice
March 6 K-12 Conferences (PTC)
June 14 Last Day of School

*If school is closed due to inclement weather on the PTC scheduled for Thursday or Friday, **Dec. 6 or 7**, the make-up day will be Monday, **Dec. 10**. If school is closed due to inclement weather on the PTC scheduled for Wednesday, **March 6** (1/2 days of school), the make-up day will be Monday, **March 11** (1/2 day).

PTC = Parent/Teacher Conferences*

IS = Inservice Meeting for Teachers

HD = Half Day (Inservice)

LD = Last Day



Students = 183
Teachers = 188

I.2.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: April 10, 2012

SUBJECT: Board Policies

- **Board Policy 5080 – Student Discipline**
- **Board Policy 4080 – Family and Medical Leave**

Board Policies 5080, and 4080 are revised. The language to be deleted is in brackets and new language is in caps and is bolded. These Policies were reviewed by the Policy Committee on March 14, 2012.

The Administration recommends approval of these policies.

WDG:ca

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

REGARDING: Student Discipline

Number: 5080
Students

Approved: 2/12/03

Revised: 6/28/06

Revised: 6/13/07

Revised: 6/25/08

Revised: 2/24/10

Revised: 6/22/11

REVISED:

I. Definitions

- A. **Dangerous instrument** includes but is not limited to any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- B. **Deadly weapon** includes but is not limited to any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A deadly weapon is one which is designed for violence and which is capable of inflicting death or serious bodily harm and may include pellet guns and/or air soft pistols.
- C. **Electronic defense weapon** includes but is not limited to a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury including a stun gun or other conductive energy device.
- D. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- E. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one (1) calendar year.
- G. **Firearm**, as defined in 18 U.S.C §921, means (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of

an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. **THE TERM FIREARM DOES NOT INCLUDE AN ANTIQUES FIREARM.** As used in this definition, a “destructive device” includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell particular suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½” in diameter. The term “destructive device” also includes any combination or parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A “destructive device” does not include: an antiques firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

- H. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.
- I. **Martial arts weapon** includes but is not limited to a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- J. **Removal** is the exclusion of a student from a classroom for a class period, provided such exclusion shall not exceed beyond (90) ninety minutes.
- K. **School Days** shall mean days when school is in session for students.
- L. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
- M. **Seriously Disruptive of the Educational Process** as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
- N. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

- O. **Weapon** includes but is not limited to any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release devise by which a blade is released from the handle having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic instrument, unless permitted by law under section 29-38 of the Connecticut General Statues.
- P. Notwithstanding the foregoing, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

II. Scope of the Student Discipline Policy

A. ***Conduct on School Grounds or at a School-Sponsored Activity:***

Students may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board.

B. ***Conduct off School Grounds:***

- 1. Students may be suspended or expelled for conduct off school grounds if such conduct is seriously disruptive of the educational process and violative of a publicized policy of the Board. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to, the following factors: (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence, or the unlawful use of a weapon, as defined in section Conn. Gen. Stat. § 29-38, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol.

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and/or the Board of Education may also consider whether such off-campus conduct involved the use of drugs.

III. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion) includes conduct on school grounds or at a school-sponsored activity (including on a school bus), and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, or law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.
7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s) lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in paragraph 11.

13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks or other explosive materials, or ignition of any material causing a fire.
15. Unauthorized possession, sale, distribution, use, consumption, or aiding in the procurement of tobacco, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.
16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials or any kind which are used, intended for use of designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs", pipes, "roach clips", vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.
18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.

22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution.
27. Use of, but not limited to a cellular telephone, radio, walkman, CD Player, Blackberry, Personal Data Assistant, walkie talkie, smartphone, mobile or handheld device, or similar electronic device on school grounds or at a school-sponsored activity in violation of board policy and/or administrative regulations regulating the use of such devices.
28. Use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
29. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
- [32. Bullying, defined as any overt acts by a student or a group of students directed against another student with the intent to ridicule, harass, humiliate or intimidate the other student while on school grounds, on a school bus, or at a school-sponsored activity, which acts are committed more than once against any student during the school year.]
32. **BULLYING, DEFINED AS THE REPEATED USE BY ONE OF MORE STUDENTS OF A WRITTEN, VERBAL OR ELECTRONIC COMMUNICATION, SUCH AS CYBERBULLYING, DIRECTED AT OR REFERRING TO ANOTHER STUDENTS ATTENDING SCHOOL IN THE SAME SCHOOL DISTRICT, OR A PHYSICAL**

ACT OR GESTURE BY ONE OR MORE STUDENTS REPEATEDLY DIRECTED AT ANOTHER STUDENT ATTENDING SCHOOL IN THE SAME SCHOOL DISTRICT, THAT:

- A) CAUSES PHYSICAL OR EMOTIONAL HARM TO SUCH STUDENT OR DAMAGE TO SUCH STUDENT'S PROPERTY;
- B) PLACES SUCH STUDENT IN REASONABLE FEAR OF HARM TO HIMSELF OR HERSELF, OR OF DAMAGE TO HIS OR HER PROPERTY;
- C) CREATES A HOSTILE ENVIRONMENT AT SCHOOL FOR SUCH STUDENT;
- D) INFRINGES ON THE RIGHTS OF SUCH STUDENT AT SCHOOL; OR
- E) SUBSTANTIALLY DISRUPTS THE EDUCATION PROCESS OR THE ORDERLY OPERATION OF A SCHOOL.

BULLYING SHALL INCLUDE, BUT NOT LIMITED TO, A WRITTEN, VERBAL OR ELECTRONIC COMMUNICATION OR PHYSICAL ACT OR GESTURE BASED ON ANY ACTUAL OR PERCEIVED DIFFERENTIATING CHARACTERISTICS, SUCH AS RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION, SOCIOECONOMIC STATUS, ACADEMIC STATUS, PHYSICAL APPEARANCE, OR MENTAL, PHYSICAL, DEVELOPMENTAL OR SENSORY DISABILITY, OR BY ASSOCIATION WITH AN INDIVIDUAL OR GROUP WHO HAS OR IS PERCEIVED TO HAVE ONE OR MORE OF SUCH CHARACTERISTICS.

- 33. Cyberbullying, defined as [use of computer systems including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of] **ANY ACT OF BULLYING THROUGH THE USE OF THE INTERNET, INTERACTIVE AND DIGITAL TECHNOLOGIES, CELLULAR MOBILE TELEPHONE OR OTHER MOBILE ELECTRONIC DEVICES OR ANY** electronic communications[, to commit acts of bullying].
- 34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.

35. Engaging in a plan to stage or create a violent situation for the purposes recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.
36. Engaging in a plan to stage sexual activity for the purposes recording it by electronic means; or recording by electronic means sexual acts for the purposes of later publication.
37. Using computer systems, including, but not limited to email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
38. Any action prohibited by a federal or state law.
39. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. DISCRETIONARY AND MANDATORY EXPULSIONS

- A. A principal may consider recommendation of expulsion of a student in a case where he/she has reason to believe the student has engaged in conduct described at sections II.A. and II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student whom the administration has reason to believe:
 1. was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. §921 as amended from time to time; or
 2. off school grounds, possessed a firearm as defined in 18 U.S.C. §921, in violation of Conn. Gen. Stat. §29-35, or possessed and used a firearm as defined in 18 U.S.C. §921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under Chapter 952 of the Connecticut General Statutes; or
 3. was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in Conn. Gen. Stat. §21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

The terms ‘dangerous instrument,’ ‘deadly weapon,’ ‘electronic defense weapon,’ ‘firearm,’ and ‘martial arts weapon,’ are defined above in section I.

- C. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

If the Superintendent or his/her designee determines that a student should or must be expelled, he or she shall forward his/her recommendation to the Board of Education so that the Board of Education can consider and act upon this recommendation.

- D. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-free Schools Act, it shall be the policy to expel a student for one (1) full calendar year for: conduct described in section IV (b) (1), (2) and (3) of this policy. For mandatory expulsion offense, the board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.
- B. A student may not be removed from a class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action by the principal or his/her designee within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

- A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend any student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.
 - 1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.

2. If suspended, such suspension shall be an in-school suspension unless, during the informal hearing, the principal or designee determines that the student: (a) poses such a danger to persons or property or such a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (b) the administration determines that an out-of-school suspension is appropriate based on evidence of (i) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (ii) previous efforts by the administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies.
3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.
4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal, or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty four (24) hours of the time of the institution of the suspension.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
9. The school administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program shall not

require the student and/or the student's parents to pay for participation in the program.

10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with section v.a(8), above, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions required by the administration.
 11. If the student has not previously been suspended or expelled, and the administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense,
 12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
 13. During the period of suspension, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.
- B. In cases where a student's suspension will result in the student being suspended, more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

- A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.

- C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. Emergency Exception:

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. §10-233d and the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat §§4-176e TO 4-180a, and §4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. Hearing Panel:

- 1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.
- 2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. Hearing Notice:

- 1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) within a reasonable time prior to the time of the hearing.
- 2. A copy of this board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s) at the time the notice is sent that an expulsion hearing will be convened.

3. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, place and nature of the hearing.
 - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
 - c. A short, plain description of the conduct alleged by the administration.
 - d. The student may present as evidence, relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion, and that the expulsion hearing may be the student's sole opportunity to present such evidence.
 - e. The student may cross-examine witnesses called by the administration.
 - f. The student may be represented by any third party of his/her choice, including an attorney, at his/her expense or at the expense of his/her parents.
 - g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is disabled.
 - h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
 - i. Information about free or reduced-rate legal services and how to access such services.

D. Hearing Procedures:

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents

relating to the case and all evidence received or considered at hearing.

3. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The presiding officer will rule on testimony or evidence as to it being immaterial or irrelevant.
4. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the administration.
5. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.
6. Each witness for the administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the presiding officer and by Board members.
7. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the presiding officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the presiding officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.
8. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.
9. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.
10. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI A (8), (9), (10), above, and Section X below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.

11. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.
12. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
13. The Board shall make findings as to the truth of the charges, if the student has denied them, and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.
14. The board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes Board-specified program and meets any other conditions required by the board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
15. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

E. Presence on School Grounds and Participation in School sponsored Activities During Expulsion:

During the period of expulsion, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational program provided by the district in accordance with this policy, unless the superintendent specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

F. Stipulated Agreements:

In lieu of the procedures used in this section the administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a joint stipulation of the facts and a joint recommendation to the board concerning the length and conditions of expulsion. Such joint stipulation and recommendations to the board shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the board, in its discretion, has the right to accept or reject the joint stipulation of facts and recommendation. If the board rejects with the joint stipulation of facts and recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the student is eighteen years of age or older, the student shall have the authority to enter into a joint stipulation and recommendation on his or her own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a joint stipulation of the facts and submit only the stipulation of the facts to the board in lieu of holding the first part of the hearing, as described above. Such joint stipulation shall include language indicating that the parents understand their right to accept or reject the joint stipulation of facts. If the board rejects the joint stipulation of facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

IX. Alternative Educational [Programs] **OPPORTUNITIES** for Expelled Students:

A. *Students under sixteen (16) years of age:*

Whenever the Board of Education expels a student under sixteen (16) years of age, it shall offer any such student an alternative educational [program] **OPPORTUNITY**.

B. *Students sixteen (16) to eighteen (18) years of age:*

1. The Board of Education shall provide an alternative [education] **EDUCATIONAL OPPORTUNITY** to a sixteen (16) to eighteen (18) year old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education[, except as follows. The Board of Education is not required to offer an alternative program to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity] **SUCH ALTERNATIVE**

EDUCATIONAL OPPORTUNITY MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, THE PLACEMENT OF A PUPIL WHO IS AT LEAST SIXTEEN YEARS OF AGE IN AN ADULT EDUCATION PROGRAM. ANY PUPIL PARTICIPATING IN AN ADULT EDUCATION PROGRAM DURING A PERIOD OF EXPULSION SHALL NOT BE REQUIRED TO WITHDRAW FROM SCHOOL AS A CONDITION TO HIS/HER PARTICIPATION IN THE ADULT EDUCATION PROGRAM.

2. The Board of Education is not required to offer an alternative [program] **EDUCATIONAL OPPORTUNITY** to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity.

3. **THE BOARD OF EDUCATION SHALL COUNT THE EXPULSION OF A PUPIL WHEN HE/SHE WAS UNDER SIXTEEN OF AGE FOR PURPOSES OF DETERMINING WHETHER AN ALTERNATIVE EDUCATIONAL OPPORTUNITY IS REQUIRED FOR SUCH PUPIL WHEN HE/SHE IS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN.**

- C. *Students eighteen (18) years of age or older:*

The Board of Education is not required to offer an alternative educational [program] **OPPORTUNITY** to expelled students eighteen (18) years of age or older.

- D. *Students identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"):*

Notwithstanding Sections IX A. through C. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational [program] **OPPORTUNITY** to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

- E. **STUDENTS FOR WHOM AN ALTERNATIVE EDUCATIONAL OPPORTUNITY IS NOT REQUIRED:**

THE BOARD OF EDUCATION MAY OFFER AN ALTERNATIVE EDUCATIONAL OPPORTUNITY TO A PUPIL FOR WHOM SUCH ALTERNATIVE EDUCATIONAL OPPORTUNITY IS NOT REQUIRED AS DESCRIBED IN THIS POLICY.

X. Notice of Student Expulsion on Cumulative Record:

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived in accordance with section VII D (14), above, the board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the board-specified programs and meets any other conditions required by the board.

If the students has not previously been suspended or expelled, and the administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XI. Change of Residence During Expulsion Proceedings:

A. *Student moving into the school district:*

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.
2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

B. *Student moving out of the school district:*

Where a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by

the Board, the notice of the pending expulsion hearing shall be included on the student's cumulative record and the Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

XII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act ("IDEA"):

A. *Suspension of IDEA students:*

Notwithstanding the foregoing, if the Administration suspends a student identified as eligible for services under the IDEA (an "IDEA student") who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

B. *Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:*

Notwithstanding any provision to the contrary, if the administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the school district that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in placement:

1. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to recommend for expulsion (or to suspend if a change in placement) was made.

2. The school district shall immediately convene the student's planning and placement team "PPT", but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of his/her disability.
3. If the student's PPT team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or his designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. *Transfer of IDEA students for Certain Offenses:*

School personnel may transfer an IDEA student to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

1. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or
2. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity or;
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

The following definitions shall be used for this subsection XII. C.,

1. Dangerous weapon – means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
2. Controlled substance – means a drug or other substance identified under Schedules I, II, III, IV, or V in Section 202 (c) of the Controlled Substances Act, 21 U.S.C. 812 (c).
3. Illegal drug – means a controlled substance but does not include a substance that is legally possessed or used under any other authority under the controlled substances act or under any other provision of federal law.
4. Serious bodily injury means a bodily injury which involves: (a) a substantial risk of death; (b) extreme physical pain; (c) protracted and obvious disfigurement; or (d) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

XIII. Procedures Governing Expulsions for Students Identified as Eligible for Educational Accommodations under Section 504 of the Rehabilitation Act of 1973 (“Section 504”):

Notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 of the Rehabilitation Act of 1973 (a “Section 504 Student”) who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.
2. The district shall immediately convene the student's Section 504 team (504 team), for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of his/her disability.
3. If the 504 team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommended expulsion. The 504 team shall consider the student's misconduct and revise the 504 plan to prevent a recurrence of the misconduct and to provide for the safety of other students and staff.

4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.

XIV. Procedures Governing Expulsions for Students [Seeking to Return to the School District after] **COMMITTED TO A Juvenile Detention CENTER:**

- A. **ANY STUDENT WHO COMMITS AN EXPELLABLE OFFENSE AND IS SUBSEQUENTLY COMMITTED TO A JUVENILE DETENTION CENTER, THE CONNECTICUT JUVENILE TRAINING SCHOOL OR ANY OTHER RESIDENTIAL PLACEMENT FOR SUCH OFFENSE MAY BE EXPELLED BY THE BOARD IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. THE PERIOD OF EXPULSION SHALL RUN CONCURRENTLY WITH THE PERIOD OF COMMITMENT TO A JUVENILE DETENTION CENTER, THE CONNECTICUT JUVENILE TRAINING SCHOOL OR ANY OTHER RESIDENTIAL PLACEMENT.**
- B. If a student **WHO COMMITTED AN EXPELLABLE OFFENSE** seeks to return to [the] A school district after [committing an expellable offense for which he/she served a period of one year or more] **HAVING BEEN** in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, [the District shall allow the] **AND SUCH STUDENT HAS NOT BEEN EXPELLED BY THE BOARD OF EDUCATION FOR SUCH OFFENSE UNDER SUBDIVISION (A) OF THIS SUBSECTION, THE BOARD SHALL ALLOW SUCH** student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmissions requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

The Board of Education shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parent(s) and/or guardian(s) of this policy.

XVII. Compliance with Reporting Requirements

- A. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- B. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an

appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.

- C. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in Conn. Gen. Stat. § 53a-3, the violation shall be reported to the local police.

Legal References:

Connecticut General Statutes:

§§4-176e through 4-180a

AND §4-181a

§§10-233a through 10-233e

§10-233f

§29-38

§53a-3

§53A-206

Uniform Administrative Procedures Act.

Suspension and expulsion of students.

In-school suspension of students.

Weapons in Vehicles

Definitions

(DEFINITION OF “WEAPON”)

Packer v. Board of Educ. of the Town of Thomaston, 246 Conn.89 (1998).

State v. Hardy, 896 A.2d 755.278 Conn. 113 (2006)

State v. Guzman, 955 A.2d 72, 2008 Conn. App. LEXIS 445 (Sept. 16, 2008).

Public Act [10-111] **11-115**, An Act Concerning **JUVENILE REENTRY AND**

Education [Reform in Connecticut]

PUBLIC ACT 11-126, AN ACT CONCERNING ADULT EDUCATION.

**PUBLIC ACT 11-232, AN ACT CONCERNING THE STRENGTHENING OF
SCHOOL BULLY LAWS.**

PUBLIC ACT 11-157, AN ACT CONCERNING JUVENILE JUSTICE

Federal law:

Honig v. Doe, (United States Supreme Court 1988)

Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq. as amended by the Individuals with Disabilities Education Improvement Act of 2004

PUB. L. 108-446

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

18 U.S.C. § 921 (Definition of “Firearm”)

18 U.S.C. § 930 (g) (2) (Definition of “Dangerous Weapon”)

18 U.S.C. § 1365(H)(3) (Identifying “Serious Bodily Injury”)

21 U.S.C. § 812(C) (Identifying “controlled substances”)

34 C.F.R. § 300.530 (DEFINING ILLEGAL DRUGS”)

Gun-Free Schools Act. Pub. L. 107-110, SEC. 401,115 Stat. 1762

(Codified at 20 U.S.C. §7151)

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

REGARDING: Family and Medical Leave

Number: 4080
Personnel

Approved: 2/28/01

REVISED:

PURPOSE

The purpose of this policy is to establish guidelines for leaves taken by employees of the Board under the Federal Family and Medical Leave Act of 1993.

ELIGIBILITY

Employees who have worked for the Board for at least twelve (12) months, and who have worked at least 1,250 actual work hours during the twelve (12) months immediately preceding the start of a leave, are eligible for unpaid leave under the FMLA.

REASONS FOR LEAVE

Leaves under the FMLA may be taken for the following reasons:

- **INCAPACITY DUE TO PREGNANCY, PRENATAL MEDICAL CARE OR CHILD BIRTH; OR**
- **[the birth and/or] TO** care of the employee's newborn child; or
- the placement of a child with the employee by adoption or for foster care; or
- to care for the employee's spouse, child or parent who has a serious health condition; or
- to care for the employee's own serious health condition that renders the employee unable to perform the functions of his or her position[.]; **OR**

- TO CARE FOR AN INJURED OR ILL SERVICE MEMBER (SEE BELOW – LENGTH OF LEAVE – FOR FURTHER INFORMATION); OR
- A QUALIFYING EXIGENCY ARISING OUT OF A FAMILY MEMBER'S MILITARY SERVICE, INCLUDING ONE OR MORE OF THE FOLLOWING REASONS (NOTE – MORE DETAILED INFORMATION ON THE FOLLOWING CATEGORIES IS AVAILABLE FROM THE HUMAN RESOURCES OFFICE):
 - SHORT NOTICE DEPLOYMENT;
 - MILITARY EVENTS AND RELATED ACTIVITIES;
 - CHILDCARE AND SCHOOL ACTIVITIES;
 - FINANCIAL AND LEGAL ARRANGEMENTS;
 - COUNSELING;
 - REST AND RECUPERATION;
 - POST-DEPLOYMENT ACTIVITIES;
 - ADDITIONAL ACTIVITIES THAT ARISE OUT OF THE ACTIVE DUTY OR CALL TO ACTIVE DUTY STATUS OF A COVERED MILITARY MEMBER, PROVIDED THAT THE BOARD AND THE EMPLOYEE AGREE THAT SUCH LEAVE QUALIFIES AS AN EXIGENCY, AND AGREE TO BOTH THE TIMING AND THE DURATION OF SUCH LEAVE.

LENGTH OF LEAVE

(A) BASIC FMLA LEAVE ENTITLEMENT

If a leave is requested for one of the above-listed reasons, each eligible employee may take up to a total of twelve (12) weeks unpaid family or medical leave in any 12-month entitlement period.

The 12-month entitlement period for family or medical leave is [determined from July 1 of each year] MEASURED ON THE BASIS OF [EMPLOYER HAS THE OPTION OF SELECTING ONE OF FOUR METHODS OF CALCULATING THE 12-MONTH PERIOD. IF IT HAS NOT CHOSEN, THEN ITS INACTION WOULD REQUIRE IT TO USE THE "BEST" (FOR THE *EMPLOYEE* UNDER THE CIRCUMSTANCES), OF THE FOLLOWING ALTERNATIVES FOR EACH EMPLOYEE WHO TAKES LEAVE: (1) THE CALENDAR YEAR; (2) ANY FIXED 12-MONTH "LEAVE YEAR" SUCH AS A FISCAL YEAR OR THE EMPLOYEE'S ANNIVERSARY DATE; (3) FROM THE INITIAL DATE OF AN EMPLOYEE'S FIRST LEAVE UNDER THIS POLICY; OR (4) A "ROLLING" 12-MONTH PERIOD MEASURED BACKWARD FROM THE DATE AN EMPLOYEE USES ANY FMLA LEAVE. NOTE, TO CHANGE CALCULATION

METHODS EMPLOYER MUST PLAN AHEAD, GIVING AT LEAST SIXTY (60) DAYS NOTICE TO ALL EMPLOYEES, AND MAKE NO REDUCTION IN RIGHTS FOR EMPLOYEES USING/REQUESTING LEAVE AT THE TIME OF TRANSITION].

(B) LEAVE TO CARE FOR AN INJURED OR ILL SERVICE MEMBER

IN ADDITION TO THE REASONS FOR LEAVE LISTED ABOVE, AN ELIGIBLE EMPLOYEE MAY TAKE UP TO TWENTY-SIX (26) WORKWEEKS OF FLMA LEAVE DURING A 12-MONTH PERIOD TO CARE FOR AN INJURED OR ILL SERVICE MEMBER WHO IS THE EMPLOYEE'S SPOUSE, PARENT, CHILD OR NEXT OF KIN, AND WHO INCURRED THE INJURY OR ILLNESS IN THE LINE OF DUTY AND WHILE ON ACTIVE DUTY IN THE ARMED FORCES. THE INJURY OR ILLNESS MUST RENDER THE SERVICE MEMBER MEDICALLY UNABLE TO PERFORM THE DUTIES OF HIS/HER OFFICE, GRADE, RANK OR RATING. THIS PROVISION APPLIES TO SERVICE MEMBERS WHO ARE UNDERGOING MEDICAL TREATMENT, RECUPERATION, OR THERAPY, ARE IN OUTPATIENT STATUS, OR WHO ARE ON THE TEMPORARY DISABILITY RETIRED LIST, FOR A SERIOUS INJURY OR ILLNESS.

WHEN COMBINED WITH ANY OTHER TYPE OF FLMA QUALIFYING LEAVE, TOTAL LEAVE TIME MAY NOT EXCEED TWENTY-SIX (26) WEEKS IN A SINGLE TWELVE (12) MONTH PERIOD. STANDARD FMLA LEAVE PROCEDURES DESCRIBED BELOW APPLY TO ALL REQUESTS FOR AND DESIGNATION OF LEAVE FOR THIS PURPOSE. HOWEVER, IN THE CASE OF LEAVE TO CARE FOR AN INJURED OR ILL SERVICE MEMBER, THE 12 MONTH PERIOD BEGINS ON THE DAY SUCH LEAVE ACTUALLY COMMENCES.

TYPES OF LEAVE AND CONDITIONS

(A) Full-Time, Intermittent and Reduced Schedule Leave

Full-time unpaid leave may be taken for any of the reasons permitted by the FMLA. Full-time leave excuses the employee from work for a continuous period of time.

Intermittent leave means leave taken in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave taken one day per week over a period of a few months; or leave taken on an occasional/as-needed basis for medical appointments.

Reduced schedule leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an

employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent .

An employee may take full-time, intermittent or reduced schedule leave whenever it is medically necessary for a serious health condition of the eligible employee, his or her spouse, child or parent. Intermittent leave or reduced schedule leave for other reasons will be permitted only with the approval of the Superintendent or his/her designee.

If intermittent or reduced schedule leave is medically required, the Board may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested. Also, special arrangements may be required of an instructional employee who needs to take intermittent or reduced-schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five days over a five-week period).

(B) Both Spouses Working for the Same Employer

If both spouses are employees of the Board and request leave for the birth, placement of a child by adoption or for foster care, or to care for a seriously ill parent, they only will be entitled to a maximum combined total leave equal to twelve (12) weeks in any 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount he or she has taken individually and the 12 weeks for FMLA leave for their own or their spouse's serious health condition in the 12-month entitlement periods.

(C) LIGHT DUTY

SHOULD AN EMPLOYEE BE OFFERED A LIGHT DUTY OPPORTUNITY DURING A PERIOD OF FMLA LEAVE, TIME SPENT PERFORMING THE LIGHT DUTY ASSIGNMENT WILL NOT COUNT AGAINST THE EMPLOYEE'S FMLA LEAVE ENTITLEMENT. THE EMPLOYEE'S RIGHT TO RESTORATION TO HIS OR HER JOB WILL BE HELD IN ABEYANCE DURING THE LIGHT DUTY ASSIGNMENT, OR UNTIL THE END OF THE APPLICABLE 12-MONTH FMLA LEAVE PERIOD.

(D) Leave Taken by Instructional Employees Near the End of an Academic Term

If a leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, the Board may require that employee to continue the leave until the end of the term if the leave will last

at least three (3) weeks and the employee would return to work during the three-week period before the end of the term.

If the employee begins a leave during the five-week period preceding the end of an academic term for a reason other than the employee's own serious health condition, the Board may require the employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the employee would return to work during the two-week period before the end of the term.

If the employee begins a leave during the three-week period preceding the end of an academic term for a reason other than the employee's own serious health condition, the Board may require the employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

REQUESTS FOR LEAVE

Requests for a family or medical leave must be submitted to the personnel department at least thirty (30) days before the leave is to commence, if possible. If thirty (30) days notice is not possible, requests must be submitted as soon as practicable under the circumstances.

For leaves taken because of the employee's or a family member's serious health condition, the employee must submit a completed "Physician or Practitioner Certification" form before the leave begins if possible. This form may be obtained from the personnel department. If such advance certification is not possible, the medical certification must be provided by the employee within fifteen (15) calendar days of the employer's request for the medical certification.

If an employee takes leave to care for his or her own serious health condition, immediately upon return to work the employee must provide medical certification that the health condition which created the need for the leave no longer renders the employee unable to perform the functions of the job. This certification must be submitted to the personnel department.

IN CONNECTION WITH THE BOARD'S REQUEST FOR MEDICAL INFORMATION, EMPLOYEES MUST BE AWARE THAT:

"THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA) PROHIBITS EMPLOYERS AND OTHER ENTITIES COVERED BY GINA TITLE II FROM REQUESTING OR REQUIRING GENETIC INFORMATION OF AN INDIVIDUAL OR FAMILY MEMBER OF THE INDIVIDUAL, EXCEPT AS SPECIFICALLY ALLOWED BY THIS LAW. TO COMPLY WITH THIS LAW, WE ARE ASKING THAT YOU NOT PROVIDE ANY GENETIC INFORMATION WHEN RESPONDING TO THIS REQUEST FOR MEDICAL INFORMATION. 'GENETIC INFORMATION,' AS DEFINED BY GINA, INCLUDES AN

INDIVIDUAL'S FAMILY MEDICAL HISTORY, THE RESULTS OF AN INDIVIDUAL'S OR FAMILY MEMBER'S GENETIC TESTS, THE FACT THAT AN INDIVIDUAL OR AN INDIVIDUAL'S FAMILY MEMBER SOUGHT OR RECEIVED GENETIC SERVICES, AND GENETIC INFORMATION OF A FETUS CARRIED BY AN INDIVIDUAL OR AN INDIVIDUAL'S FAMILY MEMBER OR AN EMBRYO LAWFULLY HELD BY AN INDIVIDUAL OR FAMILY MEMBER RECEIVING ASSISTIVE REPRODUCTIVE SERVICES."

USE OF PAID LEAVE

Accrued paid personal leave and accrued paid vacation will be substituted (in that order) for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted for unpaid portions of family or medical leave prior to the substitution of accrued paid personal and accrued paid vacation leave. The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted.

IN ADDITION, IN CASES INVOLVING ABSENCES DUE TO A WORKERS' COMPENSATION INJURY THAT ALSO QUALIFIES AS AN FMLA SERIOUS HEALTH CONDITION, THE BOARD WILL APPLY THE EMPLOYEE'S AVAILABLE ACCRUED PAID LEAVE IN INCREMENTS AS A SUPPLEMENT TO THE WORKERS' COMPENSATION WEEKLY BENEFIT IN AN APPROPRIATE AMOUNT SO THAT THE EMPLOYEE CAN MAINTAIN HIS OR HER REGULAR WEEKLY INCOME LEVEL.

MEDICAL INSURANCE AND OTHER BENEFITS

During approved family or medical leaves of absence, the Board will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical leave. The employee must continue to pay his/her share of the premium, and failure to do so may result in loss of coverage. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse the Board for payment of medical insurance premiums during the family or medical leave, unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

During any period of unpaid family or medical leave, employees will continue to accrue service credit for seniority and longevity pay. However, employees will not accrue service credit for retirement benefits. Unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under the terms of any applicable collective bargaining agreement.

REINSTATEMENT

Except for circumstances unrelated to the taking of a family or medical leave, an employee who returns to work following the expiration of a family or medical leave is entitled to return to the job held prior to the leave or to an equivalent position with equivalent pay and benefits.

ADDITIONAL INFORMATION

Questions regarding family or medical leave may be directed to the Superintendent or his/her designee. **AN EMPLOYEE MAY FILE A COMPLAINT WITH U.S. DEPARTMENT OF LABOR OR MAY BRING A PRIVATE LAWSUIT AGAINST AN EMPLOYER. FMLA DOES NOT AFFECT ANY FEDERAL OR STATE LAW PROHIBITING DISCRIMINATION, OR SUPERSEDE ANY STATE OR LOCAL LAW OR COLLECTIVE BARGAINING AGREEMENT WHICH PROVIDES GREATER FAMILY OR MEDICAL LEAVE RIGHTS.**

Legal References:

Connecticut General Statutes:

PUBLIC ACT 07-245 AN ACT CONCERNING FAMILY AND MEDICAL LEAVE FOR MUNICIPAL EMPLOYEES AND THE APPLICABILITY OF CERTAIN STATUTORY PROVISIONS TO CIVIL UNION STATUS.

UNITED STATES CODE:

29 U.S.C. Section 2601 Et Seq.

29 CFR PART 825 ET SEQ.

SECTION 585 OF PUB. L. 110-81, NATIONAL DEFENSE AUTHORIZATION ACT FOR FY 2008 (AMENDING THE FAMILY AND MEDICAL LEAVE ACT OF 1993)

PUB. L. 110-233, THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA).

TO: Members of the Board of Education

**FROM: William D. Guzman
Jane A. Neel**

DATE: April 10, 2012

SUBJECT: Proposed Increase in Lunch Prices

The Food Service Director requesting approval to increase lunch prices at all grade levels for the fiscal year 2012-13. Lunch prices have not increased since 2006.

The Administration recommends approval of increases in the price of school lunches beginning in the 2012-13 fiscal year as follows:

Elementary	\$2.25	
Middle School	\$2.50	Deli Lunch \$2.75 (no change)
High School	\$2.75	Deli Lunch \$3.00 (no change)
Milk	\$.50	(no change)

WDG/JN/ca



Tolland Public Schools

Department of Food Service

Date: February 23, 2012

To: Jane A. Neel, Business Manager

From: Abby Kassman-Harned, Director of Food Service

Subject: Lunch Price Proposal Fiscal Year 2012-2013

The last regular lunch price increase was in 2006 -2007. Food costs have risen dramatically in recent years. Due to rising fuel costs vendors are regularly charging "surcharges" to cover the expense. Additionally, new federal guidelines will also impact our expenses starting in 2012-2013. While we already meet many of the required standards the meal pattern is also changing. Every reimbursable meal must include a fruit or vegetable. In the past this was an optional meal component. We take pride in offering a wide variety of fresh fruits and vegetables in each school. It is our goal to continue using many fresh fruit and vegetables; however, it will come at a cost for both the additional food and labor for production.

This price increase is proposed for all regular lunches in all schools. It will not affect milk or deli pricing at Tolland Middle or Tolland High School. Ala carte offerings will also increase.

Reviewing the 2011-2012 lunch prices in 16 districts in Tolland's DRG, the average prices for lunch are \$2.46 for elementary, \$2.63 for middle, and \$2.73 for high schools. This proposed increase in lunch prices would bring us closer to prices in our comparison group, yet still be less for elementary and middle school.

Current Prices:

Elementary	\$2.00	
Middle School	\$2.25	Deli Lunch \$2.75
High School	\$2.50	Deli Lunch \$3.00
Milk	\$.50	

Proposed Prices for 2012--2013:

Elementary	\$2.25	
Middle School	\$2.50	Deli Lunch \$2.75 (no change)
High School	\$2.75	Deli Lunch \$3.00 (no change)
Milk	\$.50/no change	

Attachment

Tolland Public Schools Department of Food Service

Lunch Price Comparison 2011-2012

School Districts in our DRG C	Elementary	Middle/Upper	High
Andover	\$2.10	\$2.25	\$2.25
Barkhamsted	\$2.30	x	x
Bethany	\$2.25	\$2.35	\$2.35
Canton	\$2.75	\$3.00	\$3.00
Columbia	\$3.00	x	x
Ellington	\$2.25	\$2.50	\$2.75
Essex	\$2.75	\$2.75	\$2.75
Mansfield	\$2.10	\$2.35	\$2.65
Regional District 8	\$2.40	\$2.25	\$2.25
Regional District 10	\$2.00	\$2.25	\$2.25
Regional District 12	\$3.25	\$3.50	\$3.75
Regional District 13	\$2.75	\$3.00	\$3.00
Regional District 14	\$2.40	\$2.80	\$2.80
Regional District 17	\$2.75	\$3.00	\$3.00
Regional District 19	\$2.10	\$2.35	\$2.65
Salem	\$2.25	\$2.50	X
INDUSTRY AVERAGE	\$2.46	\$2.63	\$2.73
Tolland 2011-2012	\$2.00	\$2.25	\$2.50
Proposed New Pricing 2012-2013	\$2.25	\$2.50	\$2.75
% increase	13%	11%	10%

TO: Members of the Board of Education

**FROM: William D. Guzman
Jane A. Neel**

DATE: April 10, 2012

SUBJECT: Budget Transfer Request

In accordance with Board Policy 3060, an authorization is requested for the following transfer of funds:

<u>From Account</u>	<u>Amount</u>	<u>To Account</u>	<u>Amount</u>
Program 701 Transportation	(\$20,350)	Program 662 Maintenance	\$20,350

Explanation: Maintenance program requires funds through end of year projected expenses. This request was first presented to the Board at its March 27, 2012 meeting.

WDG/JAN:ca

Received March 22, 2012
Margaret DeVito
Town Clerk

**SPECIAL MEETING MINUTES
TOLLAND TOWN COUNCIL
HICKS MEMORIAL MUNICIPAL CENTER
6th FLOOR COUNCIL ROOM
MARCH 20, 2012**

Present: Jack Scavone, Chairman
Richard Field, Vice-Chair
Joshua Freeman
Mark Gill
Jan Rubino
Benjamin Stanford
Sam Belsito

RECEIVED
MAR 20 2012
Tolland Public Schools

Also Present: Steven Werbner, Town Manager
Michael Wilkinson, Director of Administrative Services
Tom Ainsworth, Director of Recreation and Adult Ed.
Linda Calabrese, Collector of Revenue
Meg Devito, Town Clerk
Walter Lawrence, Assessor
Beverly Bellody, Director of Human Services
Nancy Dunn, Youth Services Coordinator
Barbara Pettijohn, Director of Library Services
Lisa Hancock, Director of Finance and Records
Clem Langlois, Public Works Director

Meeting called to order at 7:30 pm.

Steve Werbner discussed Human Services, Library, Recreation, General Government and Finance.

Steve Werbner began by discussing the special projects Beverly works on in the area of grants and project administration. The Human Services budget is increasing \$2,835 mainly due to salary adjustments and a decrease in the State match for the Dial-a-Ride program. Library is decreasing \$3,720 due to salary adjustments in part-time help (or possible reduced Library hours) and a decrease in Books and Subscriptions. Currently the Recreation budget is over 70% funded from user fees. 100% Director + 80% Assistant Director are only General Fund costs; bringing on over \$281,000 dollars in revenue. There is 39,000 for utilities associated with the use of Parker School as a Recreation Center. Recreation will be developing new program opportunities to raise fees to offset other costs of operation of the facility estimated to be \$20,000. General Government has many departments. Town Council is increasing due to budgeting of software/hardware for video streaming of Council meetings. Town Manager is increasing due to staff wage adjustments. Economic Development includes an increase of \$3,025 due to added funds for economic initiatives. HR Benefits is increasing mainly due to Health Insurance costs at a 10% increase. Town Attorney, Personnel Legal Services and Probate are flat from the current year. Finance was reviewed including the areas of Revenue Collection, Town Clerk, Assessment and Accounting. Various accomplishments, goals and needs were reviewed for all departments.

Jack Scavone, Richard Field, Joshua Freeman, Mark Gill, Jan Rubino, Benjamin Stanford and Sam Belsito had questions during the presentation on various topics including the option of the Library hours reduction being done seasonally, line items like Other Services and Fees, the reasons for lower programs in Recreation and Town Council Members also thanked staff for their hard work and recognized and thanked retiring Assessor Walt Lawrence for his many years of service and contribution to the Town.

Meeting adjourned at 8:18 pm.

Respectfully submitted,

Michael Wilkinson
Director of Administrative Services

**SPECIAL MEETING MINUTES
TOLLAND TOWN COUNCIL
HICKS MEMORIAL MUNICIPAL CENTER
6th FLOOR COUNCIL ROOM
MARCH 21, 2012**

*Received March 22, 2012
Margaret DelValle
Tollan Clerk*

Present: Jack Scavone, Chairman
Richard Field, Vice-Chair
Joshua Freeman
Mark Gill
Jan Rubino
Benjamin Stanford
Sam Belsito

RECEIVED
MAR 22 2012
Tollan Public School

Also Present: Steven Werbner, Town Manager
Michael Wilkinson, Director of Administrative Services
John Bock, Public Works Supervisor
Michael Grant, Highway Dept.
Lisa Hancock, Director of Finance and Records
Clem Langlois, Public Works Director

Meeting called to order at 7:30 pm.

Steve Werbner discussed Public Works, Refuse and Recycling and Engineering.

Steve Werbner and Clem Langlois went through the various drainage, road, culvert, sign replacement and paving projects that are completed on a yearly basis just to maintain our current system, as well as the overall responsibilities of the department. Parks and Facilities is increasing \$54,195 mainly due to increases in Fuel and Oil costs and additional Utilities relating to the new Recreation Center. Streets and Roads is decreasing \$111,247 mainly due to a reduction in materials for Ice and Snow Removal and a reduction in drainage costs because more work is being done internally. A discussion about the pros and cons of bonding 5 million dollars for road improvements occurred. Refuse and Recycling is decreasing \$35,790 due to the elimination of two months of Bulky Waste pick-up in the winter and the reduction of the refuse tipping fee to \$60 per ton mid-year. Also, a program to swap out and distribute 200 95 gallon recycling totes was discussed and approved. The Engineering budget is reduced by \$2,121. Steve Werbner explained that due to the inability to find a suitable Town Engineer replacement, we will be hiring a consulting firm in the short-term to help out. The WPCA budget remained unchanged at \$15,000 and the WPCA and TWC have each again authorized the hiring of a 24 hour a week employee to help support the operations and with technical responsibilities. Various accomplishments, goals and needs were reviewed for all departments, including the Public works needs of a tire machine, GPS units and funds for FEMA.

Jack Scavone, Richard Field, Joshua Freeman, Mark Gill, Jan Rubino, Benjamin Stanford and Sam Belsito had questions during the presentation on various topics including the pros and cons of a 5 million dollar bonding for road improvements, line items like Utilities at Parker and specific questions about the needs for Public Works including the GPS units.

Meeting adjourned at 8:39 pm.

Respectfully submitted,

Michael Wilkinson
Director of Administrative Services

Received March 29, 2012
Margaret DeVito
Town Clerk

MEETING MINUTES

TOLLAND TOWN COUNCIL HICKS MEMORIAL MUNICIPAL CENTER 6th FLOOR COUNCIL ROOM MARCH 27, 2012 – 7:30 P.M.

MEMBERS PRESENT: Jack Scavone, Chairman; Richard Field, Vice-Chair; Sam Belsito; Joshua Freeman; Mark Gill; Jan Rubino and Benjamin Stanford

MEMBERS ABSENT: None.

OTHERS PRESENT: Steven R. Werbner, Town Manager; Michael Wilkinson; Clem Langlois, Public Works; John Littell, Public Safety/Fire Chief; Beverly Bellody, Human Services; Lisa Hancock, Director of Finance and Records; State Senator Tony Guglielmo; John Littell, Public Safety/Fire Chief; Nancy Dunn, Youth Services Coordinator

1. **CALL TO ORDER:** Jack Scavone called the meeting to order at 7:30 p.m.
2. **PLEDGE OF ALLEGIANCE:** Recited.
3. **MOMENT OF SILENCE:** Observed.
4. **PROCLAMATIONS:**
 - 4a. Fair Housing Month

Mr. Scavone read the following Proclamation:

Town of Tolland Proclamation Fair Housing Month

WHEREAS, the month of April is recognized as Fair Housing Month; and

WHEREAS, Fair Housing is important to ensure all Americans the right to live in decent, safe and sanitary environment; and

WHEREAS, Fair Housing is the legal right of every American, and

WHEREAS, the Town of Tolland is proud to participate in the recognition and support of Fair Housing Month.

NOW, THEREFORE, the Tolland Town Council proclaims April 2012 as Fair Housing Month in Tolland and will reaffirm this each year.

- 4b. Certificates of Appreciation presented to Jayme Kunze of Patch.com and Dan Senatro for their hard work and assistance during Storm Alfred. Certificate of Appreciation presented to Jerry Clark and Clem Langlois, Jr. for their dedication and persistence in resolving a 23 year old consent decree at the Highway Garage and an 8 year old consent decree for Storm Water reporting.

Mr. Werbner said Jayme Kunze, of the Tolland Patch, was a fixture in terms of her presence during the storms. For a period of time, she was the only link between Tolland and its' residents. She got important messages out, and she continues to be a tremendous asset to the town in getting the news out. Mr. Langlois said Ms. Kunze did a phenomenal job. Mr. Scavone presented Ms. Kunze with a Certificate of Appreciation.

Mr. Werbner said Dan Senatro came forward and volunteered for the shower operation at THS during the storm. He made sure everyone got in and out in a safe manner. Mr. Werbner told Mr. Senatro that they appreciated all he did and his spirit. Mr. Scavone presented Mr. Senatro with a Certificate of Appreciation.

Mr. Werbner said when he arrived at the town six years ago; he made it his mission to get the Consent Order resolved. Jerry Clark and Clem Langlois, along with Tony Guglielmo and Bryan Hurlburt's efforts from the legislative end, were able to work out a plan that the DEP accepted. A 23 years old consent decree at the Highway Garage and an 8 year old consent decree for storm water reporting have been resolved. He thanked Mr. Clark and Mr. Langlois for their diligence in getting this matter resolved. Mr. Scavone presented Jerry Clark and Clem Langlois with Certificates of Appreciation. Mr. Guglielmo commented that it was a long time coming, and spoke of Mr. Werbner testifying in front of the Environmental Committee. He presented the gentleman with Citations.

5. **PUBLIC PETITIONS, COMMUNICATIONS, AND PUBLIC PARTICIPATION** *(on any subject within the jurisdiction of the Town Council) (2 minute limit)*

Ken Kittredge of 37 Farm Brook Drive: He thanked everyone for their time spent on the budget. He believes all the leaders have a common understanding, and would love to see the Community stand behind this. He suggested that the Council sell this budget and tell the residents why it is needed at the Public Hearing tomorrow night.

6. **PUBLIC HEARING ITEMS:**

- 6.1 Approval to rescind Code Sections 136-45 and 136-46 originally adopted and amended by Ordinance 78 that provided for motor vehicle taxes to be due and payable in full in one installment effective on July 1, 2012. The collection of motor vehicle taxes will continue as presently provided for under Town Charter Section C9-12 which allows for the taxes levied to be paid in two equal installments due in July and January each year, except that any tax bill of \$100 or less shall be due and payable on July 1st.

Mr. Werbner said the town charter states that taxes levied by the Council shall be due and payable in two equal installments. By rescinding these codes, the collection for motor vehicle taxes will now fall back under the Town Charter Section allowing for the taxes levied to be paid in two equal installments, except a bill of \$100 or less shall be due on July 1st. The prior Council had voted on February 24, 2009 to convert to a single installment starting July 1, 2010. The Council amended Ordinance 78 to be effective as of July 1, 2011 and July 1, 2012 accordingly. The Ordinance was reviewed in March, 2012 by the current Town Council, and it has decided to rescind the original ordinance and to change the process back to two installments under the Charter.

Richard Field motioned to open the public hearing; Seconded by Jan Rubino. All in favor. None opposed.

A straw poll was conducted of all those in favor of this proposal. 2 in favor; 0 opposed.

Richard Field motioned to close the public hearing; Seconded by Mark Gill. All in favor. None opposed.

Richard Filed read the following resolution:

NOW, THEREFORE, BE IT RESOLVED by the Tolland Town Council that it hereby rescinds Code Sections 136-45 and 136-46 as adopted and amended by Ordinance 78 to provide that motor vehicle taxes shall be due and payable in full in one installment due on July 1, 2012. Thereafter, the payment of motor vehicle taxes will be subject to the payment requirements under the Town Charter Section C9-12 which provides for the taxes levied to be paid in two equal installments due in July and January each year, except that any tax bill of \$100 or less shall be due and payable on July 1st.

Seconded by Joshua Freeman. All in favor. None opposed.

- 6.2 Consideration and action concerning a resolution to approve the issue of \$17,000,000 bonds to refund certain prior bonds of the Town and to finance such additional amounts as are needed to pay all fees, costs, expenses and premium in connection with the refunding of the prior bonds.

Mr. Werbner said this is an authorization to refinance some older bond issues. New obligations will be sold at a lower interest rate and proceeds will buy securities sufficient in earnings to retire the earlier issue at a lesser redemption rate and date. Net savings will be realized from the reduction in the interest for the new issue. This refunding will not be done unless adequate savings can be achieved. Since the market fluctuates every day, they will wait for the opportune time to move forward with the refinancing. The anticipated savings, as of a few weeks ago, was \$244,959.43.

Richard Field motioned to open the public hearing; Seconded by Jan Rubino. All in favor. None opposed.

A straw poll was conducted of all those in favor of the resolution. 1 in favor; 0 opposed.

Richard Field motioned to close the public hearing; Seconded by Sam Belsito. All in favor. None opposed.

Richard Filed read the following resolution:

WHEREAS, on December 1, 2004, the Town issued its \$10,000,000 General Obligation Bonds, Issue of 2004, dated December 1, 2004 to finance certain school improvements and other capital projects of the Town (the "2004 Bonds"); and

WHEREAS, on September 6, 2005, the Town issued its \$11,000,000 General Obligation Bonds, Issue of 2005, dated September 1, 2005 to finance certain school improvements and other capital projects of the Town (the "2005 Bonds"); and

WHEREAS, on September 15, 2006, the Town issued its \$9,015,000 General Obligation Bonds, Issue of 2006, dated September 15, 2006 to finance certain school improvements and other capital projects of the Town (the "2006 Bonds," together with the 2005 Bonds and the 2004 Bonds, collectively, the "Prior Bonds"); and

WHEREAS, the 2004 Bonds maturing after December 1, 2014 are subject to redemption prior to maturity, at the option of the Town, on or after December 1, 2014, in whole or in part, at any time at the redemption prices set forth in the 2004 Bonds; and

WHEREAS, the 2005 Bonds maturing on and after September 1, 2017 are subject to redemption prior to maturity, at the option of the Town, on or after September 1, 2016, in whole or in part, at any time at the redemption prices set forth in the 2005 Bonds; and

WHEREAS, the 2006 Bonds maturing on and after August 15, 2017 are subject to redemption prior to maturity, at the option of the Town, on or after August 15, 2016, in whole or in part, at any time at the redemption prices set forth in the 2006 Bonds; and

WHEREAS, Section 7-370c of the Connecticut General Statutes provides authority for any municipality to issue refunding bonds for the payment, funding or refunding of bonds, notes or other obligations previously issued; and

WHEREAS, Section 7-370c provides that such refunding bonds shall be authorized and issued by resolution of the legislative body of the municipality; and

NOW THEREFORE, BE IT RESOLVED,

(1) That the Town issue its general obligation bonds in the aggregate principal amount of up to \$17,000,000 (the "Bonds") to refund certain of the Prior Bonds and to finance such additional amounts as are needed to pay all fees, costs, expenses and premium in connection with the refunding of the Prior Bonds and the authorization, issuance and sale of the Bonds, including, but not limited to, legal, advisory, printing and administrative expenses, underwriter's discount, net interest on borrowings and other financing costs, and expenses in connection with credit enhancement, if necessary, and the proceeds of the Bonds be appropriated for the foregoing purposes; provided, however, that the refunding of the Prior Bonds provides net present value savings to the Town and that the amount of the Bonds issued does not exceed the amount needed to refund the Prior Bonds and to pay the costs authorized herein.

(2) That the Town Manager and the Treasurer of the Town (the "Officials") are hereby authorized to determine the date, amounts, rates of interest, maturities, dates of principal and interest payments on such Bonds, the form of such Bonds, the provisions for protecting and enforcing the rights and remedies of the holders of such Bonds and all other terms, conditions and particular matters regarding the Bonds and the issuance and securing thereof, all in accordance with the Connecticut General Statutes and the Charter of the Town, and to take such actions and execute such documents including, but not limited to, a contract of purchase and to provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, U.S. Securities and Exchange Commission Rule 15c2-12, and any other applicable provision of law thereto enabling. The Bonds authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

(3) That the Bonds shall be signed by the Officials either by their genuine signatures or by facsimiles of such signatures printed on the Bonds and that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as bond counsel to render an opinion approving the legality of the issuance of the Bonds.

(4) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, escrow agent, transfer agent and paying agent for such Bonds; to provide for the keeping of a record of the Bonds; to designate a financial advisor to the Town in connection with the sale of the Bonds; to designate an underwriter in connection with any negotiated sale and purchase of the Bonds.

(5) That the Officials are hereby authorized to sell the Bonds at a public or negotiated sale; to deliver the Bonds and to perform all other acts which are necessary or appropriate to issue the Bonds; to make representations and covenants on behalf of the Town for the benefit of the holders of the Bonds to provide secondary market disclosure information in accordance with U.S. Securities and Exchange Commission Rule 15c2-12, as it may be amended from time to time, including, but not limited to, executing and delivering a continuing disclosure agreement; their respective approvals to be conclusively evidenced by their signature on any such agreements relating thereto.

(6) That the Officials are hereby authorized to refund the Prior Bonds from the proceeds of the Bonds and other moneys as they may determine to make available for this purpose, and to defease the Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof.

(7) That the Officials are hereby authorized on behalf of the Town to make such representations and covenants for the benefit of the holders of the Bonds which are necessary or appropriate to ensure the exemption of interest on the Bonds from taxation under the Internal Revenue Code of 1986, as amended, including, but not limited to, covenants to pay rebates of investment earnings to the United States in future years; their respective approvals to be conclusively evidenced by their signature on any such agreements relating thereto.

(8) That the Officials are hereby authorized to designate other officials or employees of the Town to take such actions and execute such documents, as are determined to be necessary or advisable and in the best interests of the Town in order to refund the Prior Bonds and to issue, sell and deliver the Bonds, and that the execution and delivery of such documents shall be conclusive evidence of such determination.

Seconded by Joshua Freeman.

Jack Scavone; Richard Field; Sam Belsito; Joshua Freeman; Mark Gill; Jan Rubino and Benjamin Stanford were all in favor. None opposed.

7a. REPORTS OF BOARDS AND COMMITTEES RESPONSIBLE TO THE COUNCIL:

7a1. Board of Assessment Appeals: Mr. Werbner said the Chair was unable to attend and asked that this be rescheduled.

Richard Field motioned that this item be rescheduled to a time when the Chair is available; Seconded by Mark Gill. All in favor. None opposed.

7b. REPORTS OF TOWN COUNCIL LIAISONS: Josh Freeman commented on the PZC meeting: The Subway will be getting renovated and there was talk about having drive-thrus at pharmacies only. Mr. Field went the PCC meeting: They received a donation of a flatbed trailer. Mr. Stanford did not attend the WPCA meeting because there was a Council meeting, but he commented from a discussion he had with the Chairperson and the minutes: They are running into issues with not having engineering services in town, and there are applications for potential sewer and public water hook-ups. Mr. Belsito said there was no meeting for him to attend. Mr. Gill said they had an introductory meeting with the Land Acquisition committee. Ms. Rubino did not attend the BOE meeting, because it was the same night as the Council meeting.

8. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

- 8.1 Consideration of a resolution to authorize the submission of an application for the Office of Policy and Management (OPM), Criminal Justice Policy and Planning Division 2012-2013 Police and Youth Program Grant in the amount of \$10,000. The OPM Grant application is due March 30, 2012; funding will be awarded for the 12-month period, July 1, 2012 to June 30, 2013.

Nancy Dunn, Youth Services, said they are working with 60 high school students, State Troopers and administration. This is one of the best collaborations that she has ever seen. The kids decided that they want to work on DUI, not just for underage, but adults too. They have come up with a media campaign. They will ask that it be put on a future Council agenda. They want to continue the grant next year. There is a lot of enthusiasm. The Troopers have been great to work with.

Richard Field read the following resolution:

BE IT RESOLVED that Steven R. Werbner, as Town Manager of the Town of Tolland, and in his absence the Acting Town Manager, is hereby authorized to make, execute and approve on behalf of the Town of Tolland the 2012-2013 Police and Youth Program Grant application for funding offered by the Office of Policy and Management (OPM), Criminal Justice Policy and Planning Division, and any subsequent amendments and modifications, between the Town of Tolland and OPM.

Seconded by Ben Stanford. All the Council members thought this was fantastic. All in favor. None opposed.

- 8.2 Consideration of a resolution making an additional appropriation of \$1,338.15 to the Board of Education's 2011-12 Budget for a Medicaid payment and the setting of a public hearing thereon for April 10, 2012.

Mr. Werbner commented that this is a routine reimbursement. A portion of the BOE's cost for providing certain case specific services is eligible for partial payment from Medicaid.

Richard Field motioned that the following resolution be introduced and set down for a public hearing on April 10, 2012 at 7:30 p.m. in Tolland Town Council Chambers and read the following draft resolution:

WHEREAS the Tolland Board of Education participates in the Medicaid Reimbursement Plan as administered by the Department of Social Services of the State of Connecticut, through which it bills Medicaid for the cost of speech and language, psychological, occupational and physical therapy services for students who are eligible for Medicaid; and

WHEREAS the Board of Education has received a payment in the amount of \$1,338.15 from the Department of Social Services' Medicaid Reimbursement Plan;

NOW, THEREFORE, BE IT RESOLVED by the Tolland Town Council that it hereby appropriates an additional \$1,338.15 in Medicaid payments to the Board of Education's 2011-12 budget.

Seconded by Mark Gill. All in favor. None opposed.

- 8.3 Consideration and action on scheduling a public hearing for May 8, 2012 concerning an application for the Small Cities Community Development Block Grant program and discuss amendments and approval of the Town's Program Income Reuse Plan. Town staff will also update the Town Council and public on the 2010 ADA Elevator Installation at the Hicks Memorial Municipal Center & Library.

Mr. Werbner said this is a Grant that Ms. Bellody applies for periodically for housing rehab funds. The amount being applied for is \$300,000, which lasts several years before it is used up. The program has been very successful in town. Ms. Bellody said it has been successful, but it is also getting more challenging to apply for these grants.

Richard Field motioned that the following resolution be introduced and set down for a public hearing on May 8, 2012 at 7:30 p.m. in Tolland Town Council Chambers and read the following draft resolution:

NOW, THEREFORE, BE IT RESOLVED by the Tolland Town Council that it hereby schedules a public hearing on May 8, 2012 at 7:30 p.m. in the Tolland Town Council Chambers concerning an application for Small Cities Community Development Block Grant Program, and discussion of amendments and approval of the Town's Program Income Reuse Plan. Town staff will also update the Town Council and public on the 2010 ADA Elevator Installation at the Hicks Memorial Municipal Center & Library.

Seconded by Mark Gill. All in favor. None opposed.

- 8.4 Consideration of a resolution making an additional appropriation of \$30,362 from equity distribution from CIRMA to use by the Town and Board of Education. The Town's share would appropriate the funds in the amount of \$14,018 to Capital Improvement Public Facilities Budget. The Board of Education's share in the amount of \$16,344 would appropriate to the Capital Improvement Board of Education Wide District Fund. The setting of a public hearing is requested for April 10, 2012.

Mr. Werbner commented that this is a member based organization that does all our liability insurance. This is one of the few insurance agencies that return money back to its members. This is the second year that they have had an equity distribution. Our share this year is \$30,362, which is split on a per capita basis with the BOE based upon the insurance costs. The town's share will go towards demolishing the old print shop next to Winding River Village. Shares are being built up in order to take the building down. He has suggested to the BOE that they use their portion towards security cameras.

Richard Field motioned that the following resolution be introduced and set down for a public hearing on April 10, 2012 at 7:30 p.m. in Tolland Town Council Chambers and read the following draft resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby appropriates \$30,362 from the equity distribution from CIRMA to use by the Town in the amount of \$14,018 to the Capital Improvement Public Facilities, account number 20500072-755841 and Board of Education in the amount of \$16,344 to the Capital Improvement Board of Education Wide District, account number 20100572-755495.

Seconded by Jan Rubino. All in favor. None opposed.

- 8.5 Consideration of a resolution approving the sale of Town owned land in the vicinity of 67/69 Industrial Park Road East to Terry Dunn for the price of \$3,000 and the setting of a public hearing thereon for April 10, 2012.

Mr. Werbner said there is a small piece of property that abuts Mr. Dunn's property. He would like to purchase it to eventually locate sewer and water hookups to serve his building, and for possible parking lot

expansion in the future. We have placed a value of \$3,000 on the sliver from discussion with Walter Lawrence. We have no other use for the small parcel, and it would be a good use for his business.

Richard Field motioned that the following resolution be introduced and set down for a public hearing on April 10, 2012 at 7:30 p.m. in Tolland Town Council Chambers and read the following draft resolution:

NOW, THEREFORE, BE IT RESOLVED that the Town Council approves the sale of property off the end of Industrial Park Road East for a price of \$3,000 subject to all conditions of the purchase and sale agreement having been met.

Seconded by Mark Gill.

Mr. Scavone asked if the other abutting owner has any interest in the property and asked if we needed to check with him. Mr. Werbner said no, there has been no other interest, and reminded that it is not a buildable lot.

All in favor. None opposed.

- 8.6 Consideration of a resolution to schedule a public hearing on April 10, 2012 for making an additional appropriation of \$25,000.00 from the Unallocated Capital Fund #2070 Fund Balance to the Capital Improvement Fund #2010.

Mr. Werbner said there have been ongoing discussions with the BOE, Public Safety and Mr. Langlois concerning upgrades that should be made at the THS in order for that facility to be used during periods of power outages. When the school was built there were certain aspects of the building that were not hooked up to the generator, in order to save money. Currently, they can't use the kitchen, the gym, or areas that would primarily be used for shelter purposes. The generator has a large enough capacity to handle those areas. Cost estimates have been put together to allow for use of the kitchen, hot water, climate control, etc. The estimate is about \$25,000. It is their recommendation to move ahead with this. They would use money from the unallocated fund balance. It will be the primary emergency shelter.

Richard Field motioned that the following resolution be introduced and set down for a public hearing on April 10, 2012 at 7:30 p.m. in Tolland Town Council Chambers and read the following draft resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby appropriates \$25,000 from the Unallocated Capital Fund #2070 to the Capital Improvement Board of Education Tolland High School Generator upgrades, account number 20100772-755806.

Seconded by Jan Rubino.

Mr. Freeman asked the source of the unallocated capital fund. Mr. Werbner said that whenever there is a capital project that comes in under their budget, or at times they have not gone forward with an authorized capital project, it falls into unallocated fund balance. There is \$70,000 in the account now. Mr. Freeman said he believes we need the generator. He asked if THS is set up, would the Senior Center still be needed. Mr. Werbner said yes. The Senior Center would most likely become our special needs/elderly type shelter. They are looking at getting a used generator for the Senior Center.

Ms. Rubino thinks we learned our lesson and we need to be prepared. Mr. Field said this is long overdue.

All in favor. None opposed.

8.7 Appointments to vacancies on various municipal boards/commissions.

No appointments. Ms. Rubino advised that there are 2 alternate vacancies on the Inland/Wetlands Commission. An e-blast has gone out notifying residents.

9. OLD BUSINESS (ACTION/DISCUSSION ITEMS): None.

10. REPORT OF THE TOWN MANAGER (A WRITTEN REPORT SHALL BE PROVIDED THE 1ST MEETING OF THE MONTH ONLY)

Mr. Werbner reminded that tomorrow is the public hearing on the budget at THS @ 7:30 p.m. At the presentation, it is his role to give informative information regarding the budget that he prepared. It is not his role to be an advocate one way or another in terms of elections that take place or referendums that take place.

11. ADOPTION OF MINUTES

- 11.1 March 6, 2012 Town Council/BOE Joint Meeting Minutes: Richard Field moved to adopt the *amended* minutes; Seconded by Jan Rubino. **Mr. Field wanted the minutes clarified on page 3, 5th paragraph: Mr. Guzman was commenting that he has never seen the cooperation between the BOE and Town Council the way he does now. That is what Mr. Field was in total agreement with.** All in favor of the minutes as *amended*. None opposed.
- 11.2 March 13, 2012 Meeting Minutes and March 14, 2012 Special Meeting Minutes: Richard Field moved to adopt the minutes; Seconded by Josh Freeman. All in favor. None opposed.

12. CORRESPONDENCE TO COUNCIL

- 12.1 Riverfront Cruise in Chicago
- 12.2 Food Share anniversary meeting on March 28th.
- 12.3 Correspondence from DOT re: funding to assist in the purchase of clean fuel vehicles and diesel retrofit technologies

13. COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS: It was decided that the outlines being prepared by Mark Gill: Sustainability Task Force, Josh Freeman: Technology Task Force and Ben Stanford: Energy Task Force would be circulated before the first meeting in April for review and comment by the Council members. Discussion on this item will be at the first meeting in April, 2012.

14. PUBLIC LISTED PARTICIPATION (*on any subject within the jurisdiction of the Town Council*) (3 minute limit): None.

15. ADJOURNMENT: Richard Field moved to adjourn the meeting; Seconded by Mark Gill at 8:26 p.m. All were in favor.

Jack Scavone, Council Chair

Michelle A. Finnegan
Town Council Clerk

APR - 2 2012

*Suzanne M. Litwin,
Asst. Town Clerk*

SPECIAL MEETING MINUTES

TOLLAND TOWN COUNCIL TOLLAND HIGH SCHOOL - AUDITORIUM MARCH 28, 2012 - 7:30 P.M.

MEMBERS PRESENT: Jack Scavone, Chairman; Richard Field, Vice-Chair; Sam Belsito, Joshua Freeman; Mark Gill; Jan Rubino and Benjamin Stanford

MEMBERS ABSENT: None.

OTHERS PRESENT: Steven R. Werbner, Town Manager

1. **Call to Order:** Steven Werbner called the meeting to order at 7:34 p.m.

2. **Public Hearing Item:**

2.1 2012-2013 Budget Proposed by the Town Manager

Town Government	\$10,845,344
Capital Improvement Reserve Fund	\$ 231,877
Board of Education	\$35,702,228
Debt Service	<u>\$ 4,642,785</u>

Total Proposed Budget	\$51,422,234
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Mr. Werbner thanked the public for attending this important public hearing. He thanked: the Council for their time spent in learning the town operations and taking part during the budget processes, the Chair and Vice-Chair of the BOE and Superintendent for working with him and the Town Council and he gave thanks to Sam Adlerstein for his help to foster and expand dialog between the Town Council, the BOE, the Superintendent and himself. The change in focus went from looking at numbers to enabling a unified budget that fairly represents all the citizens of Tolland.

He talked to the public regarding his past and present experience with the public budget process. He outlined his responsibilities associated with preparing the budget, and those of the other officials in town. This is something they live 24/7. The needs of the residents are in the forefront of their considerations. He hopes everyone will be able to support the recommendations that he sets forth.

With the use of a PowerPoint, he began by reviewing things that are being explored and significant achievements over the last several months:

Achievements (Town only): Neighbor Helping Neighbor Day – Storm cleanup costs were significantly less than any other town, grants received, work being done on the HVAC system at the Town Hall, the P&Z has completed the Tolland Village regulations and are now working on regulations for a technology zone in the area of NERAC and Headliners, they are looking to take advantage of any reasonable growth opportunities coming from investments made at UConn for the development of a research park, researching combining with other towns for self-insurance plans, public officials, appointed and elected are meeting and meeting and meeting.

Development of the budget starts in October and culminates in May with the Town Referendum. A review of the upcoming public meeting dates was given.

RECEIVED
APR 2 2012
Tolland Public Schools

"THE FIRST TUESDAY IN MAY IS REFERENDUM DAY IN TOLLAND"

A budget is a financial plan with sets of priorities and directions that the Town Officials, Town Council and residents believe accurately reflects the most important needs of the town operations. In terms of the BOE, the Town Manager and Town Council, by law, can only determine a bottom line number. The allocation of resources is the sole prerogative of the BOE.

His goal this year is to produce a "unified" budget that takes into consideration the expenses of all town departments, available revenues, is realistic in these economic times and can be sustainable in the future.

He outlined the premise from which he is working in preparing this budget: legitimate needs, identifying needs, a quality education, funding education and town programs, town and BOE services are the highest quality and elimination of no programs. The property tax will only absorb a limited amount of the increase necessary to address our legitimate needs.

Mr. Werbner reviewed the parameters he used to arrive at the financial plan he is proposing. He outlined the local financial concerns going forward: we are heavily dependent on property taxes and State revenues as sources of revenue, the level of State aid to municipalities is insufficient to meet growing costs, we cannot continue to provide the same or an improved level of service unless property taxes increase, people are finding it difficult to stay in their homes and the State continues to impose many unfunded mandates.

He spoke of the impact of the Governor's budget on Tolland: ECS and the Pilot Grant for Manufacturing Machinery & Equipment. The loss of this Pilot Grant will be offset by the new Property Tax Relief Grant.

A slide was shown reflecting the Revenues, Expenditures, Grand List Growth and Percentage of Tax Increases for years 2009/10 to 2012/13. With regard to town revenues, they have looked at all fees charged versus the fees charged in surrounding towns. To the point of still being competitive, some fees have been increased. This will generate additional revenue. He reviewed the numbers for State Aid and other sources of Revenue. A slide was shown outlining the Grand List Growth at .89%. In October 2001, it was at 3.96%. The New Dwelling Chart was shown and seven homes were built in Tolland in 2011. He said that Fund Balance is not a revenue source that should be relied upon in the future. This is a one-time use of funds that may not be able to be duplicated in future years. With only a slight increase in revenues from the prior year and limited grand list growth, there is little room for growth in the budget unless property taxes are increased.

Expenditures: shown were a summary and a pie chart of 2012/13 Expenditures Budget (\$51,422,234). He reviewed the details of Town Expenditure Request: (Proposed Expenditure Reductions): Eliminate bulky waste pickup for two months; eliminate 4 hour administrative secretary, reduce funds for part-time help in the Library and examine the possibility of reducing the Library's hours (Director of Library to review and report back), reduce the hours of the lead custodian, reduce the General Fund portion of the Capital Budget, eliminate expenditure request for replacement of fire safety gear, reduce ice and snow materials, reduce the amount budgeted for drainage due to the purchase of an excavator and more work being done internally and reduce by one the number of rental trucks.

Town Expenditure Request: (Proposed Expenditure Increases): Salary adjustments for unionized and non-unionized employees, health insurance premium adjustment, temporary help in the Building Department, EDC to begin to develop a Marketing Program for the town, utilities associated with the use of Parker School as a Recreation Center, roadside tree trimming, Ambulance Duty Schedule Reimbursement Program and full salary of the Assistant Public Safety Director.

The BOE request was reduced from 4.64% to 3.0%. The town has a strong ongoing commitment to education. 69.43% of every tax dollar spent goes toward funding education. More of our limited dollars each year are spent for education. Mr. Werbner believes that there is sufficient surplus that the BOE will have at the end of this fiscal year, which can bridge the gap between what he is recommending and what they requested. There would be no substantial impact on any of the BOE's line items.

Mr. Werbner invited Andy Powell, Chair of BOE to speak. Mr. Powell outlined what they have been doing for the past months with regards to the budget and their works with the Town Council and Town Manager through the efforts of the Superintendent. He read a statement that he prepared. In the end, he said, "Let's all get together behind the Town Manager's proposal and make it our budget."

Mr. Werbner continued with a review of the Capital Budget and outlined the significant capital projects: Town Administration: Reserve for current year depreciation for municipal vehicle replacement, BOE: Replacement of 1998 GMC pick-up, Capital Equipment: Dump truck #28 replacement, Streets & Roads: Drainage Design priority is the paved portion of Johnson Road, including catch basins.

Both Moody's & Fitch Financial rating agencies have indicated that the Town's debt is moderate and manageable and in line with Communities that have similar credit ratings. Debt Services for the budget year: \$4,642,785 breaks down: 29% town, 71% school. The mill rate = 30.04, which is an increase of 0.31 mills compared to the current mill rate of 29.73. A slide was shown depicting the property tax impact of the Town Manager's recommended budget for three average assessments. A tax calculation form can be accessed on the website.

In conclusion, sustainability is the key to any financial plan. He is most concerned that any investments made today, whether on the town or education side, can be sustained over time knowing what we know about the current upcoming financial concerns.

3. Public Comment:

Betty Lou Griffin of 40 Cervens Road – She read a joint statement from the Library Foundation Board of Directors. They are concerned about the proposed cuts to the Library budget. In summary, earlier closing affects the residents' access the resources and to attend programs, the book budget has remained flat and now you want to decrease it, when the economy hits the public they are more likely to go to the library. The budget cannot continue to get reduced if you want to continue the town's needs. Please retain the Library's budget.

Susan Simons of 44 Glenn Drive – She is the Chair of the Library Board. Her comments support and expand those of the Foundation. She speaks on behalf of the Tolland Public Library Advisory Board. They believe Mr. Werbner's recommended cuts to the Library would be detrimental. This is the wrong time to diminish the Library during these hard economic times. The Board asks the Town Council to restore the cuts to the Library.

Ken Kittredge of 37 Farm Brook Drive – He said this is the most upbeat Town Manager's presentation that he has seen yet. Another year is going by that we do not get to vote on the requested BOE budget. He also believes that we need to spend more on the town side to protect our investments (buildings and roads). He is very pleased with the extensive collaboration between the Town Council and the BOE this year. It is through these joint efforts that additional cost savings could be realized and they could bridge the gap between the BOE budget and the Town Manager's proposed budget. In recognition of these efforts, he will be supporting this budget with a yes vote at the referendum. He hopes that next year further steps can be taken towards a unified budget.

Corey Bernier of 115 Fox Ridge Lane – He is a paraprofessional at THS and the indoor/outdoor track coach - He works with these kids every day. \$275 for pay to play is the highest in the entire State, and it is a burden that is being put on these athletes, and that is not fair. Sometime soon, this needs to be addressed. With this new budget, pay to play will go up to \$325. Extra-curricular activities play an important role on getting into college. He doesn't see where this pay to play money is going, and doesn't even know if it is going back to them. He hasn't seen a penny of it and would like a line item if it is. With no family cap, how many families are going to be able to pay for this? This is an unfair burden to put on some of these families.

Sharon Lavigne of 48 Crystal Lake Road: She is a product of the Tolland School system and was always proud to say that she lived here. She is now back living here with her own children. We need to look at where every dollar is going. She doesn't understand where the money is going from things she has seen and by looking on-line. She wants to be schooled on that so that the community can have more conversation on where the money is going.

Mr. Werbner commented that the Council and he can only approve the bottom line of the education. In terms of the education spending, after these proceedings are done, those should be conversations that you all continue to have with the BOE.

Cheryl (did not want to state her address): She agrees, where are the dollars for the BOE going? She enjoys living in Tolland. She wants to know if people who have children would consider paying more of the property taxes, rather than doing that across the entire town. She supports the comments made earlier this evening regarding the Library, but suggested that the Library close in the mid-day for a couple of hours, like a siesta. She likes the fact that improvements are being made to the roof at the Library. She asked what happened with the HSA plans.

Mr. Werbner said the Director is looking at the Library schedule. The high-deductible plan is in place with town employees; the BOE is continuing to stress it with their employees. There is no provision for segregating out taxes for those who have children and those that don't.

Patricia Doyle of 52 Susan Drive: She commented on Cheryl's comment: the parents are already paying more by paying to play. She commended the town for the neighbor helping neighbor program. It is important that we be willing to invest. Instead of doing the Library cuts, maybe we can reduce bulky waste to every other month. She supports the town and education services. She is ready to support this budget in the first referendum.

Jackie Cole of 34 Susan Drive – She was grateful to read the Council's response in the Patch and seeing that it is their intention to really maintain what was originally presented in the BOE budget. She is grateful for all the work. She is hopeful that these accounts do come to fruition, so that there is no impact on the education. She will vote for this budget on May 1st.

Emily Howard of 6 Center Road – She is a senior at THS and a member of VOICES. They are currently working with a grant to raise awareness about driving under the influence. There are 50+ kids in this club. The kids have come to the consensus that the reason kids are getting DUI's is because there is nothing to do in this town. She is in sports and it has defined her whole high school career. To raise the pay to play to \$325 bothers her. So many students will not have the same experiences as her.

Robert Howard of 6 Center Road – He has issues with the pay to play. We are the highest in the State. What disturbs him isn't really pay to play, but that it is educational cost shifting. In essence, the BOE is taxing a select group of children and families, and the Town Council is allowing them to do it. Eventually, someone will challenge this legally and it will cost more in fees.

Mr. Werbner commented that the Town Council and he have no impact in regards to pay to play. That is the determination of the BOE. If anyone has a program they are concerned about, they

can voice their concerns to the Town Council, but the individual allocation is under the purview of the BOE.

Becky Maresh of 31 Angela Drive – She thanked everyone and said this meeting has been very impressive. She loves living in Tolland. She is concerned that her \$275.00 may not only be going to track.

Mr. Werbner commented that the funds are not going to the town's General Fund. He doesn't know if the BOE is using those funds in some other fashion. The town is not taking the money.

Ms. Maresh wants to make sure that sport and extra-curricular activities are available to every child. Whatever needs to get done, should get done.

Danny Holiday of 9 Louise Drive – She is a junior at THS. Her issue is with pay to play, because she is a student athlete at THS. \$325 for playing one sport is too much for any family to pay. It's the principal of the thing. We have the highest pay to play in the State and there is no family cap. We are a rich town, why do we need to pay \$325 to play sports. She flashed a petition with 525 signatures on it for those against pay to play. Tolland has a good sports program, but if people can't afford to pay it, there won't be any teams. She asked that those who are old enough to vote, to vote for the budget.

Sam Belsito advised those in the audience that they need to look at the cost drivers. What is driving the cost of pay to play? You also need to look at Mr. Guzman to discuss this. If you want pay to play to change, you have the name of the guy to contact.

Kevin Enman of 266 Mile Hill Road – He commended the town on the cost savings for the October storm clean up. It was a huge savings to the town. He commented that one of the slides seemed to show a deferment of some of the BOE's budget into the town's budget with the \$60,000 being used out of the fund (computers). That is an education item that appears to be shifted into the town's piece of the pie.

Mr. Werbner said his recommendation was to take a portion of a new State grant and put it into a combined separate fund that would work in conjunction with a committee that the Council is putting together for technology. We'd be able to allocate these funds for the purpose of new computer equipment.

Mr. Enman said it is a way of making the BOE budget look better, when it may not be what is true. He said everyone should communicate with the BOE concerning pay to play directly.

Dan Whitman – You are proposing that if we don't pay the pay-to-play program out of our pockets, you are going to cut the program. It doesn't make sense, since we just built a brand new school, with brand new fields, surrounded by a million dollar track, ¼ mile away from another million dollar track, that are irrigated with thousands of dollars of irrigation system. He doesn't know where they are going with this direction. It seems like a tremendous waste.

Mr. Field said he respectfully disagrees with Mr. Belsito's comment. Mr. Guzman is not the problem with all the pay to play. It is much more than that.

A Resident – When you raise the fee, it is a disincentive. Many of the residents are not rich. It is too much money to come up with. These kids want to be well-rounded. It's not just about "A's"; it's about being in an activity. A lot of kids are using these sports to put on their resumes for college. If Tolland loses their sports, how attractive will the town be for new families? It would be a huge shame for these increases to go through, because if they do they will never go down.

Mr. Werbner commented that sports were a big part of his life and his kids' life, but the Council is here to talk and hear about the overall budget. He is not swaying people from commenting on pay to play, but that is the actual jurisdiction of the BOE.

A Resident: She did go on-line to find numbers, and she is not finding what she is looking for. We don't know where every dollar is going. Aside from the pay to play, the kids are also doing fund raisers.

Sue Bezzina of 32 Deer Meadow – The schools is what make our town and what attracts a lot of people. She teaches art at TIS to all 700 students thanks to the cut of three art teachers 1 ½ years ago. Students are impacted when classes are cut, because everything is connected. Much of our funding that we have in our schools for basic things is funded by the PTO. Sports and clubs teach skills and build relationships. She will support this budget, but hopes for a better one next year.

A Resident – She does support the budget as proposed, however with concerns of our long term ability to sustain our successful school system and necessary town improvements. She agrees strongly with what the Library representatives had to say.

Sam Adlerstein of 164 Pine Hill Road – He disagrees and believes this is the place to speak of pay to play and whatever else is on people's mind. We are not going to find fault. There is no fault. He thanked the Council and BOE for their work. He supports this budget and thinks it is critical that we all get out and vote. Mr. Werbner speaks of a sustainable budget. We can't think of things one year at a time. The Council is chartering various task forces. He would like to see the schools charter a pay to participate task force.

Kelly Pabilonia of 33 Deer Meadow Road – She plans to vote yes to support the Town Manager's budget. She will not vote no, because this could create further cuts or higher fees. She would like World Language and Counselors reinstated, and would like to see classrooms as low as possible.

Brenda Falusi of 72 Pepperwood Drive – She thanked everyone she has seen at the Council and BOE meetings. She likes the idea of planning long term and the formation of the task forces. She suggested that the technology task force look at using iPads and projection units v. the smart boards. The cost is \$300 v. \$3,000 per room. She will vote yes for this budget.

Sue Schoch of 37 Farm Brook Drive – She appreciates all the time and energy that has been put into the budget. She thinks we need to look at whether we are under investing and talked of benchmarking. She asked that next year they look more seriously at the revenue side.

Bob Pagoni of 27 Barbara Road – He is the Vice-Chair on the BOE. His hat is off to the Council and BOE regarding the work done together. He said pay to play stinks, extra-curricular is critical. Mr. Guzman has recommended \$125 for the past two years for pay to play. It is the BOE who has jacked it up. He said if you do have a suggestion were you want to save money, which means you have a suggestion where you want to cut money, come to a BOE meeting. All money that is collected for sports fees stays in the sport programs. He advised that there is money set aside in the budget for children that cannot afford to pay to play.

4. **Adjournment:** Steven Werbner adjourned the meeting at 10:00 p.m. All were in favor.

Steven Werbner
Town Manager

Michelle A. Finnegan
Town Council Clerk

APR - 2 2012

Suzanne M. Lituvin,
Asst. Town Clerk

SPECIAL MEETING MINUTES

TOLLAND TOWN COUNCIL HICKS MEMORIAL MUNICIPAL CENTER 6th FLOOR COUNCIL ROOM

RECEIVED

MAR 2 2012

Tolland Public Schools

MARCH 29, 2012 – 7:30 P.M.

MEMBERS PRESENT: Jack Scavone, Chairman; Richard Field, Vice-Chair; Sam Belsito; Joshua Freeman; Mark Gill; Jan Rubino and Benjamin Stanford

MEMBERS ABSENT: None.

OTHERS PRESENT: Steven R. Werbner, Town Manager; Michael Wilkinson, Administrative Services; Lisa Hancock, Director of Finance and Records; Barbara Pettijohn, Director, Library Services; John Littell, Public Safety and Clem Langlois, Public Works

1. **Call to Order:** Jack Scavone called the meeting to order at 7:35 p.m.
2. **Discussion of Budget for FY 2012/2013:** Mr. Gill set the stage for discussion tonight and began by recapping how they have gotten to where they are presently. He began by saying that the budget Mr. Werbner put together is easy to understand and clear. The Council appreciates his work, and that of the town and BOE staff. They all were great at answering countless questions. He reviewed, through use of a PowerPoint, the ideas that have been discussed in their first three months of working on the Council. In summary:
 - Long range opportunities: improve & expand critical programs & services; drive out infrastructure costs, drive the effective use of technology, consolidation of common functions, slow the growth of HC cost, town-wide vendor consolidation, consolidation of town facilities, formation of various task forces (Sustainability, Energy, Technology and possibly Pay for Play)
 - Support town economic development
 - Bring State income tax dollars back to Tolland
 - Trust and transparency in the budget process
 - Budget Process: managing the delta's, current Town Manager's budget request
 - Specific budget items to discuss

Discussion amongst the members began by taking a straw poll of all those in support of the 3% increase for Education: 6 were in favor; Mr. Belsito was opposed.

Mr. Belsito commented that after finding supposedly \$300,000 -- \$800,000 or more dollars, he doesn't feel they need the 3%. It had to be pointed out to them that they had this money. They were not coming forward. He will not approve any increase, because he believes they have enough money. He said this is not the route to go and that they are glossing over it. They have the biggest part of our budget; they've had over \$10m increase in the last 10 years. Give me a break. They have a lot of money in there, and they are putting it someplace. He wants to know where it is before they get another nickel.

Ms. Rubino commented that a lot of them went through the numbers and it is not a matter of hiding it. There were a lot of accounts that had overages, mostly utilities based on the weather Gods. It's hard to have a conversation when acquisitions are made.

Mr. Freeman said the Council is to foster the spirit of the Community. He agrees that we should speak honestly about the numbers. He commented that he was embarrassed when Mr. Belsito spoke about Mr. Guzman last night at the Public Hearing. He said part of their goal is to change the language and we should support them. Let the numbers prove this, not the verbiage.

Mr. Scavone said they all are new at doing this, except for Mr. Field. He thinks it is a learning experience and they have been in it for four months. They've learned a lot and have found something that is a compromise for all. They've come up with something that is equitable to all sides. They are not stopping here though.

Mr. Gill brought up discussion on the front line truck acquisition (\$145K): This is a line item in the Capital Budget. This comes right out of our revenue; he believes one alternative to acquiring this truck would be to bond it. How do we want to treat the acquisition of this truck: Out of revenue or bond?

Mr. Werbner said that he was trying to limit the bonding to roads and facilities. The budget process is percentage based. If the \$145,000 is taken out of the General Fund, the contribution for the General Fund is almost non-existent. It should be at about \$500,000 for a budget our size, in terms of what the General Fund contribution is. To go from zero to \$200,000; to where it is currently in the next fiscal year we won't have the ability to borrow, because there may be other things we may want to borrow for. To try to build the fund up again, on a percentage basis, becomes very difficult. For him to fill that hole of trying to add \$200,000 to the Capital budget, because he doesn't have the borrowing capacity, starts him off in a hole in terms of trying to maintain a low percentage increase. At this point, he is trying to preserve as much debt service as possible for some of the larger ticket items and self-fund some of the lesser expensive items (trucks).

Mr. Freeman agrees with Mr. Werbner. He believes we should replace the truck. If there is a replacement plan in place, then we should replace it. If the plan is wrong, then we should fix the plan. He likes being able to pay for it with 'cash'. He doesn't like the short-term gain.

Mr. Field agrees with Werbner and Freeman, and inquired how much the truck would ultimately cost if it were bonded. Mr. Gill said it is almost 0% interest right now.

Mr. Scavone said he was the other way with this. He said he may want to spend some additional money on roads or something on a lower line item. He is thinking about how they might want to do it in a different fashion.

Mr. Freeman suggested putting the paying at TIS off. We don't know what the plans are for Parker. He knows there are conversations about plans for it, but he'd rather have the plan and know that it absolutely fits into it. He suggested putting it off a year, and that will open up \$130,000. The truck is \$145,000.

Ms. Rubino asked why the track needs to be resurfaced; she thought it was supposed to last for a long time. Mr. Field said it hasn't been used as an athletic track since the high school was built. Mr. Werbner said it is like a road and has a 10 year lifespan. It is a recoating; and there was some damage to the track from candles being lite during a memorial, which melted portions of the track. Water has been getting in, which is a concern. The manufacturer said the expectancy on the track is 8 – 10 years. You can delay it, but then it could be a major reconstruction. The last time it was done was 2002. Mr. Belsito asked who is using the track. Mr. Werbner said it is being used heavily because of its location. If you want to maintain it as an active track, it should be maintained. If you don't, it should be torn up. Ms. Rubino does not want to see it torn up.

Mr. Scavone got back to the paving at TIS. Mr. Werbner doesn't have a problem delaying this to the second year. Mr. Field suggested putting it off until there is a plan, which may include the senior housing.

Mr. Scavone brought up bonding for roadwork and commented that we are at an all-time low in interest rates and there is a need. We don't have enough time to get all the notices and public hearings in to get this on this year's budget. We would have time to do something as a referendum item in the November election. Mr. Werbner confirmed this. Mr. Gill thinks they would get an excellent vision as to whether the town thinks it's a good idea to fix up the roads. It was decided that this could go on the referendum in November.

Mr. Werber suggested moving the TIS paving back to the 2nd year; and take that \$130,000 and put it into the roads. Rather than purchasing the truck through bonding, keep the truck in the General Fund and put the additional \$130,000 in pavement management. Rather than \$550,000 to do the roads, we'd have \$680,000.

Mr. Gill wants to know what the target should be for the Fund Balance. Mr. Werbner's target is 10-15%. Mr. Werbner spoke of the fund balance. The range he believes is appropriate is actually between 12 – 13%. Going down to 10% would not look good for the rating agencies. Mr. Field agrees and would like to see 12%. We need to stay financially well-off. We are going to stop getting the money we are getting at some point. We need to stay away from 10%.

Mr. Belsito commented that they have not spoken about cutting spending /services. Maybe we need to do that. He said they are looking at the taxpayer's money. Ms. Rubino asked Mr. Belsito to let them know what services he would recommend coming off the table. He suggested lay-offs for the Parks & Recreation people from Nov. 1st – April 1st; finding subcontractors to do the plowing. Mr. Field and Mr. Gill both agree that they refuse to cut services until the residents tell them to do so.

Mr. Freeman commented that he wants to restore the funds to the Library. Mr. Werbner commented that he made reductions in most departments. Werbner had suggested doing away with some part-time staff and a reduction of the hours. These were only based on his observations, and the Director of the Library was going to look more into this. Mr. Werbner agrees with Mr. Freeman, the library is important. He doesn't have a problem with keeping the hours the way they are, but it should be reviewed within the next year.

Mr. Freeman would like to increase the funds for the EDC marketing plan. He'd like to see it increased \$5,000, and suggested reducing bulky waste for additional month to make up for the money. Mr. Freeman would also like to see the Engineering Study for the Village and Tech area happen. Mr. Werbner said \$85,000 was for a full design build-out. For \$20,000, the Engineer said he could do more of a preliminary design, without the full engineering detail that goes behind it. It would be enough of a plan to sit down with the landowners to show them what could work. Before any more money is invested in it, he wanted to make sure everyone was on board. He thinks the \$20,000 is a better investment, than spending the \$85,000.

Mr. Werbner commented on a meeting held today regarding the self-funded healthcare. The news was not as good as they hoped for the first year. The savings would be greater 2, 3, 4 years down the road. Initially, the base premium received from Cigna for a self-insured program was about 8-9% less than what our fully insured was. After discussing other components today, 8 – 9% was added. Long term it would be a great deal.

Mr. Belsito commented on some ideas that he had forwarded to the members prior to the meeting. He wanted to put off purchasing the truck for two years; put off the TIS paving; he doesn't believe the middle school track needs to be done; he likes the idea of the THS lights, but doesn't like the idea of bonding; he doesn't think they need the public facility survey (he believes it was done before); and he believes the parking lots should be put off. He commented that the library is getting a different use. It is going towards the computers. It may be driving more people into there. He would like to change the structure of the Library so that it is more computers oriented, rather than hard books. He doesn't want to blow out the books, but this should be prepared for in the future.

Mr. Werbner gave the Council recommendations for his five higher priorities: Supervisor truck; engineering review of the Tolland Village area; fire phone system; tire machine; and completion of the GPS units for the trucks. That would leave about \$80,000. He recommends keeping that to see what will happen in the last quarter of the year. The Council did straw polls on Mr. Werbner 5 higher priorities and the majority was in favor of allowing them.

At this point, they've lowered the mill rate by \$60,000.

Mr. Scavone said he does not want to micro manage anything of the budget. Mr. Gill said despite what he knows he is concerned that they don't have as many people on board as they could. Mr. Freeman said they agreed they would not affect the BOE budget, and he doesn't see how they could come into the optics by cutting on the town side. He likes the budget and supports this budget and thinks it will pass. Ms. Rubino supports the budget and believes it will pass. She is hearing that the people want more restored. We are responsible to do what is right for the town. We need to protect our services. We don't want to strip them from the citizens. We need to be fiscally responsible. Mr. Field supports the budget. He believes it is a budget that they can take to the town and it will pass. He said the town and BOE agree that it is a budget that helps the town. Mr. Belsito said they all sound like last year's Council. There are a lot of people out there that do not want an increase. Mr. Stanford said 1% is well below the inflation rate. He believes this budget will pass.

Pat Curylo of 17 Oakwood Lane - She thinks 1% is acceptable, but she will vote it down. She wants to see the BOE cut. \$1m for a declining population is not going to fly. It is ridiculous. You can cut them back. She thinks their work is wonderful.

The Council was in receipt of a letter from Barbara Cambria, President of the Friends of Tolland Public Library, which read: Dear member of the Tolland Town Council, The Friends of the Tolland Public Library, a nonprofit, supports The Library both financially and physically. One of the financial ways is to purchase 9 of the 11 museum/attractions passes which are available for Tolland residents at a yearly cost of \$1,595 to the Friends. As a group, the Friends are not in favor of charging a \$5.00 late fee which has been proposed in the 2012/2013 budget for income.

Mr. Werbner summarized the decisions made at tonight's meeting: Education funding is at 3%; Capital Budget: Moving the TIS parking lot to the 2nd year; moving the \$130,000 from the TIS parking lot to pavement management (which will now be \$680,000); \$60,000 will be used from the Property Relief Grant for the purchase of the truck to offset the General Fund revenue, so the bottom line will be reduced by \$60,000; the marketing plan - they will check with the EDC to see if there is any concern with that; the use of surplus will be used for the supervisor's truck, the engineering review, the fire phone, the tire machine and the GPS.

The Council members reviewed the mailer for the referendum.

3. **Adjournment:** Richard Field moved to adjourn the meeting; Seconded by Josh Freeman at 9:50 p.m. All were in favor.

Jack Scavone, Council Chair

Michelle A. Finnegan
Town Council Clerk