

TOLLAND BOARD OF EDUCATION  
Hicks Municipal Center  
Council Chambers  
Tolland, CT 06084

REGULAR MEETING

7:30 – 10:00 P.M.

AGENDA  
June 12, 2013

**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

May 22, 2013 – Regular 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. Tolland Elementary Parent Teacher Organization (TEPTO) Recognition
  - F.2. Leave of Absence Report
  - F.3. Field Trip Report
  - F.4. Cancellation of Summer Board Meetings
  - F.5. Board Policy and Administrative Regulation 1070 – Automatic External Defibrillators  
Board Policy 4111 – Electronic Information Security  
Board Policy and Administrative Regulation 5010 – Student Attendance and Truancy  
Board Policy 5080 – Student Discipline  
Board Policy and Administrative Regulation 5090 – Search and Seizure
  - F.6. Proposed Education Reserve Committed Fund Balance Ordinance
  - F.7. Status of the Budget
  - F.8. Recommended Budget Adjustments 2013/2014 Fiscal Year

- G. COMMITTEE & LIAISON REPORTS
- H. CHAIRPERSON'S REPORT
- I. BOARD ACTION
  - I.1. Tolland High School Artificial Turf Agreement
  - I.2. Board Policy and Administrative Regulation 3080 – Advertising Signage
- J. PUBLIC PARTICIPATION (2 minute limit)  
*Comments must be limited to items on this agenda.*
- K. POINTS OF INFORMATION
- L. CORRESPONDENCE  
Minutes from the May 28, 2013 Town Council Meeting
- M. FUTURE AGENDA ITEMS
- N. EXECUTIVE SESSION – Personnel Matters
- O. ADJOURNMENT

TOLLAND BOARD OF EDUCATION  
Hicks Municipal Center  
Council Chambers  
Tolland, CT 06084

REGULAR MEETING – May 22, 2013

Members Present: Mr. Robert Pagoni, Vice Chair; Ms. Christine Vincent, Secretary; Mr. Steve Clark, Dr. Gayle Block, and Mr. Sce (arrived at 7:55 p.m.)

Administrators Present: Mr. William Guzman, Superintendent of Schools; Dr. Kathryn Eidson, Director of Curriculum and Instruction

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:31 P.M.

B. APPROVAL OF MINUTES

Mr. Pagoni moved the Approval of the Minutes for May 8, 2013 since there was no quorum of the Board.

C. PUBLIC PARTICIPATION (2 minute limit) - None

D. POINTS OF INFORMATION

None.

E. STUDENT REPRESENTATIVE REPORT - None

F. SUPERINTENDENT'S REPORT

F.1. Tolland Intermediate School – A Day on Tolland Green

Mr. Guzman introduced Mr. Ian Polun, the Social Studies District Coordinator, who coordinated the Day on Tolland Green.

Mr. Polun shared information about Tolland Intermediate School's third grade program. Each year the students learn about the Town of Tolland as it was in the 1800s and the lives and times of real Tolland residents. For the past four years, this program has culminated with an interdisciplinary day on the Tolland Green. The students participate in a variety of stations supported by teachers and volunteers from the Tolland Historical Society and the Hicks Stearns Museum.

Mr. Polun introduced third grade teachers Tara Arner and Christy Fisher. Mr. Polun also introduced five students who participated in the event: Natalie Mitchell, Lindsay Jones, Jacob Jones, Caitlin Cardin, and Andrew Perkins. Each of the students said a few words about what they did at the event. The activities included drawing homes on the Green, learning the Virginia Reel folk dance, learning about the Tolland Jail, discovering what it was like to be a student in a one-room school house, and examining artifacts. Many students noted that their favorite activity was dancing with Ms. Baker.

Photographs and videos of the event are on the District's server. Mr. Polun thanked 3<sup>rd</sup> grade parent Shelly McNamee for coordinating over 30 parent volunteers and at least 25 parent guests who joined the students for lunch on the Green. Ms. McNamee and Mr. Polun acted as constables on the Green. Mr. Polun also extended his thanks to Ms. Kathy Bach who provided him with a cap, badge, and vest and acted in a role of constable.

Mr. Guzman clarified that each of the children, within a given class, portrayed a character and was in costume. The characters represented were residents of Tolland during the 1800s. The teachers' costumes were provided by the PTO. Mr. Clark noted that he passed by the area on the day of the event and commented that it was very impressive. Mr. Guzman thanked Mr. Polun and the teachers. He also thanked the five students for attending the meeting and coming in their authentic outfits. Mr. Guzman noted that it is great to see this event and that it is a wonderful educational experience for the students.

F.2. Robotics and Gadget Engineering (RAGE)

Robotics and Gadget Engineering flyers and brochures were distributed.

Mr. Guzman explained that this program will be housed at Tolland High School this coming year and introduced Mr. Ken Davidson, the volunteer coordinator of the RAGE program.

Mr. Davidson is a long-time Tolland resident and parent. He provided an overview of the program. The RAGE program, started in 1994, is a member of the nonprofit FIRST (For Inspiration and Recognition of Science and Technology) organization, which promotes science, technology, engineering, and math (STEM) to students of all ages. Mr. Davidson has been working with RAGE robotics for six years. A RAGE team is made up of 15-25 students from local towns. A robotics competition is played on a large field. There are six robots in the field and each year there is a new challenge. The teams are given six weeks to design, build, and program a robot to meet the challenge. Mr. Davidson has been in contact with Ms. Fox, the principal at Tolland High School, to discuss the spatial and supportive needs of the program. He presented a video of the most recent competition to the Board. Mr. Davidson noted that no donations or grants would be needed. The primary sponsors are United Technologies Research Center and CNC Software Inc. Other sponsors include: JP Fabrication and Repair, TRUMPF, yabla, ING, and Connecticut Light & Power. The philosophy of the program is gracious competition which is taught to the students.

Mr. Davidson introduced his family who are active in the program, volunteer Joe Carnemolla, and Tolland teacher Christy Fisher who works with younger students on the FIRST Lego team.

Mr. Guzman commented that he is pleased that the program is coming to Tolland and will be in the High School. Mr. Guzman inquired about how the team would get the materials. Mr. Davidson explained that a kit of components, donated by companies, is provided to each team. The challenge is in the design and building of the robot.

F.3. Strategic Plan – Status Report

Mr. Guzman explained that the report lists the five goals that were approved in the strategic plan. Specific strategies for achieving each goal are listed along with anecdotal information. Mr. Guzman will provide another report in November that will include more specificity relative to the five goals and the strategies employed.

F.4. Educator Evaluation and Support Plan Feedback

Mr. Guzman explained that the Teacher Evaluation Plan was submitted to the Department of Education. This plan has two components that need to be amended and are being addressed. Once the amendments are made, they will be sent to the state for review and approval.

The Administrative Evaluation Plan was sent to the Department of Education, met the requirements, and has been approved.

F.5. CABE Workshop – Update on Collective Bargaining and New Teacher Evaluation and Support Program

Mr. Guzman attended the CABE workshop. The members' packets included a copy of the Teacher Tenure, Evaluation and Dismissal law – Public Act 12-116 provided by Thomas Mooney from Shipman & Goodwin LLP.

An update on collective bargaining was also part of the program. One item discussed was the impact of federal Affordable Care Act, on current negotiations. One element of the act will not take effect until 2018. Mr. Guzman noted that very little information on the Affordability Act has been made available due to its complexity in terms of the public and private sector as well as other items.

F.6. Tolland High School Artificial Turf Agreement

A revised agreement was provided to the Board members for their review and first reading. This item will be on the next agenda for consideration.

F.7. Board Policy and Administrative Regulation 3080 – Advertising Signage

An amended copy of the policy and the administrative regulations was distributed. The members' packets contain the attachment referenced in the policy. It is in regard to the Town's all-weather field sign policy and includes examples of signs. This item will be on the next agenda for consideration.

B. APPROVAL OF THE MINUTES

May 8, 2013 – Regular Meeting

Ms. Vincent motioned to approve the minutes of the May 8, 2013 Regular Meeting. Mr. Clark seconded the motion. The following changes should be made: none. Mr. Pagoni, Ms. Vincent, and Mr. Clark were in favor. None opposed. Dr. Block and Mr. Sce abstained. Motion carries.

D. POINTS OF INFORMATION

Ms. Vincent inquired if the Perkins Information Grant was received. Dr. Eidson confirmed that it was submitted on time but that she has not yet received a response. Dr. Eidson

noted that another grant in the amount of \$7,500 was received to support the Common Core project.

G. COMMITTEE & LIAISON REPORTS

EASTCONN - None

Finance & Facilities Committee - None

Policy Committee

Ms. Vincent thanked everyone for their hard work on Policy 3080.

Negotiation Committee

Dr. Block explained that the committee has been meeting with the three bargaining units: clerical, paraprofessional, and custodial. The committee had some questions regarding whether the entire Board will meet with the Town Council for state statute or if it will only be the Negotiation Committee. Mr. Guzman has sent these questions to the Board's attorney and will have more information at the next committee meeting.

Town Council Liaison

Mr. Clark noted that during budget discussions, the Town Manager mentioned that he would like to form a Blue Ribbon Committee for future discussion about what the Town's residents would like to see. This Committee was discussed at the Town Council meeting but there were no decisions made. The Town Council believes the Board of Education should be part of this committee. If this goes forward, the Blue Ribbon Committee would meet during the summer.

At the end of each year, the Town sends out a financial disclosure statement. Mr. Clark explained that a fair number of people do not complete the forms. The Ethics Commission said that if people do not complete the forms then it does not have any enforcement capability. They are asking to either develop an enforcement provision or discontinue it.

The Council did not agree to send the library matter forward for a public hearing on May 28<sup>th</sup>. Mr. Clark believes this will be brought up again at the next meeting.

Lastly, the certified bargaining units, the teachers and administrators, are strictly governed by state regulation. Both have contracts coming due. The first meeting needs to take place by July 26<sup>th</sup>. As part of the process, there has to be a meeting between the Board and the Town Council so the Council can express its desires of what it would like to see covered in the negotiations.

Mr. Clark will not be available to be the liaison at the next Town Council meeting.

H. CHAIRPERSON'S REPORT

Mr. Pagoni provided an anecdote about the library petition. He was in an elevator in Norwalk, CA and someone asked him if he was from Tolland. It was Kate Farrish, a member of the Tolland Public Library Board.

I. BOARD ACTION

I.1. School Facility Utilization and Study – Proposal Award

Ms. Vincent motioned to approve the contract submitted by DRA, Inc. in the amount of \$27,800 for a Facility Utilization Study. Dr. Block seconded the motion. All were in favor. None opposed. None abstained. Motion carried.

I.2. Drainage System /Paving Funds

Ms. Vincent motioned to approve the request that the Board allocate its share of the distribution in the amount of \$15,220 to Capital Improvements Board of Education District Wide Drainage/Paving Fund to cover the partial cost of Birch Grove drainage repair project. Dr. Block seconded the motion. A discussion took place. Mr. Clark asked Mr. John Carroll if it would have been possible to know that the drains would deteriorate when they were installed. Mr. Carroll responded that they could not have known. They were designed and inspected by certified engineers; this was the product of that time. Mr. Clark asked if it could be due to the soil issue that arose when Birch Grove was built. Mr. Carroll responded that the catch basins are too far from the soil referenced by Mr. Clark. All were in favor. None opposed. None abstained. Motion carried.

J. PUBLIC PARTICIPATION - None

K. POINTS OF INFORMATION

Mr. Guzman noted that the Board members received a copy of the proposed resolution to carry 1% education reserve fund over from the Town Manager. He believes the Town Council is awaiting a response from members of the Board regarding if there are any concerns with the language in the resolution. This will be on the Board's next agenda.

Mr. Guzman explained that every year a student survey is distributed. Surveys are part of the process of the statewide teacher evaluation program. The surveys are intended to gather parent, staff, and student feedback. This new survey mechanism will provide the district with baseline data for next year's teacher evaluation program. In turn, there will not be data to relate to the old surveys.

L. CORRESPONDENCE

- Town Council Minutes from May 14, 2013
- Connecticut School Counselor Award  
Mr. Pagoni read the letter honoring Mr. Willett, the recipient of the Connecticut School Counselor Association Administrator of the Year Award for the 2012-2013 school year.
- Mr. Pagoni read a statement from CIRMA (Connecticut Interlocal Risk Management Agency) acknowledging that Tolland Public Schools was presented with CIRMA's Risk Management Achievement Award
- Festivals of Music  
Mr. Pagoni read the letter from Dr. Wells, the President of the Festivals of Music. He wrote to the Superintendent to commend the outstanding performance of Tolland High School's ensembles under the direction of Megan Kirwin and Linda Tracy.
- School Calendars for June

M. FUTURE AGENDA ITEMS

1. Discuss who will meet with the Town Council
2. Field agreement for Board action
3. Policy on advertising signage for Board action
4. Policies for 1<sup>st</sup> reading
5. Annual Leave of Absence Report
6. Field trip approvals for the current school year
7. Budget adjustment recommendations for initial review

Mr. Pagoni inquired if the members would be able to see the recommendations before the next meeting. Mr. Guzman explained that this may not be logistically possible. Mr. Pagoni expressed concern and requested that if it was possible to have it prior to the meeting it would be beneficial.

N. EXECUTIVE SESSION – Personnel Matters

Mr. Clark motioned to go into executive session to discuss personnel matters at 8:44PM. Ms. Vincent seconded the motion. All were in favor. None opposed. Motion carried.

The Board returned to Public Session at 9:14 p.m.

O. ADJOURNMENT

Dr. Block motioned to adjourn the meeting at 9:15 p.m. Ms. Riley Vincent seconded the motion. All were in favor. None opposed. None abstained. Motion carries.

Respectfully submitted,



Lisa Pascuzzi

Clerk



**TO: Members of the Board of Education**

**FROM: William D. Guzman**

**DATE: June 12, 2013**

**SUBJECT: Tolland Elementary Parent Teacher Organization (TEPTO) Recognition**

The Tolland Elementary Parent Teacher Organization (TEPTO) represents both Birch Grove Primary and Tolland Intermediate Schools. TEPTO has historically provided countless resources to the schools. These resources are in the form of children's programs, mini-grants, equipment, materials, books, etc. The membership of TEPTO continues to provide creative ways to foster educational opportunities for all students in the District.

The leadership of TEPTO for the past two years has been in the capable hands of Karen Moran whose term expires at the end of the 2013/14 school year. During her tenure as TEPTO President, Karen has:

- facilitated the building of the TIS playscape and adding more playground equipment at BGP
- assisted the PTO in purchasing several SMART Boards for Birch Grove and TIS
- facilitated numerous fundraising opportunities for the TEPTO organization that supported countless activities for the schools
- assisted the TEPTO team in planning and organizing a very successful Spring Fling event and many Book Fairs for both schools
- developed a communication system that helped promote TEPTO awareness and streamlined the communication with the PTO
- worked to increase the participation of active parent volunteers in the schools, in BOE budget adoption process, and promoted community support for the schools.

Karen's vision for the 2012 State of the School presentation focused on highlighting all the positive points that happen within the Tolland Public School system.

The Board of Education recognizes her service to the schools and the community.

WDG:ja

**TO: Members of the Board of Education**

**FROM: William D. Guzman**

**DATE: June 12, 2013**

**SUBJECT: Leave of Absence Report**

As per Board of Education resolution adopted on July 11, 2007, below is a status report on requests for unpaid Leaves of Absences since the beginning of the school year.

<b>POSITION</b>	<b>DATES OF REQUEST</b>	<b>RATIONALE</b>	<b>GRANTED/REJECTED</b>
Paraprofessional	October 18 – 31, 2012	Parent Illness in Florida	Granted
Secretary	November 15 and 16, 2012	Family Illness	Granted
Paraprofessional	September 4 – 14, 2012	Family Illness	Granted
Teacher	January 2 – 9, 2013	Extended Maternity Leave	Granted
Secretary	January 15 – 18, 2013	Parent Illness	Granted
Paraprofessional	January 16 – 18, 2013	Trip with Husband	Granted
Paraprofessional	January 2 – 15, 2013	Completing Student Teaching	Granted
Paraprofessional	Early February	Care of Daughter	Granted
Teacher	February 21-22, 2013	Son's Wedding	Granted
Paraprofessional	April 12, 2013	Vacation Plans	Granted
Paraprofessional	April 23-24, 2013	Parent Illness	Granted
Paraprofessional	May 8-10, 2013	Family Matter	Granted
Secretary	May 22, 23 and 29, 2013	Family Matter	Granted
Teacher	June 4, 2013	Orientation	Granted
Paraprofessional	June 4 – 7, 2013	Relocation	Granted
Teacher	June 13, 2013	Graduation	Granted
Teacher	June 14, 2013	Orientation	Granted
Teacher	June 5 – 7, 2013	Family Illness	Granted

Please note that none of these leaves resulted in a cost to the District. There was a cumulative savings to the District of \$3,340.70.

WDG:ca

**TO: Members of the Board of Education**

**FROM: William D. Guzman**

**DATE: June 12, 2013**

**SUBJECT: Field Trip Report**

In accordance with the Board of Education Policy 5150, Field Trips, the following is a listing of field trips approved for the 2012 -13 school year.

<b>SCHOOL</b>	<b>DATE(S)</b>	<b>TRIP DESTINATION</b>	<b>PURPOSE</b>
Tolland Middle School	November 12 – 15, 2012	Washington, D.C.	To visit the Nation's capitol and incorporate social studies curriculum
Tolland High School	January 31 – February 3, 2013	Quebec City, Canada	To experience both the literary and cultural traditions of the Francophone language
Tolland High School	April 13 - 28, 2013	Anaheim, California	To participate in the National DECA Competition and Leadership Seminar
Tolland High School	April 25 – 28, 2013	Virginia Beach, Virginia	To attend Adjudication Festival
Tolland Middle School	May 6 - 10, 2013	Key Largo, Florida	Exposure to marine ecology research in a subtropical environment
Tolland High School	June 13 - 16, 2013	Greensboro, N.C.	To compete on national level for Track and Field

WDG:ca

**TO: Members of Board of Education**

**FROM: William D. Guzman**

**DATE: June 12, 2013**

**SUBJECT: Cancellation of Summer Board Meetings –  
Authorization for Action**

In keeping with past practice, the Board of Education meetings scheduled for July 10, 24 and August 14 are recommended to be cancelled.

Authorization is requested for the Superintendent of Schools to act on behalf of the Board in awarding bids and proposals for special or professional services in excess of \$20,000 up to August 20, 2013. Members of the Board will receive bi-weekly reports throughout the summer on actions taken under this authorization, if any.

WDG:ca

**TO: Members of the Board of Education**

**FROM: William D. Guzman**

**DATE: June 12, 2013**

**SUBJECT: Board Policy and Administrative Regulation 1070 – Automatic External Defibrillators**  
**Board Policy 4111 – Electronic Information Security**  
**Board Policy and Administrative Regulation 5010 – Student Attendance and Truancy**  
**Board Policy 5080 – Student Discipline**  
**Board Policy and Administrative Regulation 5090 – Search and Seizure**

Attached please find the above referenced Board Policies.

These Policies were reviewed by the Policy Committee on June 3, 2013.

Board Policy 1070 – Automatic External Defibrillators and Board Policy 4111- Electronic Information Security are new and are all language is in caps and is bolded.

Board Policy 5010 – Student Attendance and Truancy, Board Policy 5080 – Student Discipline and Board Policy 5090 – Search and Seizure are revised. The language to be deleted is in brackets and new language is in caps and is bolded.

The Administrative Regulation 1070 – Automatic External Defibrillators, Administrative Regulation 5010 – Student Attendance and Truancy and Administrative Regulation 5090 – Search and Seizure are enclosed for your information and do not require Board approval.

WDG:ca

**TOLLAND PUBLIC SCHOOLS**  
Tolland, Connecticut

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**BOARD POLICY**

**REGARDING: AUTOMATIC EXTERNAL  
DEFIBRILLATORS**

Number: 1070  
Community/Board Operation

**APPROVED:**

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IN ORDER TO ASSIST INDIVIDUALS WHO MAY EXPERIENCE CARDIAC ARREST ON SCHOOL PROPERTY, THE TOLLAND BOARD OF EDUCATION HAS ACQUIRED AUTOMATIC EXTERNAL DEFIBRILLATORS FOR USE IN CERTAIN SCHOOL BUILDINGS. IT IS THE POLICY OF THE TOLLAND BOARD OF EDUCATION TO SUPPORT THE USE OF THESE AUTOMATIC EXTERNAL DEFIBRILLATORS DURING MEDICALLY APPROPRIATE CIRCUMSTANCES ON SCHOOL PROPERTY.

REQUIREMENTS CONCERNING THE USE AND MAINTENANCE OF AEDS ARE SET FORTH IN THE ACCOMPANYING ADMINISTRATIVE REGULATIONS AS MAY BE SUPPLEMENTED BY OR AMENDED BY THE ADMINISTRATION FROM TIME TO TIME.

FOR PURPOSES OF THIS POLICY AND THE ACCOMPANYING REGULATIONS, AN AED IS A DEVICE THAT:

- 1) IS USED TO ADMINISTER AN ELECTRIC SHOCK THROUGH THE CHEST WALL TO THE HEART;
- 2) CONTAINS INTERNAL DECISION-MAKING ELECTRONICS, MICROCOMPUTERS OR SPECIAL SOFTWARE THAT ALLOWS IT TO INTERPRET PHYSIOLOGIC SIGNALS, MAKE MEDICAL DIAGNOSIS AND, IF NECESSARY APPLY THERAPY;
- 3) GUIDES THE USER THROUGH THE PROCESS OF USING THE DEVICE BY AUDIBLE OR VISUAL PROMPTS; AND
- 4) DOES NOT REQUIRE THE USER TO EMPLOY ANY DISCRETION OR JUDGMENT IN ITS USE.

**LEGAL REFERENCES:**

**CONNECTICUT GENERAL STATUTES**

19A-175	DEFINITIONS
19A-197	AUTOMATIC EXTERNAL DEFIBRILLATORS. REGISTRY ESTABLISHED. REGULATIONS. SIMULTANEOUS COMMUNICATION WITH PHYSICIAN NOT REQUIRED.
52-557B	GOOD SAMARITAN LAW
10-212D	AVAILABILITY OF AUTOMATIC EXTERNAL DEFIBRILLATORS IN SCHOOLS

**REGULATIONS OF CONNECTICUT STATE AGENCIES**

DEPARTMENT OF PUBLIC HEALTH 19A-179-1 ET SEQ.

**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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**ADMINISTRATIVE REGULATION      REGARDING: AUTOMATIC EXTERNAL  
DEFIBRILLATORS**

**NUMBER: 1070**  
**ADMINISTRATIVE**

**APPROVED:**

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**I.      DEFINITIONS:**

**AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) — MEANS A DEVICE THAT: (A) IS USED TO ADMINISTER AN ELECTRIC SHOCK THROUGH THE CHEST WALL TO THE HEART; (B) CONTAINS INTERNAL DECISION-MAKING ELECTRONICS, MICROCOMPUTERS OR SPECIAL SOFTWARE THAT ALLOWS IT TO INTERPRET PHYSIOLOGIC SIGNALS, MAKE MEDICAL DIAGNOSIS, AND, IF NECESSARY, APPLY THERAPY; (C) GUIDES THE USER THROUGH THE PROCESS OF USING THE DEVICE BY AUDIBLE OR VISUAL PROMPTS; AND (D) DOES NOT REQUIRE THE USER TO EMPLOY ANY DISCRETION OR JUDGMENT IN ITS USE.**

**CPR PROVIDER — A PERSON WHO IS CPR CERTIFIED, AND HAS A COPY OF HIS/HER CERTIFICATION ON RECORD WITH THE TOLLAND PUBLIC SCHOOLS.**

**II.     DEFIBRILLATOR LOCATION**

- 1.      THE TOLLAND PUBLIC SCHOOLS WILL HAVE DEFIBRILLATORS IN SCHOOL BUILDINGS DESIGNATED BY THE TOLLAND BOARD OF EDUCATION.**
- 2.      THE AEDS WILL BE STRATEGICALLY PLACED AND READILY ACCESSIBLE TO MAXIMIZE RAPID UTILIZATION.**
- 3.      EACH AED WITHIN THE DISTRICT WILL BE REGISTERED WITH THE TOWN'S EMERGENCY MEDICAL PROVIDER AND WITH THE CONNECTICUT OFFICE OF EMERGENCY MEDICAL SERVICES.**

**III.    RESPONSIBILITY FOR OPERATION, MAINTENANCE AND  
RECORD-KEEPING**

- 1. THE SCHOOL NURSE AT EACH BUILDING IN WHICH AN AED IS INSTALLED WILL CHECK THE AED IN THE BUILDING ON A REGULAR BASIS, AT LEAST MONTHLY. IT WILL BE THAT NURSE'S RESPONSIBILITY TO VERIFY THAT THE UNIT IS IN THE PROPER LOCATION, THAT IT HAS ALL THE APPROPRIATE EQUIPMENT (BATTERY, MASK, CASE, EMERGENCY PACK), THAT IT IS READY FOR USE, AND THAT IT HAS PERFORMED ITS SELF-DIAGNOSTIC EVALUATION. IF THE NURSE NOTES ANY PROBLEMS, OR THE AED'S SELF-DIAGNOSTIC TEST HAS IDENTIFIED ANY PROBLEMS, THE NURSE MUST CONTACT THE SCHOOL NURSE SUPERVISOR OR DESIGNEE IMMEDIATELY.**
- 2. AFTER PERFORMING AN AED CHECK, THE NURSE SHALL INDICATE ON THE AED SERVICE LOG THAT THE UNIT HAS BEEN INSPECTED AND THAT IT WAS FOUND TO BE "IN-SERVICE" OR "OUT-OF-SERVICE".**
- 3. THE SCHOOL NURSE SUPERVISOR OR HIS/HER DESIGNEE SHALL BE RESPONSIBLE FOR THE FOLLOWING:**
  - A) AED SERVICE CHECKS DURING THE CONTRACTED SCHOOL YEAR;**
  - B) THE REPLACEMENT OF EQUIPMENT AND SUPPLIES FOR THE AED;**
  - C) THE REPAIR AND SERVICE OF THE AED;**
  - D) ALL RECORDKEEPING FOR THE EQUIPMENT DURING THE SCHOOL YEAR;**
  - E) PROVIDING/SCHEDULING TRAINING FOR ALL BOARD EMPLOYEES WHO REQUIRE SUCH TRAINING OR WOULD LIKE TO RECEIVE SUCH TRAINING;**
  - F) MAINTAINING A LIST OF CPR CERTIFIED PERSONS;**
  - G) KEEPING ALL RECORDS CONCERNING INCIDENTS INVOLVING THE USE OF AN AED;**
  - H) MAINTAINING COPIES OF THE CERTIFICATIONS SIGNED BY CPR CERTIFIED REGARDING UNDERSTANDING OF AND AGREEMENT TO COMPLY WITH TOLLAND BOARD OF EDUCATION AED POLICIES AND PROCEDURES;**
  - I) REPORTING THE NEED FOR REVISING THE AED POLICY AND ADMINISTRATIVE REGULATIONS TO THE SPECIAL EDUCATION DIRECTOR AND/OR SUPERINTENDENT;**
  - J) REGISTERING THE AEDS IN ACCORDANCE WITH STATE LAW.**



#### **IV. TRAINING FOR CPR CERTIFIED PERSONS**

**THE TOLLAND BOARD OF EDUCATION WILL PROVIDE INITIAL TRAINING OR REFRESHER TRAINING TO THE FOLLOWING CLASSES OF INDIVIDUALS ON AN ANNUAL BASIS:**

- 1) STAFF WHO WORK IN THE HEALTH SERVICES DEPARTMENT, INCLUDING ALL SCHOOL NURSES AND THE NURSING SUPERVISOR;**
- 2) STAFF WHO WORK IN THE ATHLETIC DEPARTMENT, INCLUDING ALL ATHLETIC TRAINERS, HEAD COACHES AND THE ATHLETIC DIRECTOR;**
- 3) ALL BUILDING ADMINISTRATORS; AND**
- 4) VOLUNTEERS FROM THE FACULTY AND STAFF AT EACH SCHOOL.**

**THE TRAINING WILL BE PROVIDED IN ACCORDANCE WITH THE STANDARDS SET FORTH BY THE AMERICAN RED CROSS OR AMERICAN HEART ASSOCIATION. INDIVIDUALS COMPLETING THIS TRAINING WILL BE CONSIDERED CPR CERTIFIED PERSONS. [NOTE: ADDITIONAL STAFF MEMBERS MAY BE REQUIRED TO RECEIVE TRAINING IF THE DISTRICT HAS RECEIVED STATE OR FEDERAL OR PRIVATE FUNDS DESIGNATED FOR THE PURCHASE OF AEDS AND FOR TRAINING EMPLOYEES ON THE USE OF AEDS AND IN CPR. FOR ADDITIONAL INFORMATION, SEE CONN. GEN. STAT. § 10-212D]**

#### **V. PROCEDURES FOR USE OF AN AED**

- 1. TO THE EXTENT PRACTICABLE, AEDS SHOULD BE RETRIEVED AND USED BY CPR CERTIFIED PERSON OR OTHER TRAINED EMERGENCY MEDICAL SERVICES PERSONNEL. IN THE EVENT NO CPR CERTIFIED PERSON IS AVAILABLE OR PRESENT, AN AED MAY BE USED BY TRAINED AND UNTRAINED INDIVIDUALS IN ORDER TO PROVIDE EMERGENCY CARE TO AN INDIVIDUAL WHO MAY BE IN CARDIAC ARREST ON SCHOOL PROPERTY.**
- 2. AEDS MAY ONLY BE USED IN MEDICALLY APPROPRIATE CIRCUMSTANCES.**
- 3. IN THE EVENT OF USE, THE SCHOOL'S NURSE OR SCHOOL'S NURSE SUPERVISOR SHALL PROMPTLY THEREAFTER COMPLETE AN AED CHECK AND VERIFY THAT THE UNIT IS IN THE PROPER LOCATION, THAT IT HAS ALL THE APPROPRIATE EQUIPMENT (BATTERY, MASK, CASE,**

**EMERGENCY PACK), THAT IT IS READY FOR USE, AND THAT IT HAS PERFORMED ITS SELF-DIAGNOSTIC EVALUATION. ANY PROBLEMS WITH THE AED SHALL BE IMMEDIATELY REPORTED TO THE SCHOOL NURSE.**

**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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**BOARD POLICY                      REGARDING: ELECTRONIC INFORMATION SECURITY**

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**Number: 4111**  
**PERSONNEL**

**APPROVED:**

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THE OBJECTIVE OF ELECTRONIC INFORMATION SECURITY IS TO ENSURE BUSINESS CONTINUITY AND MINIMIZE BUSINESS DAMAGE BY PREVENTING, CONTROLLING AND MINIMIZING THE IMPACT OF SECURITY BREACHES. THE PURPOSE OF THIS POLICY IS TO PROTECT THE TOLLAND PUBLIC SCHOOL SYSTEM'S ELECTRONIC INFORMATION RESOURCES FROM THREATS, WHETHER INTERNAL OR EXTERNAL, DELIBERATE OR ACCIDENTAL. ELECTRONIC INFORMATION RESOURCES ARE DEFINED AS ALL DISTRICT COMPUTER EQUIPMENT, INCLUDING ANY DESKTOP OR LAPTOP COMPUTERS AND ALL HARDWARE OWNED OR LEASED BY THE SCHOOL SYSTEM; THE DISTRICT'S COMPUTER NETWORK, AND ANY COMPUTER SOFTWARE LICENSED TO THE DISTRICT; AND STORED DATA. THIS POLICY SHALL APPLY TO ALL USERS, WHETHER OR NOT AFFILIATED WITH THE DISTRICT, OF DISTRICT ELECTRONIC INFORMATION RESOURCES AS WELL AS TO ALL USES OF THOSE RESOURCES, WHEREVER LOCATED.

THE SCHOOL SYSTEM WILL MAINTAIN ACCESS MANAGEMENT PROCESSES TO ENSURE THAT APPROPRIATE ACCESS WILL BE AFFORDED TO ELECTRONIC INFORMATION RESOURCES.

AVAILABILITY OF THE ELECTRONIC INFORMATION INFRASTRUCTURE IS CRUCIAL TO THE CONTINUED EFFECTIVENESS OF THE TOLLAND PUBLIC SCHOOLS. THE DISTRICT WILL DEVELOP AND IMPLEMENT PROCEDURES IN ACCORDANCE WITH PREVAILING INDUSTRY STANDARDS AND APPLICABLE FEDERAL AND STATE LAW TO MANAGE ENVIRONMENTAL, DEVELOPMENTAL AND DISASTER RECOVERY REQUIREMENTS.

THE DISTRICT WILL EDUCATE ALL USERS REGARDING ACCEPTABLE USE AND PROPER SECURITY PROCEDURES FOR ELECTRONIC INFORMATION RESOURCES.

THE DISTRICT WILL MANAGE ELECTRONIC INFORMATION RESOURCES IN ACCORDANCE WITH APPLICABLE FEDERAL AND STATE LAW AND REGULATIONS, INCLUDING LAWS REGARDING THE CONFIDENTIALITY OF STUDENT AND PERSONNEL INFORMATION AND ACCESS TO PUBLIC RECORDS.

**(CF. 3520.1 – INFORMATION SECURITY BREACH AND NOTIFICATION)**

**LEGAL REFERENCE: CONNECTICUT GENERAL STATUTES**

**1-19(B)(11) ACCESS TO PUBLIC RECORDS. EXEMPT RECORDS.**

**7-109 DESTRUCTION OF DOCUMENTS.**

**10-15B ACCESS OF PARENT OR GUARDIANS TO STUDENT'S RECORDS.**

**10-209 RECORDS NOT TO BE PUBLIC.**

**11-8A RETENTION, DESTRUCTION AND TRANSFER OF DOCUMENTS**

**11-8B TRANSFER OR DISPOSAL OF PUBLIC RECORDS. STATE LIBRARY BOARD TO ADOPT REGULATIONS.**

**46B-56 (E) ACCESS TO RECORDS OF MINORS.**

**CONNECTICUT PUBLIC RECORDS ADMINISTRATION  
SCHEDULE V - DISPOSITION OF EDUCATION RECORDS  
(REVISED 1983).**

**FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT  
OF 1974 (SECTION 438 OF THE GENERAL EDUCATION  
PROVISIONS ACT, AS AMENDED, ADDED BY SECTION 513 OF  
P.L. 93-568, CODIFIED AT 20 U.S.C.1232G.).**

**DEPT. OF EDUC, 34 C.F.R. PART 99 (MAY 9, 1980 45 FR 30802)  
REGS. IMPLEMENTING FERPA ENACTED AS PART OF 438 OF  
GENERAL EDUC. PROVISIONS ACT (20 U.S.C. 1232G)  
PARENT AND STUDENT PRIVACY AND OTHER RIGHTS WITH  
RESPECT TO EDUCATIONAL RECORDS, AS AMENDED  
11/21/96.**

**42 U.S.C. 1320D-1320D-8, P.L. 104-191, HEALTH INSURANCE  
PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)**

**65 FED. REG. 503 12-50372**

**65 FED. REG. 92462-82829**

**63 FED. REG. 43242-43280**

**67 FED. REG. 53 182-53273**

**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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BOARD POLICY

REGARDING: Student Attendance and Truancy

Number: 5010  
Students

Approved: 2/28/01

Revised: 4/28/10

Revised: 12/14/11

**REVISED:**

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Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education, through its Superintendent, will adopt and maintain procedures to implement this policy.

Legal References:

Connecticut General Statutes §10-220

Connecticut General Statutes §10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes §10-198a

[Public Act 11-136, An Act Concerning Minor Revisions to the Education Statutes]

Guidelines for Reporting Student Attendance in the Public School Information System (Connecticut State Department of Education, January 2008)

Connecticut State Department of Education Circular Letter C-2, *Utilizing Local Support Resources Prior to Referral of Students for Family With Service Needs* (August 4, 2009)

**CONNECTICUT STATE BOARD OF EDUCATION MEMORANDUM,  
DEFINITIONS OF EXCUSED AND UNEXCUSED ABSENCES (JUNE 27,  
2012)**

**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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ADMINISTRATIVE REGULATION REGARDING: Student Attendance and  
Truancy

Number: 5010  
Student

Approved: 5/28/03

Revised: 4/28/10

Revised: 12/14/11

**REVISED:**

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A. Definitions:

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.
2. "Educational Evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
3. "Excused Absence" - an absence from a regularly scheduled school day for at least one-half of the school day; **FOR** which absence, [as determined by the building principal or his/her designee, is for] **THE SCHOOL HAS RECEIVED WRITTEN DOCUMENTATION DESCRIBING THE REASON FOR THE ABSENCE WITHIN TEN DAYS OF THE STUDENT'S RETURN TO SCHOOL, OR THE CHILD HAS BEEN EXCLUDED FROM SCHOOL IN ACCORDANCE WITH SECTION 12-210 OF THE CONNECTICUT GENERAL STATUTES, AND MEETS THE FOLLOWING CRITERIA:**
  - A. **ANY ABSENCE BEFORE THE STUDENT'S TENTH ABSENCE, IS CONSIDERED EXCUSED WHEN THE STUDENT'S PARENT/GUARDIAN APPROVES SUCH ABSENCE AND SUBMITS APPROPRIATE WRITTEN DOCUMENTATION; AND**
  - B. **FOR THE STUDENT'S TENTH ABSENCE AND ALL ABSENCES THEREAFTER, A STUDENT'S ABSENCES FROM SCHOOL ARE**

**CONSIDERED EXCUSED ONLY FOR THE FOLLOWING REASONS**

- [a. Reasons of health, including illness, incapacity, or doctor's visits. The administration reserves the right to require physician or other appropriate certification for health-related absences.]
  - a. **STUDENT ILLNESS (VERIFIED BY AN APPROPRIATELY LICENSED MEDICAL PROFESSIONAL);**
  - b. Religious holidays[.];
  - c. **MANDATED court [appearance.] APPEARANCES (DOCUMENTATION REQUIRED);**
  - d. Funeral or death in the family[.] **OR OTHER EMERGENCY BEYOND THE CONTROL OF THE STUDENT'S FAMILY;**
  - [e. Approved school activities, including field trips.]
  - E. **EXTRAORDINARY EDUCATIONAL OPPORTUNITIES PRE-APPROVED BY THE DISTRICT ADMINISTRATORS AND IN ACCORDANCE WITH CONNECTICUT STATE DEPARTMENT OF EDUCATION GUIDANCE;**
  - f. [Suspension or expulsion.] **LACK OF TRANSPORTATION THAT IS NORMALLY PROVIDED BY A DISTRICT OTHER THAN THE ONE THE STUDENT ATTENDS.**
  - [g. In limited circumstances, special activities or emergencies with the consent of the parent or other person having control of the child.]
- 4. "In Attendance" - any day during which a student not considered to be absent from his/her assigned school, or from an activity sponsored by the school (e.g. field trip), for at least one-half of the school day.
  - 5. "Student" - a student enrolled in the Tolland Public Schools.
  - 6. "Truant" - any student five (5) to eighteen (18) years of age, inclusive, who has four (4) unexcused absences from school in any one month or ten (10) unexcused absences from school in any school year.

7. "Unexcused Absence" - any absence from a regularly scheduled school day for at least one half of the school day, [which] **UNLESS THE** absence [is not] an excused absence as defined above **OR THE ABSENCE IS A DISCIPLINARY ABSENCE.**

The determination of whether an absence is excused will be made by the building Principal or his/her designee. Parents or other persons having control of the child may appeal that decision to the Superintendent or his/her designee, whose decision shall be final.

8. **"WRITTEN DOCUMENTATION" – INCLUDES A SIGNED NOTE FROM THE STUDENT'S PARENT/GUARDIAN, A SIGNED NOTE FROM A SCHOOL OFFICIAL THAT SPOKE IN PERSON WITH THE PARENT/GUARDIAN REGARDING THE ABSENCE, OR A NOTE CONFIRMING THE ABSENCE BY THE SCHOOL NURSE OR BY A LICENSED MEDICAL PROFESSIONAL, AS APPROPRIATE, THAT EXPLAINS THE NATURE OF AND THE REASON FOR THE ABSENCE AS WELL AS THE LENGTH OF THE ABSENCE.**

B. Truancy exceptions:

1. A student five (5) or six (6) years of age shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.
2. A student seventeen (17) years of age shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.
3. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be "truant."

C. Readmission to School Following Voluntary Withdrawal

1. **[If] EXCEPT AS NOTED IN PARAGRAPH 2 BELOW, IF** a student voluntarily withdraws from school (in accordance with Section B.2, above) and subsequently seeks readmission, the Board may deny school



accommodations to the student for up to ninety (90) school days from the date of the student's withdrawal from school.

2. If a student who has voluntarily withdrawn from school (in accordance with Section B.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

D. Determinations of whether a student is "in attendance":

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day.
2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered "in attendance."
3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being "in attendance" for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate by the administration so as to ensure that the student is able to successfully return to the regular classroom setting.

E. Procedures for students **IN GRADES K-8\***

1. Notification
  - a. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall notify the parent or other person having control of the student enrolled in grades K – [12] **8** in writing of the obligations pursuant to Conn. Gen. Stat. §10-184 to assure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the Tolland Public Schools.
  - b. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall obtain from the parent or other person having control of the student in grades K-[12] **8** a telephone number or other means of contacting such parent or other person during the school day.

## 2. Monitoring

Each school shall implement a system of monitoring individual unexcused absences of students in grades K-[12] **8**. Whenever such a student fails to report to school on a regularly scheduled school day, school personnel under the direction of the building Principal, [or his/her designee] shall make a reasonable effort to notify the parent or other person having control of such student by telephone and by mail of the student's absence, unless school personnel have received an indication that the parent or other person is aware of the student's absence. [Reasonable efforts shall include attempts to reach the parent or other person at the telephone number provided by the parent or other person. Such attempts shall be recorded on a form provided by the Superintendent.] Mailed notice of the student's absence shall include a warning that two unexcused absences from school in a month or five unexcused absences in a school year may result in a complaint filed with the superior court pursuant to section 46b-149 alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs. Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

### F. Procedures Applicable to Students Ages Five (5) to Eighteen (18)

#### 1. Intervention

- a. When a student is truant, the building principal or his/her designee shall schedule a meeting with the parent (or other person having control of such student) and appropriate school personnel to review and evaluate the reasons for the student's truancy. This meeting shall be held no later than ten (10) days after the student becomes truant. The district shall document the meeting, and if parent or other person declines to attend the meeting, or is otherwise is non responsive, that fact shall also be documented and the meeting shall proceed with school personnel in attendance.
- b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.

- c. If the parent or other person having control of a student who is truant fails to attend the meeting held pursuant to Subsection A., above, or otherwise fails to cooperate with the school in attempting to solve the truancy problem, the Superintendent shall file, within fifteen calendar days of such failure to attend the meeting or other failure to cooperate with the school in attempting to solve the truancy problem, for such truant a written complaint with the Superior Court pursuant to Conn. Gen. Stat. § 46b - 149 alleging the belief that the acts or omissions of the truant are such that his/her family is a family with service needs.
- d. In addition to the procedures specified in subsections A through C above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team, or other appropriate school based team to consider the need for additional interventions and/or assistance. The team will also consider whether the student should be referred to a Planning and Placement Team ("PPT") meeting to review the student's need and eligibility for Special Education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.
- e. If a FWSN petition is filed and the court orders an educational evaluation of the student, the district shall conduct an appropriate educational evaluation if no such evaluation has been performed within the preceding year.
  - i) for a regular education student, the educational evaluation will be conducted or arranged for by appropriate school personnel and coordinated through the Child Study Team, or other appropriate school based team. Upon completion of the evaluation of a regular education student, the child study team, or other appropriate school based team shall review the evaluations and make appropriate recommendations for alternative procedures, programs or interventions. Such recommendations may include a referral of the student for further evaluation and/or consideration for special education eligibility.
  - ii) In the case of a student who requires or may require special education and related services, the District shall convene a PPT to determine what evaluations

may be appropriate to assess any specific areas of concern. The PPT shall reconvene to review the evaluations and make appropriate recommendations regarding the student's need for special education services and the need, if any, to revise the student's Individualized Education Program ("IEP").

G. Reports to the State Regarding Truancy Data:

Annually, each local and regional Board of Education shall include information regarding truancy in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the commissioner of education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

## Sample Notification Regarding Student Attendance

Regular and punctual student attendance is essential to the educational process. Connecticut General Statutes Section 10-184 provides that "each parent or other person having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public day school regularly during the hours and terms the public school in the District wherein such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. The parent or person having control of a child [sixteen or] seventeen years of age may consent, as provided in this section, to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form. The school District shall provide such parent or person with information on the educational options available in the school system and in the community, and shall include an attestation on the withdrawal form from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community. The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school District office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system."

In order to assist parents and other persons in meeting this responsibility, the Tolland Board of Education monitors unexcused student absences and makes reasonable efforts to notify parents or other persons by contacting them when a student fails to report to school. State law provides that any person who, in good faith, gives or fails to give such notice shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give such notice. The Board, therefore, must obtain a telephone number or other means of contacting parents or other persons during the school day.

Please provide the following information and return the completed form,  
signed and dated to:

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Student's Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

School/Grade: \_\_\_\_\_ / \_\_\_\_\_

Father's Daytime Telephone Number\*: \_\_\_\_\_

Mother's Daytime Telephone Number\*: \_\_\_\_\_

Daytime Telephone Number\* of

other Person Having Control

of Student: \_\_\_\_\_ Relationship to Student: \_\_\_\_\_

\*If no daytime telephone number is available, please specify other means  
by which school personnel may contact you during the school day. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**\*NOTE: STATE LAW MANDATES NOTIFICATION ONLY WITH REGARD TO  
STUDENTS IN GRADES K-8. BOARDS OF EDUCATION ARE FREE,  
HOWEVER, TO EXTEND THE NOTIFICATION TO PARENTS OF STUDENTS AT  
ALL GRADE LEVELS.**

# UNEXCUSED ABSENCES DOCUMENTATION LOG

\_\_\_\_\_

Date

\_\_\_\_\_

School

School Staff Member/ Volunteer	Student's Name	Parent or Other Person Having Control of Student	Telephone Number	Outcome*
				Attempt _____ Written Notice _____ Mailed _____
				Attempt _____ Written Notice _____ Mailed _____
				Attempt _____ Written Notice _____ Mailed _____
				Attempt _____ Written Notice _____ Mailed _____
				Attempt _____ Written Notice _____ Mailed _____
				Attempt _____ Written Notice _____ Mailed _____

\* No answer = N  
Left Message = LM  
Notification made = NM

## **SAMPLE LETTER**

Date

Parent Name & Address  
Tolland, CT 06084

Dear Mr. and Mrs. Name:

The purpose of this correspondence is to review our telephone conversation on (Date) regarding (student name) attendance. (Student Name) has been absent from school (number) full days unexcused during the 2011-2012 school year. Connecticut General Statute Section 10-198a states that parents of children ages five to eighteen years, inclusive, are responsible for ensuring their child attends a public school regularly or show that the child is elsewhere receiving equivalent instruction.

Future unexcused absences from school or class by (Student Name) will be classified as truant.

Connecticut General Statute Section 10-198a states that if a student should accrue (4) four unexcused absences from school in any one month or (10) ten unexcused absences from school in any year, he/she will be considered "truant". If the attendance concerns are not resolved or the parents or guardian do not cooperate with the school in resolving the truancy issue, the Superintendent would then be required to file a Family With Service Needs (FWSN) petition with the Superior Court (pursuant to Connecticut General Statutes Section 46b-149).

Please contact me should you need any further information.

Sincerely,



**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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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: 4/10/12

**REVISED:**

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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 **WEAPON SUCH AS A PELLET GUN AND/OR SOFT PISTOL MAY CONSTITUTE A deadly weapon IF SUCH 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.] **IN MAKING SUCH DETERMINATION, THE FOLLOWING FACTORS SHOULD BE CONSIDERED: DESIGN OF WEAPON; HOW WEAPON IS TYPICALLY USED (E.G. HUNTING); TYPE OF PROJECTILE; FORCE AND VELOCITY OF DISCHARGE; METHOD OF DISCHARGE (I.E. SPRING V. CO2 CARTRIDGE) AND POTENTIAL FOR SERIOUS BODILY HARM OR DEATH.**
- B. **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.
- C. **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.

- D. **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 device 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 Statutes.
- 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, **COMBUSTIBLE** or other explosive materials, or ignition of any material causing a fire. **POSSESSION OF ANY MATERIALS DESIGNED TO BE USED IN THE IGNITION OF COMBUSTIBLE MATERIALS, INCLUDING MATCHES AND LIGHTERS.**
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[.]; **OR ANY OTHER FORM OF ACADEMIC DISHONESTY, CHEATING OR PLAGIARISM.**
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 the repeated use by one or 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 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.
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. USE OF A PRIVATELY OWNED ELECTRONIC OR TECHNOLOGICAL DEVICE IN VIOLATION OF SCHOOL RULES, INCLUDING THE UNAUTHORIZED RECORDING (PHOTOGRAPHIC OR AUDIO) OF ANOTHER INDIVIDUAL WITHOUT PERMISSION OF THE INDIVIDUAL OR A SCHOOL STAFF MEMBER.**

**39. Any action prohibited by a federal or state law.**

**[39]40.** 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 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 VI.A(9), 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.

E. 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 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 opportunity.

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

1. The Board of Education shall provide an alternative 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 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 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 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 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 VIII.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 of 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 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 a school district after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, 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	Uniform Administrative Procedures Act.
§§10-233a through 10-233e	Suspension and expulsion of students.
§10-233f	In-school suspension of students.
§29-38	Weapons in Vehicles
§53a-3	Definitions
§53a-206	(Definition Of "Weapon")
<u>Packer v. Board of Educ. of the Town of Thomaston</u> , 246 Conn.89 (1998).	
<u>State v. Hardy</u> , 896 A.2d 755.278 Conn. 113 (2006)	
<u>State v. Guzman</u> , 955 A.2d 72, 2008 Conn. App. LEXIS 445 (Sept. 16, 2008).	
[Public Act 11-115, An Act Concerning Juvenile Reentry and Education	
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**

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BOARD POLICY

REGARDING: Search and Seizure

Number: 5090  
Students

Approved: 2/28/01

**REVISED:**

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1. Search of a Student and His/Her Effects
  - A. Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched if there are "reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school." The way the search is conducted should be "reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction."
2. Search of a Locker, Desk and Other Storage Area
  - A. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education authorizes the administration and/or law enforcement officials to search lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.
  - B. If the school administration reasonably suspects that a pupil is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or



that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.

- C. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.
3. The decision to search shall be made by the principal or the principal's designee. The search shall be made in the presence of at least one witness. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

**USE OF DRUG-DETECTION DOGS AND METAL DETECTORS, SIMILAR DETECTIVE DEVICES; AND/OR BREATHALYZERS AND OTHER PASSIVE ALCOHOL SCREENING DEVICES MAY BE USED ONLY WITH THE AUTHORIZATION OF THE SUPERINTENDENT, IN ACCORDANCE WITH SUCH PROCEDURES AS THE SUPERINTENDENT MAY DEVISE.**

Legal References:

Connecticut General Statutes:

Section 10-221, Boards of Education to prescribe rules

Section 54-33n, Searches

New Jersey v. T.L.O.; 469 U.S. 325 (1985)

**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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ADMINISTRATIVE REGULATION

REGARDING: Search and Seizure

Number: 5090  
Administrative

Approved: 2/28/01

Revised: 3/23/11

**REVISED:**

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1. Search of a Student and His/Her Effects
  - A. All searches of students shall be conducted or directed by an authorized school administrator, i.e., the principal or vice principal, in the presence of a witness.
  - B. A search of a student's handbag, gym bag, cellular telephone, personal electronic device or similar personal property carried by a student may be conducted if there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the rules of the school. A student's other effects are also subject to the same rule. Effects may include motor vehicles located on school property.
  - C. A search of a student's person may be conducted only if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. [Both metal] **METAL** detectors [and], breathalyzers **AND/OR DRUG SNIFFING DOGS** may be used to [conduct searches] **DETECT THE PRESENCE OF CONTRABAND, INCLUDING WEAPONS, DRUGS OR ALCOHOL, IN FURTHERANCE OF THIS POLICY AND** to the extent authorized by [Board policy] **LAW**.
  - D. Strip searches are prohibited except when there are reasonable grounds for suspecting that such a search will produce evidence of conduct which places students, staff or school property in immediate danger. Such searches may be conducted at the request of the school principal, generally by a member of the police

department. During such searches, a member of the school staff shall be present at all times as a witness, and both the police officer conducting the search and the witness shall be of the same sex as the student searched.

- E. Any evidence of illegal conduct or conduct violative of the rules of the school produced as a result of searches according to these regulations shall be subject to seizure. Where required by law and otherwise at the option of the building principal, such evidence shall be submitted to the police department for proper disposition. Evidence not submitted to the Police Department shall be disposed of as directed by the building principal.

## 2. Search of a Locker, Desk and Other Storage Area

- A. The Board of Education provides lockers, desks, gym baskets and other storage areas in which pupils may keep and store personal belongings and materials provided by the Board of Education. Such storage areas are the property of the Board of Education.
- B. No pupil shall keep or store personal belongings or materials provided by the Board of Education in any storage area other than one provided by the Board of Education and designated for his/her use by the school administration.
- C. Each pupil shall be responsible for maintaining any storage area assigned to him/her for his/her use in an orderly and sanitary condition.
- D. No pupil shall keep or store in a storage area assigned to him/her for his/her use any item the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of self or others (such as matches, chemicals, ammunition, weapons, drugs, tobacco, alcoholic beverages, etc.).
- E. The use of lockers and other storage areas by pupils is a privilege. At all times such storage areas remain the property of the Board of Education. If the school administration reasonably suspects that a pupil is not maintaining a storage area assigned to him/her in a sanitary condition, or that the locker contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found. The school administration may authorize law enforcement officials to search lockers/storage areas in accordance with Board Policy 5090, Section 2(A).

- F. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.

Legal References:

Connecticut General Statutes:

Section 10-221, Boards of education to prescribe rules

Section 54-33n, Searches

New Jersey v. T.L.O., 469 U.S. 325 (1985)

**TO: Members of the Board of Education**

**FROM: William D. Guzman**

**DATE: June 12, 2013**

**SUBJECT: Proposed Education Reserve Committed Fund Balance Ordinance**

Section 10-248a of the Connecticut General Statutes reads as follows:

**Sec.10-248a. Unexpended education funds account.** For the fiscal year ending June 30, 2011, and each fiscal year thereafter, notwithstanding any provision of the general statutes or any special act, municipal charter, home rule ordinance or other ordinance, the board of finance in each town having a board of finance, the board of selectman in each town having no board of finance or the authority making appropriations for the school district for each town may deposit into a nonlapsing account any unexpended funds from the prior fiscal year from the budgeted appropriation for education for the town, provided such amount does not exceed one percent of the total budgeted appropriation for education for such prior fiscal year.

Attached for your review is a copy of the proposed Education Reserve Committed Fund Balance Ordinance as developed by the Town Council in response to Section 10-248a.

Prior to adoption of this proposed ordinance, the Town Council would appreciate Board of Education comment.

WDG:ja  
attachment

**Education Reserve Committed Fund Balance Ordinance XXX – (Town has control over general ledger account)**

**Purpose**

There is hereby created an Education Reserve Committed Fund Balance pursuant to Connecticut State Statute Section 10-248a to provide funding resources solely for future Board of Education non-recurring or unanticipated expenditure funding needs.

**Contributions to the Fund**

- A.** Assuming that there are unexpended funds for the school district from the prior fiscal year from the budgeted appropriation for education for the Town, an amount of these unexpended funds, not to exceed 1% of the Board of Education's adopted budget for that given fiscal year, can be committed into this separate Education Reserve Committed Fund Balance account on the Town's general ledger to be solely used for non-recurring or unanticipated funding needs for the Board of Education. The Board of Education shall annually make a request of the Town Council to commit the funds.
- B.** The Town's Finance Department and the Board of Education's Finance Department must agree on a final year-end balance and that amount shall be confirmed by the Town's Audit firm prior to any request to deposit funds from that year into the Education Reserve Committed Fund Balance account.
- C.** Once funds are confirmed, the Tolland Town Council shall vote to commit funds pursuant to **Section A** above.

**§. Custody of Fund; investments.**

The account shall be in the custody of the Treasurer of the Town of Tolland and all or any part of the monies in said account may, from time to time, be invested in any securities in which public funds may lawfully be invested. All income derived from such investments shall be paid into the Town's General Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal for use as provided in this section. The Town Treasurer and the Director of Finance shall exercise control and administration of the Education Reserve Committed Fund Balance account in accordance with their duties under the Town Charter.

**§. Use of monies from the Committed Fund Balance Account.**

- A.** Monies deposited into the Education Reserve Committed Fund Balance account shall be used solely by the Board of Education pursuant to the following:
  - 1. The Board of Education shall submit a request to the Town Council for an appropriation to a Town Account for use of these funds for non-recurring or unanticipated expenditures as determined by the Board of Education. The Town Council, by resolution and pursuant to Town Charter requirements, may approve the request of the Board of Education for an appropriation for the use of these funds to this separate Town Expenditure account. By doing such, under current law, this shall not impact the minimum budget requirement (MBR).
  - 2. Once the appropriation is approved:

- a. The Board of Education will place the orders for the items that they have requested. The Board of Education will provide the Town's Finance Department with information to prepare a Town Purchase Order for their order including but not limited to, Vendor information and amount and Board of Education minutes approving the use of the funds;
  - b. When the items are received, the Board of Education will acknowledge receipt of the items and will forward the invoice and payment copy of the purchase order with approval for payment to the Town's Finance Department. The Town's Finance Department will charge the expenses for said expenditures to this new account.
3. At the end of each fiscal year, the Town Finance Department will provide the Town Council and Board of Education with financial reports to identify the expenditures from this account and reflect any remaining balance of appropriated funds. The Town Finance Department will also provide the balance of the Education Reserve Committed Fund Balance account each year.

#### **§. Continuity of the Account.**

Any un-appropriated funds which may remain at the close of each fiscal year in the Education Reserve Committed Fund Balance account shall remain within that account for use by the Board of Education until the Town Council takes action by public hearing to make them uncommitted or to appropriate those funds for Board of Education use. Any appropriated balance unspent at the end of the fiscal year shall revert back to the Education Reserve Committed Fund Balance Account through the year end closing process.

#### **§. Review of this Ordinance**

The processes outlined within the sections of this ordinance shall be reviewed by the Town Council and Board of Education every 5 years.

**TO: Members of the Board of Education**

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

**DATE: June 12, 2013**

**SUBJECT: Status of the Budget – June 4, 2013**

In accordance with Board of Education Policy 3010, attached is the status report of the budget for fiscal year 2012-13 as of June 4, 2013.

The budget for fiscal year 2012-13 (adopted and adjusted) is \$35,702,228. As of June 4, 2013, expenditures and encumbrances total \$35,491,220 leaving a projected balance in the amount of \$211,008.

The difference in the unexpended balance since the May 8, 2013 budget projection is \$16,835.

The continued efforts of the business services staff and school personnel reviewing and adjusting open purchase orders has helped to reduce encumbered funds and maintain the budget balances noted on the report.

At this time there are no budget transfers that require Board approval.

WDG/JAN:ca



TOLLAND PUBLIC SCHOOLS  
Business Services  
June 04, 2013  
Fiscal Year 2012-13 Expenditure Report

Program #	Program Description	Original Budget	Budget Transfers	Adjusted Budget	Expenses/ Encumbrances Y - T - D	June Budget Transfers	Balance	%
101	Language Arts	\$ 97,960	\$ (178)	\$ 97,782	\$ 87,987	\$ -	\$ 9,795	10.0%
102	Math	\$ 41,263	\$ 178	\$ 41,441	\$ 41,384	\$ -	\$ 57	0.1%
103	Social Studies	\$ 18,918	\$ (2,095)	\$ 16,823	\$ 16,655	\$ -	\$ 168	1.0%
104	Science	\$ 73,525	\$ (1,665)	\$ 71,860	\$ 71,652	\$ -	\$ 208	0.3%
105	Art	\$ 28,992	\$ 531	\$ 29,523	\$ 28,664	\$ -	\$ 859	2.9%
106	Music	\$ 19,804	\$ (531)	\$ 19,273	\$ 16,916	\$ -	\$ 2,357	12.2%
107	Physical Education/Health	\$ 13,238	\$ -	\$ 13,238	\$ 12,388	\$ -	\$ 850	6.4%
108	World Language	\$ 11,268	\$ -	\$ 11,268	\$ 8,170	\$ -	\$ 3,098	27.5%
109	Family and Consumer Science	\$ 14,917	\$ -	\$ 14,917	\$ 15,140	\$ -	\$ (223)	-1.5%
110	Technology Education	\$ 36,678	\$ -	\$ 36,678	\$ 36,243	\$ -	\$ 435	1.2%
111	Business Education	\$ 6,472	\$ 572	\$ 7,044	\$ 7,446	\$ -	\$ (402)	-5.7%
112	Digital Education	\$ 10,083	\$ (90)	\$ 9,993	\$ 8,347	\$ -	\$ 1,646	16.5%
115	TALC	\$ 1,240	\$ -	\$ 1,240	\$ 899	\$ -	\$ 341	27.5%
131	Special Services	\$ 2,291,201	\$ -	\$ 2,291,201	\$ 2,151,918	\$ -	\$ 139,283	6.1%
132	Special Education	\$ 88,051	\$ 6,680	\$ 94,731	\$ 91,716	\$ -	\$ 3,015	3.2%
133	Interdistrict Programs	\$ 146,038	\$ -	\$ 146,038	\$ 181,508	\$ -	\$ (35,470)	-24.3%
134	Student Athletics	\$ 153,677	\$ -	\$ 153,677	\$ 138,677	\$ -	\$ 15,000	9.8%
136	Student Activities	\$ 23,787	\$ -	\$ 23,787	\$ 17,070	\$ -	\$ 6,717	28.2%
142	School Counseling Services	\$ 9,948	\$ (984)	\$ 8,964	\$ 4,219	\$ -	\$ 4,745	52.9%
144	Nursing	\$ 16,561	\$ -	\$ 16,561	\$ 17,053	\$ -	\$ (492)	-3.0%
145	Library	\$ 16,475	\$ -	\$ 16,475	\$ 15,213	\$ -	\$ 1,262	7.7%
146	Audiovisual	\$ 3,614	\$ -	\$ 3,614	\$ 2,758	\$ -	\$ 856	23.7%
710	Principals' Office	\$ 130,446	\$ (2,357)	\$ 128,089	\$ 93,592	\$ -	\$ 34,497	26.9%
701	Transportation	\$ 2,317,868	\$ -	\$ 2,317,868	\$ 2,221,569	\$ -	\$ 96,299	4.2%
755	Superintendent's Office	\$ 18,924	\$ 5,235	\$ 24,159	\$ 25,195	\$ -	\$ (1,036)	-4.3%
756	Business Services	\$ 191,953	\$ 800	\$ 192,753	\$ 197,932	\$ -	\$ (5,179)	-2.7%
757	Technology Services	\$ 215,116	\$ 15,000	\$ 230,116	\$ 222,196	\$ -	\$ 7,920	3.4%
661	Custodial Services	\$ 219,364	\$ -	\$ 219,364	\$ 219,364	\$ -	\$ -	0.0%
667	Comm/Ins	\$ 195,297	\$ (15,000)	\$ 180,297	\$ 184,980	\$ -	\$ (4,683)	-2.6%
663	Utilities-Energy Mgt	\$ 1,383,344	\$ -	\$ 1,383,344	\$ 1,238,009	\$ -	\$ 145,335	10.5%
666	Energy Management	\$ 6,360	\$ -	\$ 6,360	\$ 6,211	\$ -	\$ 149	2.3%
662	Maintenance	\$ 379,772	\$ -	\$ 379,772	\$ 408,433	\$ -	\$ (28,661)	-7.5%
770	Prog/Prof Development	\$ 67,163	\$ 584	\$ 67,747	\$ 67,747	\$ -	\$ -	0.0%
790	Adult Education	\$ 30,269	\$ -	\$ 30,269	\$ 30,267	\$ -	\$ 2	0.0%
791	Board of Education	\$ 75,921	\$ 11,500	\$ 87,421	\$ 73,647	\$ -	\$ 13,774	15.8%
xxx	<b>Program Total</b>	<b>\$ 8,355,507</b>	<b>\$ 18,180</b>	<b>\$ 8,373,687</b>	<b>\$ 7,961,165</b>	<b>\$ -</b>	<b>\$ 412,522</b>	<b>4.9%</b>

JAN

TOLLAND PUBLIC SCHOOLS  
Business Services  
June 04, 2013  
Fiscal Year 2012-13 Expenditure Report

Program #	Program Description	Original Budget	Budget Transfers	Adjusted Budget	Expenses/ Encumbrances Y - T - D	June Budget Transfers	Balance	%
177	Staff Services - Other	\$ 1,141,474	\$ (8,471)	\$ 1,133,003	\$ 1,198,792	\$ -	\$ (65,789)	-5.8%
177	Staff Services - Health Insurance	\$ 4,592,232	\$ 8,030	\$ 4,600,262	\$ 4,716,391	\$ -	\$ (116,129)	-2.5%
178	Certified Regular Ed	\$ 13,044,049	\$ 18,028	\$ 13,062,077	\$ 13,061,818	\$ -	\$ 259	0.0%
179	Certified Special Ed	\$ 2,732,975	\$ (25,635)	\$ 2,707,340	\$ 2,686,294	\$ -	\$ 21,046	0.8%
180	Non-Certified	\$ 1,212,738	\$ -	\$ 1,212,738	\$ 1,225,183	\$ -	\$ (12,445)	-1.0%
181	Building Operations	\$ 902,310	\$ (60,850)	\$ 841,460	\$ 837,460	\$ -	\$ 4,000	0.5%
182	Building Maintenance	\$ 176,911	\$ -	\$ 176,911	\$ 176,911	\$ -	\$ -	0.0%
183	BOE Clerk	\$ 1,095	\$ 2,257	\$ 3,352	\$ 3,352	\$ -	\$ -	0.0%
184	Business Services	\$ 292,814	\$ -	\$ 292,814	\$ 292,412	\$ -	\$ 402	0.1%
185	Superintendent's Office	\$ 274,641	\$ (3,290)	\$ 271,351	\$ 270,450	\$ -	\$ 901	0.3%
186	Principals' Office	\$ 1,525,238	\$ (5,496)	\$ 1,519,742	\$ 1,499,540	\$ -	\$ 20,202	1.3%
187	Substitutes	\$ 364,736	\$ 25,635	\$ 390,371	\$ 517,807	\$ -	\$ (127,436)	-32.6%
188	Systemwide Services	\$ 1,085,508	\$ 31,612	\$ 1,117,120	\$ 1,043,645	\$ -	\$ 73,475	6.6%
xxx	<b>Personnel Total</b>	\$ 27,346,721	\$ (18,180)	\$ 27,328,541	\$ 27,530,055	\$ -	\$ (201,514)	-0.7%
xxx	<b>Original Appropriation Total</b>	\$ 35,702,228	\$ -	\$ 35,702,228	\$ 35,491,220	\$ -	\$ 211,008	0.6%
	<b><u>Additional Appropriations:</u></b>							
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
xxx	<b>Add'l Appropriations Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
xxx	<b>Grand Total</b>	\$ 35,702,228	\$ -	\$ 35,702,228	\$ 35,491,220	\$ -	\$ 211,008	0.6%

**TO: Members of the Board of Education**

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

**DATE: June 12, 2013**

**SUBJECT: Recommended Budget Adjustments 2013/2014 Fiscal Year**

The FY 2013-14 Board of Education Budget was approved on May 7, 2013 for the amount of \$36,059,250.

The attached list of adjustments in the amount of \$867,380 represent line item adjustments to meet the approved funding amount of \$36,059,250.

This list was presented at the Board of Education at its meeting of March 27, 2013. It now reflects any additions or deletions since that meeting. New adjustments are noted in "bold" font.

WDG/JAN:ca

## TOLLAND PUBLIC SCHOOLS

## Business Services

## FY 2013-14 Adjustments to Proposed BOE Budget

Proposed FY 2013-14 BOE Budget	\$ 36,926,630
Approved FY 2013-14 BOE Budget	\$ 36,059,250
Reduction	\$ 867,380

<b>Description</b>	<b>Amount</b>	<b>Impact Statement</b>
Music (+.40 FTE)	\$ 28,594	Position added back to budget per Board directive
<b>FY 2012-13 projected surplus</b>	<b>\$ (200,000)</b>	<b>Pre-payment of health insurance premium</b>
Utilities/Energy Management	\$ (92,091)	Based on updated utility rates and emerging trends budgeted 2013-14 funds can be reduced
Health Insurance	\$ (78,988)	Reduction to health insurance account based on revised premium increase
GASB	\$ (140,000)	Recalculation of current end of year utility accounts can be used for GASB liability
Instructional Technology	\$ (28,640)	Duplicate entry, items budgeted in different departments
Curriculum Writing	\$ (19,606)	Reduction of curriculum writing funds due to 2012-13 student school year adjustments
Smart Boards	\$ (11,691)	Removal of budgeted Smart Boards planned for Tolland Intermediate School
CABE Membership	\$ (9,900)	Eliminate membership for Board of Education to CABE
District newsletter (BOE)	\$ (5,000)	Eliminate vendor service for developing newsletter
Employee Assistance Program	\$ (6,446)	Will no longer offer this service to employees
Substitute pay	\$ (121,235)	Projection based on object 121 certified teacher only, 3 year average history
Overtime	\$ (12,500)	Reduction of overtime provision for custodian and maintenance departments by 50%
Service charge for utilities	\$ (25,000)	Charge to Family Resource Center for use of building (credit in utility account)
Reallocation of budget funds for Business Services staff	\$ (28,807)	Charges for services of business office and human resources staff to Family Resource Center and School Nutrition Program for audit work, software training, payroll and personnel services (salary accounts credited)
Educational Technology	\$ (58,733)	BOE approved Education Technology position will not be funded next year
Maintenance	\$ (35,587)	Reduction of various services provided by and budgeted for maintenance department, for example, carpet cleaning machine, refinishing of THS gym floor, diesel fuel for THS generator, duct & vent cleaning, etc.
Technology Services	\$ (18,750)	Reduction of budgeted computer purchases from 125 to 100 units
Special services paraprofessional summer school wages	\$ (3,000)	Anticipated that fewer students will attend the 4 day per week summer school program
<b>Technology Services</b>	<b>\$ (1,000)</b>	<b>Naviance software renewal cost less than budgeted</b>
<b>Technology Services</b>	<b>\$ (5,522)</b>	<b>"My Learning Plan" software not purchasing, the State of CT supplying software at no cost to district</b>
<b>Board of Education</b>	<b>\$ 27,800</b>	<b>School Facilities Study to begin July 2013</b>
<b>Health Insurance</b>	<b>\$ 13,284</b>	<b>Actual premium rates vs. projected</b>
<b>Maintenance</b>	<b>\$ 1,980</b>	<b>Drainage System/Paving Fund for Birch Grove project, amount not covered from CIRMA funds needed from operating budget</b>
<b>Staff Services</b>	<b>\$ (36,542)</b>	<b>Adjustment to unemployment and retirement account based on revised budget projection</b>

Total adjustments to FY 2013-14	\$ (867,380)
Proposed BOE Budget	

**TO: Members of the Board of Education**

**FROM: William D. Guzman**

**DATE: June 12, 2013**

**SUBJECT: Tolland High School – Artificial Turf Field Agreement**

Attached is a copy of the proposed Artificial Turf Field Agreement between the Board of Education and the Town. The Agreement has been reviewed by the Policy Committee. The Town Manager has also reviewed the Agreement.

The Administration recommends approval of the Artificial Turf Field Agreement.

WDG:ca

## ARTIFICIAL TURF FIELD AGREEMENT

Agreement between the Town of Tolland, (hereinafter called the "Town") and the Town of Tolland Board of Education (hereinafter called the "Board") made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Whereas the Town has applied for and received \$700,000 in State funding for the construction of lights and artificial turf at the high school stadium field (herein after called the "project"); and

Whereas certain sports clubs have pledged up to an additional \$300,000 to finance the project if needed and to pay the Town back for all costs both principal and interest associated with the borrowing of said funds; and

Whereas the construction of the project is scheduled to commence in the spring of 2013 and be complete by the fall of 2013; and

Whereas the design, bidding, awarding of construction contracts, and oversight of the project will be the responsibility of the Town working with a Building Committee appointed by the Town's Town Council; and

Whereas upon completion of the project the Town will assume responsibility for scheduling, maintaining and overseeing the operation of the field as set forth in this agreement through its Recreation Director reporting to a subcommittee of the Parks and Recreation Advisory Board which shall be appointed by the Town Council for the sole purpose of overseeing the use, maintenance, expenditures and revenues of the operation;

Now therefore, in consideration of the covenants contained herein and for other good and valuable considerations, it is agreed as follows:

1. This agreement shall be for a five year period effective upon completion of the project and may be renewed for successive five year terms at the mutual agreement of the Town and Board thereafter.
2. The Town agrees that it shall perform the following functions:
  - a. Create a master schedule for the use of the field **FOR ATHLETIC PURPOSES** which shall **NOT INTERFERE WITH THE DAILY OPERATIONS OF THE SCHOOL (1.) BETWEEN THE HOURS OF 7:00 A.M. TO 2:30 P.M. DURING THE ACADEMIC SCHOOL YEAR, (2.) DURING THE HOURS OF 2:30 P.M. TO 6:30 P.M. IN THE FALL AND SPRING SEASONS FOR THE DAYS MONDAY THROUGH FRIDAY, AND (3.) DURING THE HOURS OF 8:00 A.M TO NOON ON SATURDAYS.**

Provisions will also be made for evening school athletic events. The District Athletic Director will provide the town's designated representative a schedule of fall season events by May 1 and of spring season events by February 1.

- b. Should the Board need additional use of the field for games or in limited cases practices due to inclement weather, then such needs shall be communicated to the Town with at least 24, **IF POSSIBLE**, hours notice. The Town shall not unreasonably deny such request but will have to take into consideration prior commitments made for use of the field.
- c. The Town shall create and implement a fee schedule for use of the field and lights by outside groups.
- d. The Town shall market the use of the field for all hours not used by the Board as well as explore opportunities for revenue from sale of advertising space around and within the field [with prior approval of the Board] **IN ACCORDANCE WITH THE BOARD POLICY AND ADMINISTRATIVE REGULATION 3080.**
- e. The Town shall be responsible for ensuring the maintenance of the field, the emptying of field trash barrels and recycling bins, and for picking up debris within the field stadium provided that the Board shall be responsible for said functions on a daily basis while they have use of the field including time used for practice and games.
- f. The Town shall maintain a budget for the field which shall include expenses for such things as part-time help to oversee the use of the field, maintenance costs, administrative overhead, portable toilets, electricity, etc. during times not used by the Board. The Board shall be responsible for such cost during the time of its use. The Town shall also track revenues and use such to pay for the items mentioned herein as well as provide for a sinking fund for future replacement and repair of the facility and to provide [a percentage] **FIFTY PERCENT (50%)** of revenue less expenses including sinking fund payments to a dedicated account within the Board budget which will be used at the discretion of the board for athletic related expenditures and [a percentage] **FIFTY PERCENT (50%)** to offset the cost of Recreation programs for the Town.
- g. The Town and Board **SHALL** share goals, nets, and benches used within the stadium field. The Town and Board shall be responsible for the setup of their own goals, nets and benches.
- h. The Town may in its sole discretion contract out for the management of the field but will give the Board prior notice and the right to comment on the arrangement contemplated.
- i. The Town will provide the Board with a year-end total cost for maintaining the school field which is associated with school use by July 15<sup>th</sup> of every year. This cost will include but is not limited to personnel costs, supplies, materials and depreciation of equipment and will be submitted to the State Department of Education as in-kind services. Should there be expenses incurred by the Board for such items including, but not limited to, electricity which are attributable to use by outside groups then the Board shall be reimbursed from fees received for use of the field.

3. The Board agrees to the following:

- [a. It shall primarily use the field for games, but practices will be allowed during the hours reserved for Board use.]
- [b.] A. It shall be responsible for ensuring that field trash barrels are emptied on a daily basis after use by the Board and that any debris in the area is picked up after use.
- [c.] B. It shall be responsible for paying its share of the cost of electricity for the use of lights during the periods of time they have use of the field.
- [d.] C. It shall be responsible for any additional costs associated with major events which they sponsor including but not limited to public safety costs.
- [e.] D. It shall notify the Town immediately upon notice of any concerns with the use of the field or lights.
- [f.] E. It shall notify the Town with as much advanced notice as possible of any events at the high school that would impact parking for use of the field by outside groups.
- [g.] F. Board staff shall be required to attend training on proper care and maintenance of artificial turf surfaces.

4. During the fall and spring seasons the Town and Board through their respective Recreation Director and Athletic Director shall communicate weekly to update each other on team schedules and clarify any use or maintenance issues.

5. An annual meeting shall be held on or before June 1<sup>st</sup> of each year to review progress, requirements of the field use, **ESTIMATED COSTS AND REVENUES TO DATE** and contractual provisions contained therein. Participants will be invited to attend from the youth sports groups, Board, Town, as well as the Chairpersons of the Town Council and Board, Chairperson of the Parks and Recreation Advisory Board, and the subcommittee of the Recreation Board appointed to oversee the operation. If as a result of this meeting, it is deemed desirable by the Chairpersons of the Board and Town Council to review any provisions of this agreement, such recommendations to review terms shall be brought to their respective Board and Council for consideration.

And it is mutually understood and agreed that this agreement shall be binding upon the parties hereto and upon their respective successors.

Signed in Tolland, Connecticut on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.



**TO: Members of the Board of Education**

**FROM: William D. Guzman**

**DATE: June 12, 2013**

**SUBJECT: Board Policy and Administrative Regulation 3080 – Advertising Signage**

Attached are the latest drafts of the Policy and Administrative Regulation were reviewed by the Policy Committee on May 22, 2013 and presented to the Board at the May 22, 2013 meeting of the Board of Education.

Also attached for your information is a copy of the Town's All Weather Field Advertising Sign Policy with accompanying signage samples.

The Administration recommends approval of Board Policy 3080, Advertising Signage.

WDG:ca

**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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**BOARD POLICY                      REGARDING: ADVERTISING SIGNAGE**

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**NUMBER: 3080**  
**BUSINESS**

**APPROVED:**

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**NO ADVERTISING SIGNAGE WILL BE PERMITTED IN OR ON TOLLAND PUBLIC SCHOOL BUILDINGS AND GROUNDS WITH THE FOLLOWING EXCEPTION:**

**THE PURPOSE OF THIS POLICY IS TO PROVIDE GUIDELINES FOR ADVERTISING OR PROMOTING OF PRODUCTS OR SERVICES TO STUDENTS, STAFF, PARENTS AND/OR RESIDENTS AT THE TOLLAND HIGH SCHOOL ARTIFICIAL TURF ATHLETIC FIELD. ADVERTISING SIGNAGE SHALL BE PLACED NO EARLIER THAN MARCH 1 AND WILL BE REMOVED NO LATER THAN NOVEMBER 30 OF EACH YEAR.**

**ALL ADVERTISING MUST BE CONSISTENT WITH STATE, DISTRICT, AND SCHOOL ACADEMIC STANDARDS AND GOALS. FURTHER, ALL ADVERTISING ACTIVITY MUST BE CONSISTENT WITH DISTRICT POLICIES PROHIBITING ANY FORM OF INTOLERANCE INCLUDING, BUT NOT LIMITED TO DISCRIMINATION ON THE BASIS OF RACE, COLOR, NATURAL ORIGIN, GENDER, SEXUAL ORIENTATION, DISABILITY, OR AGE AND MUST BE AGE-APPROPRIATE FOR THE STUDENTS INVOLVED IN VIEWING SUCH ADVERTISEMENTS.**

**SINCE SCHOOL DISTRICTS ARE PUBLIC INSTITUTIONS, FULLY SUPPORTED BY PUBLIC TAXES, THE BOARD HAS A CLEAR RESPONSIBILITY TO PROTECT STUDENTS AND THEIR FAMILIES FROM EXPLOITATION BY PRIVATE INTERESTS INCLUDING, BUT NOT LIMITED TO, COMMERCIAL, CULTURAL, ECONOMIC, ENVIRONMENTAL, ORGANIZATIONAL AND POLITICAL EXPLOITATION. IT IS THE PURPOSE OF THIS POLICY TO SET FORTH REGULATIONS THAT WILL INSURE THAT ALL ADVERTISING THAT TAKES PLACE AT THE TOLLAND HIGH SCHOOL ARTIFICIAL TURF ATHLETIC FIELD IS DONE SO IN A THOUGHTFUL, CONSIDERATE AND TASTEFUL MANNER. ADVERTISING SHALL BE LIMITED TO THE TOLLAND HIGH SCHOOL ARTIFICIAL TURF ATHLETIC FIELD AND IS SUBJECT TO THE APPROVAL OF THE SUPERINTENDENT OF SCHOOLS. ALL APPROVALS SHALL BE DONE IN CONFORMANCE WITH THE TOWN OF TOLLAND'S ALL WEATHER FIELD ADVERTISING SIGN POLICY.**

**FOR THE PURPOSE OF THIS POLICY, ADVERTISING IS DEFINED AS ALLOWING ACCESS TO STUDENTS, STAFF, PARENTS AND/OR RESIDENTS IN EXCHANGE FOR MONEY, SERVICES, MATERIALS, OR OTHER INTANGIBLES.**

**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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**ADMINISTRATIVE REGULATION REGARDING: ADVERTISING SIGNAGE**

**Number: 3080**  
**ADMINISTRATIVE**

**APPROVED:**

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**ALL ADVERTISING SIGNAGE MUST BE CONSISTENT WITH STATE, DISTRICT, AND SCHOOL ACADEMIC STANDARDS AND GOALS. FURTHER, ALL ADVERTISING ACTIVITY MUST BE CONSISTENT WITH DISTRICT POLICIES PROHIBITING ANY FORM OF INTOLERANCE INCLUDING, BUT NOT LIMITED TO DISCRIMINATION ON THE BASIS OF RACE, COLOR, NATURAL ORIGIN, GENDER, SEXUAL ORIENTATION, DISABILITY, OR AGE AND MUST BE AGE-APPROPRIATE FOR THE STUDENTS INVOLVED IN VIEWING SUCH ADVERTISEMENTS.**

**RESTRICTIONS ON ADVERTISING**

**THE FOLLOWING RESTRICTIONS SHALL APPLY TO ALL ADVERTISING SIGNAGE. ADVERTISING SIGNAGE SHALL:**

- 1. NOT BE PERMANENT AND SHALL BE PLACED NO EARLIER THAN MARCH 1 AND BE REMOVED NO LATER THAN NOVEMBER 30 OF EACH YEAR.**
- 2. NOT PROMOTE HOSTILITY, DISORDER OR VIOLENCE.**
- 3. NOT ATTACK ETHNIC, RACIAL OR RELIGIOUS GROUPS.**
- 4. NOT DISCRIMINATE, DEMEAN, HARASS OR RIDICULE ANY PERSON OR GROUP OF PERSONS ON THE BASIS OF GENDER OR SEXUAL ORIENTATION.**
- 5. NOT BE LIBELOUS OR SLANDEROUS.**
- 6. NOT INHIBIT THE FUNCTIONING OF THE SCHOOL AND/OR SCHOOL DISTRICT.**
- 7. NOT OVERRIDE THE SCHOOL/SCHOOL DISTRICT IDENTITY.**

8. NOT PROMOTE, FAVOR OR OPPOSE THE CANDIDACY OF ANY CANDIDATE FOR ELECTION, ADOPTION OF ANY BOND/BUDGET ISSUES OR ANY PUBLIC QUESTIONS SUBMITTED AT ANY GENERAL OR MUNICIPAL ELECTION.
9. NOT BE OBSCENE OR PORNOGRAPHIC AS IDENTIFIED BY PREVAILING COMMUNITY STANDARDS THROUGHOUT THE DISTRICT.
10. NOT PROMOTE THE USE OF DRUGS, ALCOHOL, TOBACCO, FIREARMS, OR CERTAIN PRODUCTS THAT CREATE COMMUNITY CONCERNS.
11. NOT PROMOTE ANY RELIGIOUS OR POLITICAL ORGANIZATION.
12. NOT USE ANY DISTRICT OR SCHOOL LOGO WITHOUT PRIOR APPROVAL.

#### **DISCLAIMER**

THE INCLUSION OF ANY ADVERTISING SIGNAGE SHALL NOT CONSTITUTE APPROVAL AND/OR ENDORSEMENT OF ANY PRODUCT, ORGANIZATION OR ACTIVITY.

#### **PERMISSION**

ANY PROPOSED ADVERTISING SIGNAGE MUST BE APPROVED IN ADVANCE IN WRITING BY THE SUPERINTENDENT. THE SUPERINTENDENT MAY REFER ANY PROPOSED ADVERTISING TO THE BOARD OF EDUCATION FOR ITS APPROVAL. ANY ARRANGEMENT THAT CALLS FOR THE DISTRICT TO ENTER INTO A FORMAL CONTRACT MUST BE APPROVED BY THE BOARD OF EDUCATION.

ALL ADVERTISING PROPOSALS MUST CONFORM TO THE TOWN OF TOLLAND ALL WEATHER FIELD ADVERTISING SIGN POLICY.

#### **FUNDS MANAGEMENT**

ADVERTISING REVENUES MUST BE ACCOUNTED FOR BY THE TOWN AND REPORTED TO THE BOARD OF EDUCATION BY JUNE 1 OF EACH YEAR. FOR PURPOSES OF THIS SECTION ADVERTISING REVENUES ARE DEFINED AS ANY MONEY, SERVICE OR MATERIAL RECEIVED BY THE TOWN IN RETURN FOR ALLOWING THE ADVERTISING SIGNAGE.

## All Weather Field Advertising Sign Policy

The purpose of this policy is to provide an opportunity for additional revenue to be generated to benefit the Recreation Department and the Board of Education Athletic Fund by allowing area businesses to promote themselves to the community through advertising to be placed on the All Weather field located at Tolland High School.

- 1) The Town of Tolland will accept applications for advertising signs to be placed in prominent places at the All Weather Field. Applications must be complete and accompanied by payment to be considered.
- 2) The potential advertiser will provide the Town with a proposed design for their sign. Sign content and design must be pre-approved by the Town and Board of Education prior to signing an agreement. All signs must be in good taste and shall not contain any language, words, slogans, designs, or other material which, in the judgment of the Town is inappropriate for public display. All sign content must adhere to policies of the Board of Education covering advertising on school property. In the event that the Town of Tolland, Board of Education and the potential advertiser are unable to agree upon the design, color, wording or content of a sign, the Town and Board of Education have the right to deny the request.
- 3) There shall be only one advertiser per sign. The advertiser warrants that the sign will not violate any copyright, trademark, trade name, service mark or any other right of any person or entity and the advertiser shall indemnify the Town of Tolland from any loss, cost or expense arising from the breach of this warranty or representation.
- 4) The Town of Tolland retains the right to reject any advertisers that in their sole opinion are considered to be inappropriate.
- 5) The advertiser understands and agrees that the Town of Tolland is not restricted in any way from granting advertising rights to competitors of the advertiser.
- 6) The advertiser agrees that under no circumstances shall this agreement be construed as one of agency, partnership, joint venture or employment between the parties.
- 7) The sign will be made of polyvinyl banner material with advertising on one side and a solid white color on the back. Grommets will be located every 2ft around the hem of the sign. All signs will be of the same material and will use a consistent design format.
- 8) Two size signs will be available for mounting on the fencing around the field 3ft x 6ft or 3ft by 4ft. With a two year contract the 3x6 signs will cost \$800 for the first year and \$700 for the second for a total of \$1,500. Each subsequent year will cost \$500 per year. With a two year contract 3x4 signs will cost \$700 for the first year and \$600 for the second for a total cost of \$1,300. Each subsequent year will cost \$400 per year. An 8ft x 4ft two sided banner will cost \$1,100 for the first year and \$900 for the second for a total of \$2,000. Each subsequent year will cost \$700 per year. For the purposes of this agreement a year will run from the first week of March through the end of November.

- 9) Once the design and content is approved by the Town and Board of Education, advertisers are responsible for contracting with a suitable vendor to get their sign made. They must adhere to the size, style and design requirements listed in this policy.
- 10) The Town is not responsible for damage by weather, theft, graffiti or vandalism to the signs. The Town reserves the right to remove damaged signs and will give the contracted party notice of their intent to do so. The contracted party has the option of replacing the damaged or stolen sign at their cost. The contracted party will not be eligible for a refund of the contracted amount or any prorated amount if they decide not to replace the sign.
- 11) Each sign requires a two year contract which must be paid in full the first year. The sign will be displayed starting the first week of March and will be removed after the final home football game in November.
- 12) The Town will designate where the signs will be placed with the advertising facing the playing field. The Town will affix the sign to the fence in a manner which does not interfere with maintenance or pose a safety hazard to anyone.
- 13) The Town of Tolland reserves the right to limit the number of signs to be posted at the facility.
- 14) Either party may terminate this agreement without cause within 14 days through written notification. Said termination shall be a NON-REFUNDABLE act between the advertiser and the Town of Tolland.

I have read and fully understand the terms and conditions regarding advertising at the All Weather Turf field at Tolland High School as presented in the attached policy as well as Board of Education advertising policies and hereby certify that the proposed sign meets those conditions and as an authorized representative agree to follow all the rules and procedures as outlined.

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Name of Advertiser

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Name of Authorized Representative for Advertiser

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Signature of Advertisers Authorized Representative

## All Weather Turf Advertising Agreement

Date of Application \_\_\_\_\_

Name of Advertiser \_\_\_\_\_

Address \_\_\_\_\_

Contact Person \_\_\_\_\_ Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

I would like a 3ft x 4ft fence sign. \_\_\_\_\_ initials

I would like a 3ft x 6ft fence sign. \_\_\_\_\_ initials

I would like a 2 sided 8ft x 4ft pole banner. \_\_\_\_\_ initials

I have read the All Weather Field Sign Policy and fully understand the terms and conditions found therein and agree to abide by them.

\_\_\_\_\_  
Advertisers Authorized Signature

\_\_\_\_\_  
Date

-----  
Office Use Only

\_\_\_\_\_ Amount received \_\_\_\_\_ cash \_\_\_\_\_ check # \_\_\_\_\_ credit card

Approved by \_\_\_\_\_

Signature of Town of Tolland Authorized Representative

\_\_\_\_\_  
Date



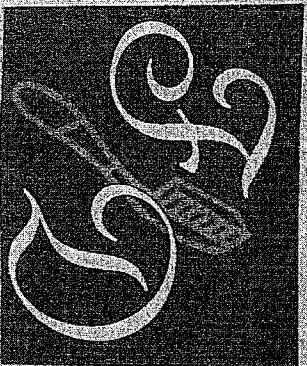
# **Shagg-Bark Kennel and Day Camp**



**860-875-7526**  
**2 Anderson Road • Tolland, CT**

860-875

1280 HART



FREDERICK M. DANIELS, D.D.S.  
FAMILY DENTISTRY

12 Goose Lane Tolland, CT 06084  
(860) 875-6269

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Tolland Public Schools

## MEETING MINUTES

### TOLLAND TOWN COUNCIL HICKS MEMORIAL MUNICIPAL CENTER 6<sup>th</sup> FLOOR COUNCIL ROOM MAY 28, 2013 – 7:30 P.M.

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

**MEMBERS ABSENT:** Benjamin Stanford

**OTHERS PRESENT:** Steven Werbner, Town Manager; Michael Wilkinson, Director of Administration Services; Beverly Bellody, Human Services; Lisa Hancock, Director of Finance and Records; Clem Langlois, Public Works; Barbara Pettijohn, Director of Library Services

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:** Certificate of Recognition and Thanks to David S. Joyce for becoming the first member of the Tolland 300 Club and for his support of the Tolland 300<sup>th</sup> Anniversary Celebration.

Celeste Senechal of the Tolland Permanent Celebration Committee, and Kathy Bach from the Tolland Historical Society presented Mr. Joyce with the following Certificate;

#### *CERTIFICATE OF RECOGNITION AND THANKS*

*PRESENTED TO  
DAVID S. JOYCE*

*On this 28<sup>th</sup> day of May, 2013  
for becoming the first member of the Tolland 300 Club  
and for his support of the Tolland 300<sup>th</sup> Anniversary Celebration.*

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

**Rich Bozzone of 9 Elm Road** - Regarding 8.1 – He hopes this can be put to bed tonight. This is such a public oriented thing. This shouldn't be drawn out. The Library is a venue for people to get together. Right now, it is just too small. Go ahead and do what you were elected to do. This will help our community.

**James Gifford of Derek Drive** – He produces materials found in the library. He produces books and electronic media. We have a library for the future, but we don't have enough of a library for what the community needs. We ask that you put this before the Tolland voters. There is overwhelming community support for this.



**Mary Jo Leahy of Doe Run** – She is a reader. She loves the Library, and the staff does great things. They are limited by the space. She does love technology, but sometimes she just likes to go and browse through the shelves. She hopes they are given the opportunity to vote.

**Susan Simons of Glenn Drive** – She is the Library Board Chairperson. The Library has changed. It is adapting. It is not something you see in headlines or when you walk in the door. It is something that you see as you use the library.

**Scott Goldsmith** – Allow us to vote on the Library expansion.

**Nancy Brochu of 32 Autumn Drive** – She spoke of the process Rockville Library needed to go through to get their expansion. She asked that the Community be given the opportunity to vote.

**Daniela Titterton of 223 Anthony Road** – She supports the expansion plan. Allow the people in town to voice their opinion on the expansion.

**Linda McDonnell of 630 Old Post Road** – She still likes to go to the Library even though she owns a Nook and iPad. She supports the expansion of the Hick's gym so that we can have a bigger modern Library.

**Irene Pudelkiewicz** – An employee of the Tolland Public Library. Whenever new residents come to the Library, 9 out of 10 times they ask how to get upstairs at the library. She needs to tell them there is no upstairs. We need a better library. This expansion is a no brainer. Waiting five years from now to build a free standing library will never happen. She would like to see it happen. Let's not disappoint our new residents

**Barbara Cambria of 39 Hill Top Road** – She asked that they allow the expansion to go to referendum.

**Steve Hadge of 8 Timber Trail** – He hopes that if they do not all approve now; they give the community a chance to vote on it.

**Miranda Wojnar of 49 Courtland Drive** – She supports giving the option to vote for the library expansion.

**Joan Vertefeuille of 44 Anderson Road** – She support the library expansion going to referendum.

## 6. PUBLIC HEARING ITEMS:

- 6.1 Consideration of a resolution making an additional appropriation of \$15,450 from the equity distribution from CIRMA to use by the Town and Board of Education. The Town's share would appropriate additional funds in the amount of \$230 to the Capital Improvement Public Facilities Budget for a demolition project. The Board of Education's share in the amount of \$15,220 would be appropriated to the Capital Improvement Board of Education District Wide Drainage/Paving Fund account.

Mr. Werbner commented that this money comes from our insurance entity, CIRMA. The Town's share is \$12,727 and the BOE share is \$15,220. The BOE would like to use their funds toward drainage and paving work necessary at Birch Grove School. The town's share, which was already included in the town budget, would be appropriated towards accumulating funds to demolish a building located on Tolland Stage Road.

Rick 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 resolution: 17 in favor, 0 opposed.

Rick Field moved to close the public hearing; Seconded by Jan Rubino. All in favor. None opposed.

Rick Field read the following resolution:

**BE IT RESOLVED** by the Tolland Town Council that it hereby appropriates \$15,450 from the equity distribution from CIRMA to use by the Town in the amount of \$230 to the Capital Improvement Public Facilities, account number 20500072-755841 and Board of Education in the amount of \$15,220 to the Capital Improvement Board of Education Wide District Drainage/Paving Fund, account number 20100572-755841.

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

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

**7a.1 Report by Library Board, Library Foundation and Friends of the Library.**

Kate Farrish, Secretary of the Advisory Board and Foundation Board, and Lynda Byam, President of the Foundation Board, gave a presentation outlining the facts relating to the Library expansion. Ms. Farrish said the expansion builds on the renovations that have occurred in the past. Slides were shown: why this proposal will give Tolland a 21<sup>st</sup> Century Library, provided statistics from the 2012 Pew Research Center survey, showed that attendance at programs held at libraries has expanded. Ms. Byam showed how much circulation has grown. She outlined why the expansion is needed. The Library is undersized, it is smaller than those in towns our size, it lacks group study and tutoring space and it lacks a separate children's program room. The expanded library will better serve patrons by increasing space, it will help the library evolve as a community gathering space for all ages, there will be a permanent used book sale area, and it will make the Town Hall rear entrance fully ADA compliant. The cost of \$2.6 million could be largely offset by multiple grants. It is expected to have a minimal impact on the tax rate or the town's debt burden.

**7b. REPORTS OF TOWN COUNCIL LIAISONS:** Ms. Rubino announced that Sunday, there will be a grand opening at the Luce property (bottom of Susan Drive) @ 1:00. It is a beautiful piece of property to hike. Mr. Freeman said the PZC carried over their public hearing on the tech corridor until Monday night. They also endorsed the library plan from a planning and zoning perspective. Mr. Field updated that the parade went off without a hitch.

**8. NEW BUSINESS (ACTION/DISCUSSION ITEMS):**

- 8.1** Consideration of a resolution authorizing an appropriation of \$2,600,000 for the expansion of the Tolland Public Library and the financing of said appropriation by the issuance of general obligation bonds of the Town and notes in anticipation of such bonds in an amount not to exceed \$2,600,000, or so much as may be necessary after deducting grants therefor, as well as establishing a date for a referendum.

Mr. Werbner provided a point of information: Borrowing over a certain dollar amount requires a public referendum. This Council does not have the ability to unilaterally approve a borrowing over \$1.4 - \$1.5m. Since this project would exceed that dollar amount, and if this project was to go forward, the Council would need to approve that it be on a ballot for referendum.

Mr. Werbner read a memo that he provided to the Town Council:

After the most recent discussion of the library expansion project I believe some additional historical information may help the Council in their deliberations. As far back as fiscal year 2005 there was in the fifth year of the Capital Improvements budget \$7,913,816 for the construction of a new library. The notes indicate that due to funding restraints that this project should be considered in the following year which would have been the 2010/2011 fiscal year. In the 2006 budget this project is carried for the 2010/2011 fiscal year at a cost of \$8,000,000 for the construction of a 25,000 sq. foot library consisting of a 3000 sq. ft. basement and a two story facility located on approximately three acres of land. In subsequent budgets this project was carried forward in future years of the capital plan at the \$8,000,000 amount.

In 2006 Staff prepared a comprehensive facility plan to help the Council try to prioritize major facility needs. Other than receipt of the plan little action was taken to give policy direction on facility needs and priorities. Several years ago I pulled from the capital plan all facilities since they were impacting our debt plan without any real commitment from policy leaders to move forward with any of the projects. The current Council when establishing their Priority Action Items listed as the number one item - "Develop strategies for implementation and prioritization for future Town and /or BOE facility improvements or relocation. " To assist in addressing this Action Item the Town Council approved in last year's Capital budget \$30,000 to study the needs of the Library as well as Public Works and an additional \$25,000 to prepare a conceptual cost estimate for the replacement of a public safety facility.

The review of Library needs was a follow up to conceptual plans prepared in 2010 for a variety of options ranging from additions to the current library, a new stand-alone building and renovation of Parker School for a library and other uses. In 2010 dollars cost estimates for options studied were in the 6-7 million dollar range. An option not studied at that time was expansion of the library into the gym area since at that time Recreation was still located in the Town Hall building and utilized the gym area. With their relocation to Parker School, the gym area became available for other uses and it was thought that use of this space for the library needs might be a cost effective option to provide additional space. Additionally, it was thought that use of the vacated space would be cost effective based on the recent investment the Town made in updating the HVAC system which could accommodate the library expansion as well as the changes made to the parking lot.

The library review was done by a professional architectural firm working with Library Staff as well as Boards. Visits were made to recently built or renovated libraries in the area as well as a review of national trends for future library services. The proposed design increases the Library area by 43% and adds program space to all departments. Those most knowledgeable about current and future library services being the Library Director as well as the Library Board and Friends of the Library all believe that the expansion plan is appropriate to provide needed growth for the library in terms of space and provides the flexibility to adequately serve the Tolland community well into the future. By expanding the library in place we are able to take advantage of existing HVAC systems, existing parking, existing staff with the possible addition of one half time position, existing custodial services, existing support services such as computer server, mail room, phone service, access to other Town Offices and through the installation of an elevator as part of the project will address the last remaining hurdle to making the building fully ADA accessible.

There was some discussion at the last meeting about constructing a new, much larger facility to ensure we are addressing the space needs of the library well into the future. In a perfect world perhaps that is what we would all be striving for. However, we have discussed on numerous occasions the need to look for efficiencies and how to maximize services to residents with the least cost to residents. More importantly we have focused on ensuring that whatever we propose is sustainable into the future. A much larger, stand-alone building will require substantially more staff, more cost for materials, more cost to maintain, more cost for those services mentioned above which would have to be duplicated in a stand-alone facility and certainly more cost to build. All costs which we cannot afford at this time or in my opinion at any time in the near future. Therefore the council requested that staff work with architects to determine the cost of the alternative of building out the gym area which we have done and presented to the Council for consideration.

Additionally there was concern about other large facility projects that may impact our debt management plan and the need to take all projects into consideration before moving forward with the Library project. There is no other project on the facility list which has been identified as a need for a longer period than the library or is as shovel ready in terms of location identified and possible grant opportunities available to help offset the Town's cost. Projects which are currently part of our five year capital plan and part of our five year debt management plan include the following:

Year Two of the Capital Plan - TIS façade crack repairs - \$412,661  
Station 240 roof repairs - \$20,000  
Hicks roof repairs - \$125,000  
Library Expansion – 2,378,573

Year Three of the Capital Plan – Asbestos Tile Replacement at TIS - \$414,000  
Station 140 Roof repairs - \$30,000  
Fire Station replacement – \$5.4 million

Year Four of the Capital Plan– No Facility Projects proposed

Year Five of the Capital Plan - Parker School upgrades - \$1,200,300  
Upgrades to Gehring Road Fire House - \$200,000

In the capital plan there is no mention of the projects which will develop from the ESCO process since it is proposed that any financing cost associated with those projects will be offset from energy savings. The only project of significance not included for consideration at this time is the Parks and Highway garage expansion/replacement. In the past several years there was a conceptual design put together for a consolidated facility located on land available in the Cross Farms area. The cost at that time for a conventional brick building with 39,000 sq ft of space was in the mid six million dollar range. In discussions with Clem it is his feeling that if you used a metal structure you could reduce the cost to the \$4 million dollar range which would include the cost of a DEEP approved truck wash component.

For debt management purposes I am assuming the following:

- Increase the cost of the library to 2.6 million, but offset the amount borrowed by at the very least \$900,000 in grants.
- Moved the replacement of the training Center and fire station 240 to year four of the capital plan.
- Decreased the amount for Parker School upgrades to \$500,000, which would assume that if the facility is not used for elderly housing a portion of the building would be demolished.
- Included for planning purposes the new public works facility in year six of the plan at a cost of 4 million dollars
- Included \$400,000 for renovations and expansion of apparatus bays to Fire Station 140 – Crystal Lake Rd and 440 – Plains Rd.

Using the above stated assumptions the impact on our debt management plan is as follows:

- We are assuming for planning purposes that the CIP goes out for six years instead of the current five year plan.
- In the next six years with all the projects currently identified in the CIP plus those mentioned above, there are actual decreases in debt service in 2014 and 2015 and a slight increase in 2016-2019 of not more than \$92,000 in any given year in which the majority of those years are much less than that amount. There will be significant decreases in subsequent years.
- The General Fund debt service as a percentage of total expenditures also continues to decline from a current 9.05% to 8.71% by 2019. This is accomplished because of the runoff of the Town's existing debt service and that the financing is structured to mitigate the impact in the early years.

It should be stressed that accomplishing all these projects over a six year time frame would be extremely aggressive and if any of the projects are pushed out in time it only helps to further improve our debt service position since projects can more readily be absorbed in the out years due to the declining debt occurring in those years.

Rick Field motioned that the following resolution be introduced and set down for a public hearing on June 11, 2013 at 7:30 p.m. in Tolland Town Council Chambers:

**RESOLUTION AUTHORIZING AN APPROPRIATION OF \$2,600,000 FOR THE EXPANSION OF THE TOLLAND PUBLIC LIBRARY AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$2,600,000, OR SO MUCH AS MAY BE NECESSARY AFTER DEDUCTING GRANTS THEREFOR, AS WELL AS ESTABLISHING A DATE FOR A REFERENDUM**

RESOLVED, (1) That the Town of Tolland (the "Town") appropriate the sum of \$2,600,000 for costs related to the Tolland Public Library expansion project, including, without limitation, the costs of (i) the design and construction of additions, improvements, renovations and repairs to the library building and related facilities located at 21 Tolland Green and on-site and off-site improvements and appurtenances related thereto, including adding approximately 43% more program space to all library functions, (ii) room, wall and floor construction and renovations and storage and other support areas associated therewith, the conversion of existing gymnasium space, interior space reallocation, elevator installation and window improvements, (iii) electrical, sprinkler, mechanical, plumbing, lighting, HVAC system and other building system improvements, (iv) the purchase and installation of equipment, security cameras and other security improvements, fixtures, furnishings and other materials for the foregoing library expansion project, (v) the preparation and printing of bid documents, cost estimate reports and studies, informational materials and other preliminary materials, studies and reports related to the library expansion project, and (vi) design, demolition, construction, materials, site work, land and easement acquisition, road improvements, engineering, architectural, legal, administration, testing, monitoring, temporary and permanent financing and any other costs and expenses related thereto, all of the above with such changes as the Town Council may approve (the "Project"). The Town Council is authorized to determine the scope and particulars of the Project. The Town Council may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(2) That to finance said appropriation for the Project, the Town issue bonds or notes in an amount not to exceed \$2,600,000 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project). The bonds or notes shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

(3) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$2,600,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the Town Manager and the Treasurer of the Town (the "Officials") be authorized to sign said bonds or notes by their manual or facsimile signatures and to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds or notes,



the form of such bonds or notes; the provisions for protecting and enforcing the rights and remedies of the holders of such bonds or notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds or notes and to execute, sell and deliver the same, and 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, Securities and Exchange Commission Rule 15c2-12, and in accordance with the Connecticut General Statutes and any other applicable provision of law thereto enabling. The bonds and notes authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

(5) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such bonds and notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as the attorneys at law to render an opinion approving the legality of such issue or issues.

(6) That the Officials are authorized to sell the bonds and notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes, including, but not limited to, entering into a continuing disclosure agreement pursuant to Security and Exchange Commission Rule 15(c)(2)(12). If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years.

(7) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the Project. The Officials are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(8) That the Town Manager is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut.

(9) That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.

BE IT FURTHER RESOLVED,

(1) That should the Town Council adopt the foregoing resolution, pursuant to Sections C9-16 and C10-3 of the Town Charter, said resolution shall be submitted to the voters at referendum to be held on Tuesday, November 5,

2013, between the hours of 6:00 a.m. and 8:00 p.m., for yes or no vote, in the designated voting locations in the manner provided by said Charter and the Connecticut General Statutes, Revision of 1958, as amended, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of said Charter and the Connecticut General Statutes, which notice shall state the question to be voted on as follows:

“Shall the resolution entitled, ‘RESOLUTION AUTHORIZING AN APPROPRIATION OF \$2,600,000 FOR THE EXPANSION OF THE TOLLAND PUBLIC LIBRARY AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$2,600,000, OR SO MUCH AS MAY BE NECESSARY AFTER DEDUCTING GRANTS THEREFOR’, be approved?  
Yes \_\_\_\_\_ No \_\_\_\_\_”

The ballot label for said question shall read as follows:

“Shall the Town of Tolland appropriate \$2,600,000 for the library expansion project and authorize the issuance of general obligation bonds and notes in the same amount to finance said appropriation? Yes \_\_\_\_\_  
No \_\_\_\_\_”

- (3) That the Town Council hereby authorizes the preparation and printing of explanatory text by the Town Clerk in accordance with Section 9-369b of the Connecticut General Statutes for the question to be voted upon on November 5, 2013 approved above. Subject to the approval of the Town Attorney, the Town Council further authorizes the preparation and printing of materials concerning the question to be voted upon on November 5, 2013 approved above in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

Seconded by Jan Rubino.

Mr. Belsito wanted to clarify that he not against the library. He is just looking for the best alternative and the best library. He read that the PZC unanimously voted to submit a positive referral under section 8-24 of the C.G.S. for the proposed library expansion, subject to verification that there will be sufficient parking. Mr. Belsito believes this is the biggest ‘but’ in the way. Mr. Freeman said he was at the PZC meeting, and that was a comment made. The comment was made in the event the use of the building changes. They would need to make sure that the parking accommodates that.

Mr. Gill confirmed that the referendum would be in November. Mr. Werbner said yes.

Jack Scavone, Richard Field, Joshua Freeman, Mark Gill and Jan Rubino are in favor. None opposed. Sam Belsito abstained.

- 8.2 Appointment of a Town Council member to participate in Board of Education teacher negotiations.

Mr. Werbner commented that the statutes do say the town's finance board, which is the Town Council, can have a representative take part in the BOE/teacher negotiations. Also, the BOE is required before they commence negotiations to have a meeting with the Council to go over negotiation strategy. Mr. Werbner would like to get this scheduled before the next June meeting @ 6:30 p.m. They have not formally begun negotiations, but have had some planning meetings.

Mark Gill read the following resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby appoints the following Council member to participate in Board of Education teacher negotiations; Sam Belsito.

Seconded by Rick Field. All in favor. None opposed.

- 8.3 Consideration of a resolution to declare various equipment as surplus property within the Board of Education.

Mr. Werbner said the BOE is requesting the property listed be declared as obsolete. They feel it has no value. They will be responsible for getting rid of the items. He assumes that they will advertise for those looking to pay something for what they have, although it will be their responsibility.

Ms. Rubino would hope that some of the items could make it to Craigslist. She would also like someone to advise the teachers of these items, to give them a chance to walk through and see what is being stored. Just in case someone can use this stuff. Some of the items may be useful to the town as well.

**Rick Field motioned to table this item until the next meeting to allow the BOE another chance to go through the list; Seconded by Mark Gill. All in favor. None opposed.**

Mr. Werbner will inform the Superintendent.

- 8.4 Consideration of a resolution making an additional appropriation of \$59,680 in bond premium from the 2012 bond issue and setting aside this amount as "restricted" general fund balance to offset future debt service expenditures.

Mr. Werbner said this is a bond premium that we received with our last borrowing. According to law, the amount needs to be appropriated back to pay for debt service.

Rick Field read the following resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby restricts \$59,680 in bond premium from the 2012 bond premium to the "restricted" portion of the general fund balance for the future debt service expenditures in FY14-15.

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

- 8.5 Consideration of a resolution to authorize the submission of an application for the Connecticut State Department of Education Youth Service Bureau Grant Program, July 2013-June 2015, in the amount of \$21,109 annually.

Mr. Werbner said this is our annual grant that we get through the Youth Service Bureau.

Rick 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 2013-2015 Youth Service Bureau Grant Program application for funding offered by the Connecticut State Department of Education, and any subsequent amendments and modifications, between the Town of Tolland and SDE.

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

- 8.6 Consideration of a resolution to approve the conversion of the Technology Task Force into an Advisory Board and modification to their Charge.

Mr. Freeman said the Task Force was initially charged with creating a technology plan. This change will make the Task Force more into an advisory board and longer lasting. It will not require a Council or BOE member be on board. The terms are also being change to be open-ended.

Rick Field read the following resolution:

BE IT RESOLVED that the Town Council hereby approves a resolution for the conversion of the Technology Task Force into an Advisory Board and modification to their Charge.

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

- 8.7 Appointments to vacancies on various municipal boards/commissions.

No appointments tonight.

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

10. **REPORT OF THE TOWN MANAGER (A WRITTEN REPORT SHALL BE PROVIDED THE 1<sup>ST</sup> MEETING OF THE MONTH ONLY):** Mr. Werbner had no additional comments to his report.

11. **ADOPTION OF MINUTES**

11.1 May 14, 2013 Meeting Minutes: Rick Field moved to adopt the minutes; Seconded by Josh Freeman. All in favor. None opposed. Mark Gill abstained.

12. **CORRESPONDENCE TO COUNCIL:**

- 12.1 Email from Dan Kane voicing his displeasure of the bi-monthly bulky waste pick-up change;
- 12.2 Letter from State of CT Resource Management re: modifying the Barbara Road site;
- 12.3 Pamphlet from Comcast.

13. **COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS:** None.

14. **PUBLIC LISTED PARTICIPATION** (*on any subject within the jurisdiction of the Town Council*) (*3 minute limit*)

**Frank James of Sherry Circle** – He believes the Library's program room is inadequate for classes. The Library is not just for borrowing books, dvd's, etc. anymore. The expansion is needed to rightfully serve the expanding community. The Library staff does an excellent job. It would be nice to have some comfortable chairs too.

**Rich Bozzone of 9 Elm Road** – He thanked Mr. Werbner for clarifying the Charter rules. As we go forward, he hopes there will be total agreement, including Mr. Belsito, regarding the library. With regard to 8.3, the process is terrible. He hopes that going forward the process is changed. These items should be allowed to come back to the community.

**Miranda Wojnar of 49 Courtland Drive** – She commented that when she runs, she is seeing a lot of dirt. She wonders if street sweeping will prevent the erosion she is seeing. She commented that she was disappointed to see graffiti on the road during her bike ride. She thinks the curriculum coordinators should go through the surplus items the BOE is looking to get rid of.

15. **ADJOURNMENT:** Rick Field moved to adjourn the meeting; Seconded by Josh Freeman at 8:47 p.m. All were in favor.

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Jack Scavone, Council Chair

Michelle A. Finnegan  
Town Council Clerk