

PLEASE NOTE CHANGE IN LOCATION

TOLLAND BOARD OF EDUCATION
Library Media Center
Tolland High School
Tolland, CT 06084

REGULAR MEETING

7:30 – 10:00 P.M.

AGENDA
June 26, 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

June 12, 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. Connecticut Student Writers Magazine
 - F.2. Girls Track and Field Class M Champions
 - F.3. Recognition of Retirees
 - F.4. Status of Parker Memorial School
 - F.5. Proposed Education Reserve Committed Fund Balance Ordinance
- G. COMMITTEE & LIAISON REPORTS
- H. CHAIRPERSON'S REPORT

- I. BOARD ACTION
 - I.1. Cancellation of Summer Board Meetings
 - I.2. Board Policy and Administrative Regulation 1070 – Automatic External Defibrillators
Board Policy and Administrative Regulation 5010 – Student Attendance and Truancy
Board Policy 5080 – Student Discipline
Board Policy and Administrative Regulation 5090 – Search and Seizure
Board Policies
 - I.3. Recommended Budget Adjustments 2013/2014 Fiscal Year
- J. PUBLIC PARTICIPATION (2 minute limit)
Comments must be limited to items on this agenda.
- K. POINTS OF INFORMATION
- L. CORRESPONDENCE
 - Approval of Carl D. Perkins Innovation Grant
 - Town Council Minutes from June 11, 2013
- M. FUTURE AGENDA ITEMS
- N. EXECUTIVE SESSION – Personnel and Security Matters – Possible Action
- O. ADJOURNMENT

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

REGULAR MEETING – June 12, 2013

Members Present: Mr. Andy Powell, Chair; Mr. Robert Pagoni, Vice Chair; Mr. Thomas Frattaroli, Mr. Frank Tantillo, Mr. Steve Clark, and Dr. Gayle Block.

Administrators Present: Mr. William Guzman, Superintendent of Schools; Mrs. Jane Neel, Business Manager

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:30 P.M.

B. APPROVAL OF MINUTES

May 22, 2013 – Regular Meeting

Mr. Clark motioned to approve the minutes of the May 22, 2013 Regular Meeting. Mr. Pagoni seconded the motion. The following changes should be made: none. Mr. Powell, Mr. Pagoni, Mr. Clark, and Dr. Block were in favor. Mr. Tantillo and Mr. Frattaroli abstained. None opposed. Motion carried.

C. PUBLIC PARTICIPATION (2 minute limit)

Mr. Chris White spoke as a private citizen in reference to item F.5., Board Policy and Administrative Regulation 1070. He noted that the Board of Education office is the only Board facility without a defibrillator. Many meetings are held at the location and people work there in the evening as well. He recommended adding a defibrillator to the Board office and thanked the Board for its consideration.

Bob Rubino, 296 Weigold Road, spoke in reference to item F.6., Proposed Education Reserve Committed Fund Balance Ordinance. He noted that as a good many of the Board members would not be returning to the Board of Education, this evening's meeting and the one two weeks from now, will be the most important of their political careers. It is an opportunity for the Board members to do something of substance. He noted that there are three important elements to the Board of Education reserve account. The first is as the Board is about to enter what is known as the "June Scramble" of allocating underspent funds, the reserve account gives the Board the opportunity to put this surplus in the public domain so the public can understand what the Board has done and what it can do with money. The second element is that, without the first part, there is a sense in the public that the Board of Education has more money than it needs. Mr. Rubino added that he knows that this is not true because he sees continuing cuts to programs.

Mr. Pagoni noted, as a point of order, that Mr. Rubino had exceeded the two-minute allotment and asked Mr. Powell to enforce the rule. Mr. Powell noted that the two minutes had been exceeded and asked Mr. Rubino if there was a summary that he would like to provide. Mr. Rubino noted that the last thing is that it gives the Board the opportunity to do long-range planning with the surplus. He thanked the Board for the extra minutes.

D. POINTS OF INFORMATION

Mr. Tantillo expressed that he was happy to be back. He noted that his study in Copenhagen with the U.S. Army was very informative. It was a great experience to learn the history and is wonderful country to visit.

Mr. Powell noted that a group of students received awards at the CT Arts Symposium. Bailey Fontaine received an American Visions Award at the 90th Annual Scholastic Writing and Awards Competition, a national competition. His father sent an e-mail noting that there were a lot of accolades for teachers in the district. It was another highlight of the district being seen nationally as an exemplar in the arts. Mr. Powell expressed his heartfelt gratitude for the note and expressed his best wishes to Bailey in the future. The e-mail also noted thanks and appreciation to Dominique Fox, the principal of Tolland High School as well as other staff including Evangeline Abbott, Helen Malchow, Betsy Brocious, and Todd Blais.

E. STUDENT REPRESENTATIVE REPORT

Ms. Dave noted that there were two activities last week: class day and class night. The Student Council's last event was Step-Up Day when the eighth graders are introduced to the high school and learned about various activities.

F. SUPERINTENDENT'S REPORT

F.1. Tolland Elementary Parent Teacher Organization (TEPTO) Recognition

Mr. Guzman recognized Karen Moran, the president of TEPTO for the past two years. Historically, TEPTO has provided countless resources to the district, particularly to Birch Grove and Tolland Intermediate School. The resources include children's programs, mini-grants, equipment, materials, and books. Under Ms. Moran, TEPTO continued to provide creative ways to foster educational opportunities for all students in the district.

Mr. Powell presented Ms. Moran with a token of esteem and a Tolland Board of Education Proclamation. This included an expression of commendation and appreciation for the accomplishments of the TEPTO under the leadership of Ms. Moran.

Ms. Moran expressed her thanks and noted that she enjoyed the presidency of the past two years. She put a lot of work into it, took it on as a job, and took it seriously. She thanked the Board and members of the TEPTO including Nicole Canavan, Sarah Poulin, Kelly Euliano, Lori Ferguson, Colleen Yudichak, Sheila Leach, and Sarah Vale de Serra. Everyone worked hard to raise the bar and reached out beyond the school community to show the Tolland community how much they support the schools. Colleen Yudichak and Sarah Poulin will be co-presidents for TEPTO this upcoming year. Ms. Moran added that the Spring Fling produced record profits and participation this year. It was a wonderful community event and they received many compliments. Ms. Moran also thanked Mr. Swanson, Mr. Dineen, Mr. Moynihan, and Mr. Bean for their support.

F.2. Leave of Absence Report

Mr. Guzman provided the cumulative report to the Board.

F.3. Field Trip Report

As per policy 5150, the field trip report was provided to the Board.

F.4. Cancellation of Summer Board Meetings

Mr. Guzman noted that in keeping with past practices, up for consideration is the cancellation of the meetings scheduled for July 10th, July 24th, and August 14th. This item will be on the next agenda for consideration.

F.5. Board Policies

The policies listed under item F.5. have been provided for a first reading. In this listing of five policies, the first two are new and the last three are revisions. The policy committee reviewed these policies on June 3rd and they will be on the June 26th agenda for consideration.

Board Policy and Administrative Regulation 1070 – Automatic External Defibrillators

Mr. Powell inquired if a defibrillator will be provided to the Board office. Mr. Guzman explained that this was not initially in the plan but it is something that could be considered. A discussion took place and Mr. Powell requested that the Policy Committee review item II, part 1 to determine if it should read, “The Tolland Public Schools will have defibrillators in district buildings designated by the Tolland Board of Education.” in order to include the Board office. Dr. Block noted that this would be discussed at the next Policy Committee meeting.

Board Policy 4111 – Electronic Information Security

Mr. Powell inquired if this included verbiage in regard to security for access to computers in terms of passwords and who has access to which systems. In the past, Mr. Powell brought up the issue of rights and access to the computer systems including the issue of who would be granted administrator privileges. He believes there should be a more explicit policy where the administrative privileges are only given to the IT staff. Mr. Powell noted that often there are additional issues when those outside of the discipline have access. He will follow up with further commentary.

Board Policy and Administrative Regulation 5010 – Student Attendance and Truancy –
no discussion

Board Policy 5080 – Student Discipline – no discussion

Board Policy and Administrative Regulation 5090 – Search and Seizure – no discussion

F.6. Proposed Education Reserve Committed Fund Balance Ordinance

A copy of the draft ordinance was included in the members’ packets.

Mr. Guzman explained that this is on the agenda for comments from the Board so it can be transmitted to the Town Council. Mr. Powell confirmed that the Board has until the audit of funds, in the October/November timeframe when the funds would be transferred, to make the decision.

Mr. Powell explained that in the scenario of unspent funds, instead of moving them into the current year, the Board would move them for next year’s expenditures. The unspent funds can be used to offset increases in insurance and other unplanned expenditures. This provides the Board tighter control on the budget and insurance. By

state statute, the money can only be in the fund balance for one year and cannot exceed 1% of the full budget.

Dr. Block inquired if there were changes to a previous draft that the Board had reviewed. She believes at one time the draft said only “non-recurring” and now it says, “non-recurring or unanticipated” expenditures (section A1). She would like clarification of the definition for “unanticipated”. Dr. Block expressed concern with “non-recurring” expenses. She explained that when the Board is estimating and getting tighter with the budget, the money needed will probably be for something that was under-estimated. Mr. Tantillo expressed that it may be an issue regarding the definition of non-recurring. Dr. Block explained that something that is unanticipated could also be recurring and is concerned that the Board would not have enough control of the money.

Mr. Powell noted that the attorney’s response, after reviewing the document, was that it is a legal document but the Board would lose control over how the money could be spent. It was recommended that the language be tightened so that the Board has more control. Mr. Pagoni asked if the Town Council will have the final decision on how the funds are used. Mr. Powell responded that it would. Mr. Tantillo added that the 5-year review of the ordinance may be too steep and recommended a 2-year review. Additionally, he noted that the Board is war-gaming that the Town Council will automatically to say, “no”. Dr. Block explained that this was not her intention; the Town Council does have the right say, “no”. This does not allow the fund to be what it needs to be. She agrees with the concept but not with the document as presented. Mr. Pagoni added that this document needs to be concrete.

Mr. Powell reviewed the notes from the attorney’s review. Mr. Powell expressed concern with item A under “Contribution to the Fund”. Specifically, he highlighted, “to be solely used for non-recurring or unanticipated funding needs”. These words removed control from the Board. Mr. Tantillo disagreed that the town could un-commit the funds and return them to the town. A general discussion of how the funds would be accessed and the issue of the Town Council approving the request took place. Dr. Block would like the Board attorney to make changes to the document and send it back for review. Mr. Powell noted that the Board wants this to work, go forward, and stand the test of time with the Board having control over the funds.

Mr. Guzman will speak with the attorney and ask him to rework the proposed ordinance in accordance with his (the attorney’s) advice. Additionally, Mr. Guzman will get a copy of the Berlin ordinance and research if there is any impact to the MBR (minimum budget requirement).

F.7. Status of the Budget

The status of the current year budget as of June 4, 2013 was provided. At this point there is projected balance of \$211,008. The difference in the unexpended balance since the May 8th budget projection is \$16,835. The business services staff and school personnel are currently reviewing all accounts including open purchase orders; hence, this number may change.

F.8. Recommended Budget Adjustments 2013/2014 Fiscal Year

The Board of Education budget for the 2013/14 fiscal year was approved on May 7th in the amount of \$36,059,250. The adjustments to get it to the 1% represent \$867,380 and are listed in the spreadsheet. The bolded items are the adjustments that have been made since the original document was presented in mid-March. Mr. Guzman highlighted line 2, the projected FY 2012-12 surplus of \$200k. The anticipated balance is \$211k at this point. Mr. Guzman added that there will be more changes as they close out the year.

Mr. Guzman noted that when the adjustments were made, at the high school, 2.5 teaching positions were projected for elimination: 1.0 English, .5 Technology, and 1.0 Computer. He is looking at trying to restore the .5 Technology position. A new extracurricular club, RAGE, will be housed at the high school and one course that the school would like to offer is Introduction to Engineering. This would cost approximately \$27,000 and between now and the next meeting, Mr. Guzman believes they may be able to get the funds to restore this .5 position. This would be in line with the STEM initiative (Science, Technology, Engineering, and Mathematics) at the high school.

Mr. Powell expressed concern that the plan was discussed and now changes are being made. There are legitimate reasons for the change but the question is if the money should stay where it is. Dr. Block noted that there needs to be flexibility as well. The Board needs to be open-minded; it should not be so adamant that it is not flexible when something is in the students' best interest since that is the purpose of the Board. Mr. Powell responded that he is concerned about going down a slippery slope and questioned what would be the stopping point. He did not advocate either way but noted that the Board decided to go with a particular position and questioned if the \$27,000 should go into an account for other potential expenses. Mr. Tantillo noted that this goes back to the discussion of priorities. The Board has to be flexible. Mr. Pagoni would like the options for the \$27,000 to be presented with sufficient time for the Board and the public to review them.

Mr. Clark inquired about the health insurance premiums and the projected budget. Mr. Guzman confirmed that the latest figures were used in the calculations.

G. COMMITTEE & LIAISON REPORTS

Finance & Facilities Committee

Mr. Powell explained that he attended the 60% Honeywell report meeting. There will be a follow up at the next meeting to discuss the 90%. Part of what was reviewed was looking at long-term payback and long-term strategic thinking. Some are looking at very short-term gains and positive cash flow. Mr. Powell explained that this needs to be looked at as an investment. Substantial upgrades can be performed while borrowing costs are at an all-time low. He is not accepting a seven-year payback if only minor items will be addressed. He provided examples of the control system at TIS and the phone system at the high school. He is looking to a 15 year payback to get bigger things done for more impact and cash flow. Dr. Block added that this also falls in line with the strategic plan. Mr. Frattaroli noted that the cost of money is very low but there are a lot of voters who are apprehensive about borrowing whatever the cost. Having the conversation is the first step in being realistic about what the district has and how it is managed. Mr. Powell explained that it is not a

question of borrowing; the audit becomes a marketable security. They would be banking on the savings they would be getting; it would be an investment. If the Board does not agree, the project does not move forward. This is a historical opportunity to look at long-term opportunities.

Mr. Clark commented that the Council discussed the 60% level of the Honeywell report. He was unable to comment since he had not yet seen the report. The Council felt that this was a critical junction to determine if the project should go forward. They said the THS and Birch Grove are the newest and most expensive to retrofit. The Council wants to know where the Board of Education stands and would like to meet with them. Mr. Powell confirmed that a tentative date for the pre-90% meeting is scheduled for June 25th. Mr. Powell explained that they are looking to save money, become more efficient, and avoid costs by not having to worry about the maintenance of systems that will be obsolete. Mr. Tantillo noted that ultimately, the benefit needs to outweigh the cost.

Town Council Member, Ms. Rubino commented that the Town Council at-large has not yet viewed the document. The discussion referenced by Mr. Clark was only with two people (the Chair and Mark Gill) who have viewed the document. The Council is discussing having a workshop with the Board of Education.

Mr. Powell had a technology integration conversation with the curriculum staff, building administration, and some teachers regarding how grants and purchasing of mobile technology is taking place. His concern is that there is a predisposition to a particular vendor's product. The Board wants to help in regard to technology but is concerned about buying into a particular vendor's technology which could lead them down a proprietary path. He asked that research be done to determine if the applications could be found on another platform or as a web service. The latter would allow students to be able to access the applications at home. Mr. Powell got a commitment that as they move forward with requests and grant writing that they will look at alternative applications and platforms before making a final recommendation. If they do this due diligence and come back and say that the application on a particular vendor's product is exactly what is needed then the Board will back that decision. Mr. Powell wants to integrate technology into the classroom but not want the district pinned into a corner. The cost is not just in buying a device but in its administration.

Policy Committee

Dr. Block noted that the five policies on the agenda were discussed. The Committee will revisit the automatic external defibrillators policy and the electronic security policy pursuant to the comments.

Negotiation Committee

Dr. Block noted that they will begin working with the teachers at the end of July. The Committee will meet with the full Town Council prior to its meeting on June 25th. The other three contracts are moving along.

Town Council Liaison

Mr. Clark noted that there was a discussion about the artificial turf and the lights. The original plan was \$300k for the lights but the actual cost will be closer to \$200k. In turn, the

issue is if those who agreed to fund the \$300k will fund the \$200k and put the balance toward the artificial turf which will cost more than originally projected. Hence, this needs to go back to a public hearing. The total cost is still approximately the same.

In terms of the obsolete, surplus equipment, the Council said that it was up to the Board of Education to dispose of it and any cost incurred would be the Board's responsibility. A brief discussion of disposal options took place including researching the potential value of items as scrap metal. There is a list of items that will be reused at the schools.

H. CHAIRPERSON'S REPORT

Mr. Powell commented that it has been an interesting year so far. There have been a lot of meetings, commentary, and interaction between the Board and the Town Council. A lot has been done this year. Breakthrough work has been done in technology assessment, energy audits, financial positioning, and emergency preparedness. There is still more work to be done. In July, they will begin the facilities and process review. The group DRA architects will be looking for input from the town, not just the Board and the Town Council. People will see opportunities to learn and contribute. Mr. Powell encouraged everyone to provide input. This will impact how the buildings, structures, and plans look going forward.

I. BOARD ACTION

I.1. Tolland High School Artificial Turf Agreement

Dr. Block motioned to approve the Tolland High School Artificial Turf Agreement. Mr. Clark seconded the motion. A brief discussion took place. Mr. Clark inquired if the Board's attorney reviewed the agreement. Mr. Guzman did not believe that he did and Mr. Tantillo noted that the Town's attorney reviewed the agreement. All were in favor. None opposed. None abstained. Motion carried.

I.2. Board Policy and Administrative Regulation 3080 – Advertising Signage

Dr. Block motioned to approve Board Policy and Administrative Regulation 3080 – Advertising Signage. Mr. Tantillo seconded the motion. A brief discussion took place. Mr. Clark expressed concern that the advertising will not be seen when an event is not taking place. He added that he did not believe it was right to have advertising on school fields. All were in favor. None opposed. None abstained. Motion carried.

J. PUBLIC PARTICIPATION

Jackie Kolb, 34 Susan Drive, commented on the budget. The original goal was to return a budget to get to the 1%. The line of demarcation was not to impact programs and services but it did. As a parent, she sees the budget information and there is transparency. If the Board has the opportunity to put back a position that would improve the programs and services, then she as a parent would not be a naysayer. The information is out there for any educated person to review.

Patrick Doyle, 8 Lakeview Drive Extension, commended the Superintendent on his idea to bring back the technology teacher. Mr. Doyle suggested also looking at the alternative of bringing back a computer teacher. Similarly, as a parent, he likes the idea of these items being discussed and noted that it is part of the strategic plan to be focused on technology in education so it is not backtracking. Based on his experience, he hears from employers that jobs are available; however, those people who want jobs do not have the necessary skills. With the Technology

Corridor coming, students need to be educated so that they will have the skills to work and live in the region.

Bob Rubino, 296 Weigold Road, commented that he wished to finish where he left off. The second point he was trying to make was the reserve fund allows the district to celebrate the hard work and fiscal stewardship of the Superintendent and his staff. He believes that it cannot be a recurring expense. To do so is just moving this year's money into next year. It is a windfall. It cannot be used for recurring expenses because it cannot be counted on in the next fiscal year. Mr. Rubino has an issue with the matter of it being one year. The law does not say this. A year and a half ago he went to the Council and said that the Board of Education needed a reserve account and was told that this could not be done. They said it was against the law. Now the Council has one. In terms of listening and leading, the high school was filled with people coming out to support a higher budget and the Board did not respond. This room was filled with people who wanted to build an expansion to the library but they were not listened to. When the Board laments the poor turnout of the public, it should look inward. When the public comes out to speak their wisdom and their truth, to be told that they are out of time noted that he was looking at a Board of Education for next year who will know this lesson.

K. POINTS OF INFORMATION

Dr. Block commented that she appreciated Ms. Kolb's comment. It is not an easy budget to follow if one is not engaged and involved.

Mr. Powell commented that the Board does talk about the two-minute limit, transparency, and consistency.

L. CORRESPONDENCE

- Minutes from the May 28, 2013 Town Council Meeting

M. FUTURE AGENDA ITEMS

1. Discuss Parker Memorial School
2. Budget adjustments
3. Policies from tonight's agenda
4. Cancellation of July 10th, July 24th, and August 14th meetings
5. Comments from the Board's attorney regarding the proposed Education Reserve Committed Fund Balance Ordinance
6. Spring sports achievements
7. Report on the bilingual program

N. EXECUTIVE SESSION – Personnel Matters

Mr. Clark motioned to go into executive session to discuss personnel matters at 9:14 PM and invited the Superintendent to attend. Mr. Tantillo seconded the motion. All were in favor. None opposed. Motion carried.

The Board returned to public session at 9.55 p.m.

MOTION

Dr. Block motioned and Mr. Pagoni seconded to approve a 2% increase over the base salary of the Superintendent of Schools and to extend the Superintendent's contract for one year. All in favor. Motion carried.

O. ADJOURNMENT

Mr. Clark motioned to adjourn the meeting at 9.59 P.M. and Mr. Pagoni seconded the motion. All were in favor. None opposed. None abstained. Motion carries.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lisa Pascuzzi".

Lisa Pascuzzi
Clerk

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: June 12, 2013

SUBJECT: Connecticut Student Writers Magazine

A popular avenue for student writing sponsored by the Connecticut Writing Project (CWP) is the *Connecticut Student Writers*, a magazine established in 1987 to honor excellence in writing by students from kindergarten through high school. For some students, writing for the CSW offers the stepping stone for further literary endeavors. The highlight of the publication process is the Student Recognition Night, a celebration hosted by the CWP on the UConn campus.

Connecticut Student Writers magazine provides an arena for Connecticut students to present their original work or poetry or prose. The CSW provides validation of authorship and an opportunity for some students to present their work before a live audience. Annually, over 1,000 students from across Connecticut submit entries vividly demonstrating their passion for the craft of writing. From this large pool of poetry, personal narratives, essays, short stories, and drama, winners in Poetry and in Prose, respectively, are chosen to be published at each grade level. In addition, several student pieces are selected for Honorable Mention.

On May 14th, these four Tolland Middle School students were honored at the magazine's annual celebration ceremony at UCONN's Jorgensen Center for the Performing Arts. It was also the 25th anniversary of the magazine's publication. Wally Lamb was the keynote speaker.

Published:

Alicia Chiang, grade 8, a memoir, "Winter Slippers" about the gift of new slippers sent to her great-grandmother in Taiwan and the joy of giving.

Megan Corbin, grade 7, a poem, "Childish" about facing and overcoming childhood anxieties. Megan was asked to read her poem to the audience. She was both animated and eloquent and received a private compliment from Mr. Lamb when she finished.

Katie Arner, grade 7 a memoir, "Boxing Up My Life" about moving from Manchester to Tolland and the mixed feelings about leaving her past behind and moving onto something new.

Honorable Mention:

Victoria Leger, grade 7 a memoir, "What's Left" about the devastation left by Hurricane Sandy and the appreciation for the simple joys of life.

Three of these four students are members of TMS's Writing Club and represent students from Mr.Fay's, Mrs. Desy's, and Mrs. Nichols' classes.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: June 26, 2013

SUBJECT: Girls Track and Field Class M Champions

Members of the Tolland High School Girls Track team will be present at the Board meeting. Members of the Track Team are:

<u>Name</u>	<u>Year</u>
Carly Dedominicis	Senior
Mackenzie Dunham	Senior
Madeline Frattaroli	Senior
Brenda Kittredge	Senior
Alexa Krause	Senior
Kierra Laramie	Senior
Megan Lester	Senior
Katy Sprout	Senior
Rachel Aioldi	Junior
Melissa Caron	Junior
Savannah Gagnon	Junior
Nicole Howard	Junior
Eujin Kim	Junior
Jenna Olander	Junior
Madison Soucy	Junior
Alyssa Thompson	Junior
Kayla Wesoly	Junior
Courtney Akerley	Sophomore
Taylor Bonadies	Sophomore
Lora Giguere	Sophomore
Gabrielle Heilman	Sophomore
Alyssa Hurlbut	Sophomore
Jennifer Jacobs	Sophomore
Meredith Knight-Vezina	Sophomore
Molly Kozlowski	Sophomore
Kelly Lester	Sophomore
Kelsey Swanson	Sophomore
Emily Ward	Sophomore
Breann Campise	Freshman
Katie Candels	Freshman

Nina Haigis	Freshman
Hannah Lachut	Freshman
Karissa Laramie	Freshman
Laura Mlodzinski	Freshman
Ashley Robinson	Freshman
Julia Sprout	Freshman
Caitlin Swanson	Freshman

Corey Bernier, coach of the Girls Track team, will not attend the meeting, as he will be accompanying members of the team to the All State banquet. Corey Pusey, Assistant Coach of the Girls Track Team, will be at the meeting representing Coach Bernier.

TO: Members of Board of Education

FROM: William D. Guzman

DATE: June 26, 2013

SUBJECT: Announcement of Retiring Staff

The following nine individuals have announced their retirement from the Tolland Public School system during the past fiscal year. These individuals have served the Tolland student in a variety of capacities throughout the years. We thank them for their years of service, professionalism and dedication.

Shirley Brigham	-	41 years	Secretary – High School
Daniel Judkins	-	34 years	Custodian – High School
Judy Cicia	-	33 years	Paraprofessional – Middle School
Karen Gilmore	-	32 years	Teacher – Special Education – Birch Grove
Gail Ladny	-	25 years	Counselor – Intermediate School
Susan Parvenski	-	23 years	Psychologist – Birch Grove
Kathleen Insler	-	11 years	Speech Therapist – Birch Grove
Lawrence Morrell	-	8 years	Teacher – Mathematics – High School
Nikki Jones	-	7 years	Secretary – High School

WDG:ca

F.4.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: June 26, 2013

SUBJECT: Status of Parker Memorial School

Present plans for Parker School include disposing of materials and equipment declared obsolete by the Board on May 8, 2012.

Town departments and school personnel have claimed some items from the original list for use in their offices and/or classrooms. The School District is currently seeking quotes for the disposal of any remaining items. Once materials have been taken out of the facility, plans call for hiring a company to clean the building.

The long term plan for Parker includes a second attempt by the Town to receive a grant from the Connecticut Department of Economic and Community Development. This grant would be for preliminary design work for elderly housing. Grant applications will be available after June 30.

WDG:ca

F.5.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: June 26, 2013

SUBJECT: Proposed Education Reserve Committed Fund Balance Ordinance

At the June 12, 2013 meeting, the Board had asked for the Board attorney to review the Proposed Fund Balance Ordinance (Attachment 1) and suggest amendments with the purpose of providing the Board of Education flexibility and control of any year-end unexpended education funds. Attachment 2 are the suggested changes to the proposed ordinance by the Board attorney.

The Board also requested a copy of the Town of Berlin's ordinance on this matter. (Please see Attachment 3).

WDG:ca

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.

Education Reserve Committed Fund Balance Ordinance XXX

Purpose

There is hereby created an Education Reserve Committed Fund Balance pursuant to Connecticut General Statute Section 10-248a to provide funding solely for Board of Education expenditures.

Contributions to the Fund

- A. Assuming that there are unexpended funds for the from the Board of Education's budgeted appropriation in a given fiscal year, an amount of these unexpended funds, not to exceed one percent (1%) of the total budgeted appropriation for education for such prior fiscal year, can be deposited into a non-lapsing account, specifically the Education Reserve Committed Fund Balance account on the Town's general ledger to be used solely for Board of Education expenditures.
- B. The Finance Departments of the Town and the Board of Education shall agree on the amount of available funds prior to a request by the Board of Education to deposit funds into the non-lapsing account.
- C. Upon request of the Board of Education, the Tolland Town Council shall vote to commit funds pursuant to Section A, above.

Custody of Funds; investments

The account shall be administered by 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 part thereof. All monies so invested shall at all times available and subject to withdrawal for use as provided in Section A, above. The Town Treasurer and the Director of Finance shall be responsible for the administration of the Education Reserve Committed Fund Balance account in accordance with their duties under the Town Charter.

Use of monies from the Education Reserve Committed Fund Balance account

- A. Monies deposited into the Education Reserve Committed Fund Balance account shall be available and used solely by the Board of Education pursuant to the following:
 - 1. The Education Reserve Committed Fund Balance shall be used for the expenses of maintaining the Tolland Public Schools, which expenses may be incurred upon the approval of the Tolland Board of Education and paid by the Town as provided in Connecticut General Statute Section 10-248a. By doing such, this shall not impact the minimum budget requirement (MBR).

2. At the end of each fiscal year, the Town Finance Department will provide the Town Council and the Board of Education with the balance of the Education Reserve Committed Fund Balance account each year.

Continuity of the Account

Any un-appropriated funds in the Education Reserve Committed Fund Balance account at the close of each fiscal year shall remain in that account for use by the Board of Education.

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 five (5) years.

**TOWN OF BERLIN
TOWN COUNCIL**

**RESOLUTION TO ESTABLISH A NONLAPSING ACCOUNT FOR THE
DEPOSIT OF UNEXPENDED EDUCATION FUNDS AND TO AUTHORIZE THE
BOARD OF EDUCATION TO APPROVE EXPENDITURES FROM THE
ACCOUNT**

WHEREAS, pursuant to Connecticut General Statutes § 10-248a, for the fiscal year ended June 30, 2011, and each fiscal year thereafter, the authority making appropriations for the school district for a 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 per cent of the total budgeted appropriation for education for such prior fiscal year; and

WHEREAS, the Berlin Board of Education may, from time to time, have such unexpended funds in a fiscal year and may request that the Town Council, as the authority making appropriations for the Town of Berlin school district, approve the deposit of all or a portion of such unexpended funds into such nonlapsing account.

BE IT RESOLVED, that the Town Council hereby establishes the Unexpended Education Funds Account (the "Account") which shall be a nonlapsing account established pursuant to Connecticut General Statutes § 10-248a; and

BE IT FURTHER RESOLVED, that the Town Council may deposit into the Account all or a portion of any unexpended funds from a prior fiscal year from the budgeted appropriation for education for the Town, provided that such amount shall not exceed one per cent of the total budgeted appropriation for education for said prior fiscal year; and

BE IT FURTHER RESOLVED, that the Account shall be used for the expenses of maintaining the Town's public schools, which expenses may be incurred upon the approval of the Berlin Board of Education and paid by the Town as provided in Connecticut General Statutes § 10-248.

I.1.

TO: Members of Board of Education
FROM: William D. Guzman
DATE: June 26, 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.

The Administration recommends approval of the cancellation of these meetings.

WDG:ca

I.2.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: June 26, 2013

SUBJECT: Board Policy and Administrative Regulation 1070 – Automatic External Defibrillators
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 and were on the agenda on June 12, 2013 for a first reading..

Board Policy 1070 – Automatic External Defibrillators is new and 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.

Action on proposed Board Policy 4111 – Electronic Information Security, which was presented for a first reading at the June 12, 2013 meeting, has been postponed until additional information and clarification is received.

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.

The Administration recommends approval of these policies.

WDG:ca

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

**REGARDING: AUTOMATIC EXTERNAL
DEFIBRILLATORS**

Number: 1070
Community/Board Operation

APPROVED:

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

**ADMINISTRATIVE REGULATION REGARDING: AUTOMATIC EXTERNAL
DEFIBRILLATORS**

NUMBER: 1070
ADMINISTRATIVE

APPROVED:

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 DISTRICT 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

BOARD POLICY

REGARDING: Student Attendance and Truancy

Number: 5010
Students

Approved: 2/28/01

Revised: 4/28/10

Revised: 12/14/11

REVISED:

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

ADMINISTRATIVE REGULATION REGARDING: Student Attendance and
Truancy

Number: 5010
Student

Approved: 5/28/03

Revised: 4/28/10

Revised: 12/14/11

REVISED:

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:

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

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:

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

BOARD POLICY

REGARDING: Search and Seizure

Number: 5090
Students

Approved: 2/28/01

REVISED:

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

ADMINISTRATIVE REGULATION

REGARDING: Search and Seizure

Number: 5090
Administrative

Approved: 2/28/01

Revised: 3/23/11

REVISED:

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
Jane A. Neel**

DATE: June 26, 2013

SUBJECT: Recommended Budget Adjustments 2013/2014 Fiscal Year

The FY 2013-2014 Board of Education budget was approved on May 7, 2013 in the amount of \$36,059,250.

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

These recommended adjustments are detailed in three (3) sections as presented to the Board of Education as follows:

- 1) Adjustments presented to the Board at its meeting of 3/27/13;
- 2) Adjustments presented to the Board at its meeting of 6/12/13 which represent additions or deletions to the FY 2013/14 budget request;
- 3) Recommended adjustments to be presented to the Board at its meeting scheduled for 6/26/13.

These final recommended adjustments reflect the reinstatement of both the Computer Education (+1.0) teacher and the Technology Education (+.50) teacher at Tolland High School which were previously reduced in the Superintendent's budget request.

Funding for the reinstatement of the 1.0 FTE Computer Education position is possible due to the reduction of the .50 FTE Family and Consumer Science and .50 FTE Math position. Funding for the .50 FTE Technology Education position is possible due to savings as a result of custodial and clerical retirements and certified staff resignations.

Initial decisions regarding reductions in personnel (1 full-time English teacher, 1 full-time computer teacher, ½ technology education teacher) were made based on an analysis of student enrollment in various courses during the 2011-12 and 2012-13 school years. Keeping in mind that course registrations were not completed for the 2013-14 school year until approximately the middle of May, it has become necessary to

revise those decisions. Specifically, an increase in course requests for the next school year in certain departments is the major factor for the change.

At this time, 104 students have enrolled in six total sections of the following four courses: Introduction to Computers, Computer Programming 1, Computer Programming 2, and Video Production, Broadcasting, and Journalism. This represents a 35% increase in the course enrollments for the Computer Science department. We are especially excited to be offering Computer Programming 2 for the first time since the 2006-07 school year.

A retirement in the Mathematics department has allowed for some shifting in personnel. Although classes in Algebra and Geometry next year will be larger when compared to this year, we were able to reduce a full-time mathematics teacher to a half-time position without losing any courses. This position was added two years ago as a part of the Education Jobs Fund grant. This reduction will allow THS to retain one-half of the Computer position.

In the Family and Consumer Science (FCS) department, 32 students are presently enrolled in two sections of Clothing and Fashion. For the 2013-14 school year, only 16 students initially requested this course. Although there was an opportunity to add more Child Development class at the time of initial requests, the decision was made to reduce a full-time FCS teacher to restore one-half of the Computer position.

A reduction in the Technical Education department has created full sections in all courses except Drafting. The maximum class in many of these courses is smaller due to safety reasons and the fact that they are activity-based courses. Although these courses were not full after initial course requests were submitted, students with conflicts or students who requested courses which were over-enrolled selected the courses available in the Technical Education department. Thus, this is the reason why they are now full. Adding back the .50 FTE in personnel in this department will allow THS to add one section of Introduction to Engineering Design and Technology I.

WDG/JAN/ca
attachment

TOLLAND PUBLIC SCHOOLS

Business Services

FY 2013-14 Recommended Adjustments to
Proposed BOE Budget

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

<u>Description</u>	<u>Amount</u>	<u>Impact Statement</u>
Adjustments as presented to Board of Education on 3/27/13		
Music (+.40 FTE)	\$ 28,594	Position added back to budget per Board directive
FY 2012-13 projected surplus	\$ (200,000)	Pre-payment of health insurance premium
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
Adjustments as presented to Board of Education on 6/12/13		
Technology Services	\$ (1,000)	Naviance software renewal cost less than budgeted
Technology Services	\$ (5,522)	"My Learning Plan" software not purchasing, the State of CT supplying software at no cost to district
Board of Education	\$ 27,800	School Facilities Study to begin July 2013
Health Insurance	\$ 13,284	Actual premium rates vs. projected
Maintenance	\$ 1,980	Drainage System/Paving Fund for Birch Grove project, amount not covered from CIRMA funds needed from operating budget
Staff Services	\$ (36,542)	Adjustment to unemployment and retirement account based on revised budget projection
Adjustments as presented to Board of Education on 6/26/13		
Computer Education Tchr, +1.0 FTE	\$ 54,738	Development and creation of Science, Technology, English, Math (STEM) courses.
Technology Education Tchr, +.50 FTE	\$ 27,369	Development and creation of Science, Technology, English, Math (STEM) courses.
Family Consumer Science, -.50 FTE	\$ (22,137)	Position reduced due to low enrollment.
Math Teacher, -.50 FTE	\$ (41,923)	Retirement, -.50 FTE not replacing
Building Operations	\$ (11,500)	Savings due to custodial retirement
Office of the Principal, Certified Staff	<u>\$ (6,547)</u>	Savings due to known resignations
Total adjustments to FY 2013-14 Proposed BOE Budget	<u>\$ (867,380)</u>	



STATE OF CONNECTICUT
STATE DEPARTMENT OF EDUCATION



June 18, 2013

Mr. William D. Guzman
Superintendent of Schools
Tolland Public Schools
51 Tolland Green
Tolland, CT 06084-3099

Dear Mr. Guzman:

On behalf of the Connecticut State Department of Education (CSDE), I am pleased to inform you that Tolland Public Schools has been approved to receive the Carl D. Perkins Innovation Grant for the following initiative:

Innovation Model	Grant Award	Grant Period
E-Commerce, Social Media and Mobile Devices	\$ 27,792	June 1 – September 30, 2013
Comprehensive High School	\$ 208	June 1, 2013 – June 30, 2014

Grant selections were made by an external evaluation team using a scoring rubric aligned to the Request for Proposals. Your district business manager may access the grant award via the State Prepayment Grant System. The CSDE will be monitoring your progress and program implementation throughout the grant period. Please note: The Tolland grant award has been split-coded between years 2011-12 and 2012-13. The amount of \$27,792 will be coded to 2011-12. This amount should be utilized to make the intended equipment purchase under budget line 700 – Property, as indicated on the ED 114. The 2011-12 funds must be encumbered by September 30, 2013, and completely liquidated by November 30, 2013. The remaining balance of \$208 will be coded to 2012-13 with an end date of June 30, 2014.

If you require additional information, please contact June Sanford at 860-713-6765 or june.sanford@ct.gov. Congratulations on your grant award and thank you for supporting career and technical education initiatives in your district.

Sincerely,

Dianna Roberge-Wentzell

Dr. Dianna Roberge-Wentzell
Chief Academic Officer

DRW:jsw

cc: June Sanford, Perkins Program Manager
Dr. Kathryn Eidson, Director of Curriculum and Instruction

MEETING MINUTES

TOLLAND TOWN COUNCIL HICKS MEMORIAL MUNICIPAL CENTER 6th FLOOR COUNCIL ROOM JUNE 11, 2013 – 7:30 P.M.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Steven Werbner, Town Manager; Michael Wilkinson, Director of Administration Services; Beverly Bellody, Human Services; Barbara Pettijohn, Director of Library Services; John Littell, Public Safety/Fire Chief; Linda Farmer, Director of Planning and Community Development; Linda Calabrese, Collector of Revenue

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:** None.
5. **PUBLIC PETITIONS, COMMUNICATIONS, AND PUBLIC PARTICIPATION** *(on any subject within the jurisdiction of the Town Council) (2 minute limit)*

Brian Gagnon of 383 South River Road – He thanked the Council for their hours and commitment. He advised the Council that they have lost another full-time firefighter/EMT. Mark Morrison has moved onto another job. He had 10 years of service here. They are sad to see him go. He wanted to remind them that they do appreciate their firefighters and he hopes they can work towards a benefit package for them that will be competitive with some of the surrounding towns.

Bob Rubino of 296 Weigold Road – Read a letter from Joe Nichols, Director of Member Relations and Community Outreach for the CT Farm Bureau Association. He is showing his support for the adoption of an Ag Commission in the Town of Tolland. He asks that the Council support this initiative.

Alexis Trace – Read a letter from Commissioner Steven K. Reviczky from the Department of Agriculture. He is in support of the Ag Committee. He is glad to see Tolland's reaffirmation to agriculture. These commissions have proven to be beneficial to their communities. He is pleased to offer his support and congratulated Tolland as it takes this important step.

Rebecca Palmer – Read a letter on behalf of Bryan Hurlburt. He strongly supports the Ag Committee and requests the Council's support. Preserving the character of our community is important. This is a clear and positive statement showing that agriculture is important to the community. He congratulates the members of the Ag Sub-Committee and their work.

Michelle May – Read letter from Al Cyr, Chair of the Mansfield Agriculture Committee (written as an individual). He is in support of the Ag Committee. Over the past four years, eastern Connecticut towns have worked to become more farm friendly by establishing Ag Commissions and Committees, passing right to farm ordinances, farm friendly zoning, and farm tax benefits. Over twenty eastern Connecticut towns now have Ag Commissions or Committees.

Danielle Trace – She has been a 4H'er since she was 8 years old. In terms of the Ag Committee, she supports it. She spoke of the Tolland 4H Fair. Farming is amazing, so please support this Committee.

Sue Moriarty of 45 Doe Run – She is a 4H mom. No farms, no food.

Ken Couture of 427 Buff Cap Road – He asks that the Council support the Ag Committee. He works with students every day as an agriculture teacher at Killingly High School. This commission would be able to encourage agriculture production. He encourages them to support the commission.

Carrington Trace – Read a letter from John Kuskowski, Advocate Program Manager - He strongly encourages the Council to assist in the creation of an Ag Committee. Should Tolland proceed with this Commission, they would not be alone in this endeavor. There are conferences, workshops and numerous trainings. The Advocate Program stands ready to assist, and hopes that Tolland will join their farm friendly towns.

6. PUBLIC HEARING ITEMS:

- 6.1 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 said this item has been discussed for weeks and in fact for years with prior Councils. Approval of this item will set the date for a referendum for the appropriation and issuance of bonds and/or notes in the sum of \$2,600,000 to finance the expansion of the Tolland Public Library.

Mr. Werbner had prepared a memo to the Council that he reviewed in detail at the last meeting. *This memo is included, in full, in the minutes of the Town of Tolland's Town Council's meeting of May 28, 2013.* He did reiterate a portion of the memo:

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.

He added that we will be able to apply for grants, which will offset a large amount of the \$2.6m. According to the Charter, any bonded project over a certain dollar amount needs to be approved through a public referendum.

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

Linda Byam of 70 Woodfields Drive – She is in support of the expansion.

Kurt Dembeck of 45 Weigel Valley Drive – He is in support of the expansion. It is needed and long overdue.

Pauline Sardo of 97 Brandon Way – She would like to see this expansion moved to referendum.

Rosanna Longenbaker of 136 Derek Drive – She is in support of the expansion. During her Masters work, she often frequented the Library. The expansion would be a benefit to on-line and local students. It would allow for tutoring in private areas.

Susie Byers of 35 Nedwied Road – She is in support of library expansion.

Karen Moran of 50 Merlot Way – She is support of the expansion. She provided the Council with some facts regarding circulation at the Library.

Jim Leahy of 14 Doe Run – He, along with his wife, supports the Library expansion.

Betty-Lou Griffin of 40 Cervens Road – She is a longtime resident of Tolland, on the Library Board and is a children's author. Every one of her books has begun with research at our library. The library we have is a gem; we just need more of it.

Betty-Lou Griffin of 40 Cervens Road – Our library is changing and will continue to change so long as we have the space. She has been waiting for this for a decade. She would like to see it at referendum in November.

Patrick Doyle of 8 Lakeview Drive Ext. – He supports the Library. The packed Chambers tonight shows the support. In order to maintain the character of Tolland, we need to move on.

Lorraine White of 35 Laurel Ridge Road – She spoke of the Library being in the old Courthouse. We need to support this expansion.

Sue Moriarty of 45 Doe Run – This project is overdue. It will be a benefit to all in this town.

Daniela Titterton of 223 Anthony Road – She supports the expansion and encourages them to send it to referendum.

Irene Pudelkiewicz of 37 Virginia Lane – Last Saturday, they had two programs at the Library and it just goes to show that there is a need for more room. The need is there, the space is there and hopefully the money will be there. She supports it and asks that the Council do.

Bob Rubino of 296 Weigold Road – He is in favor of this expansion. He thanked the Council majority for allowing the will of the people to prevail. He mentioned that although there is the potential for grant funding for this project, we qualify for a small remaining amount of money in the Hicks Family Trust. It is his understanding that one of the elements of that Trust is that education has to remain in this building. The last part of that is the Library. If the Library were to move, we would lose that revenue.

James Gifford of Derek Drive – It is time to bring this to referendum. It has been discussed over and over.

Barbara Cambria of 39 Hill Top Road – She is in support of the library

Jennifer Avery of 64 Tolland Farms Road – She supports the expansion of the Library.

Brian Gagnon of 383 South River Road – He requests that they push the referendum. He thinks the staff of the Library should be commended, and thanked them for giving him guidance when he needs it.

Trisha Byam of 16 Bonair Hill Road - The Library is the heart of the Community. Please let this go to referendum and let the community speak.

A straw poll was conducted of all those in favor of this resolution: The public was unanimously in favor. None opposed.

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

Rick Field read the following resolution:

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 Josh Freeman.

Sam Belsito wanted the public to know that he supports the expansion and the referendum, but this library will only be expanded to the minimum needs set by the State. Once that is exceeded, in probably a few years, there is no more room for expansion. He feels that puts this whole project in jeopardy. He feels there should be an alternative to vote on. He would like to see the Library moved to the Parker School. He would like an evaluation done to see how that can be done. Would you rather have a facility that is just made for that? Or shall we go to some place where we can expand and move it.

Mr. Gill questioned what will happen to the funds that are allocated (\$2.6m) should it not all be needed. Mr. Werbner said we wouldn't borrow the full amount then.

Mr. Stanford commented that he will be abstaining from this vote tonight. He does not like how this has been handled, or some of the comments that he has seen in the paper. At a prior meeting, he asked that this be delayed to the August meeting so that they could do all the work that they set out to do. He wanted to work on a long-term Capital Facilities Plan prior to pushing the button before sending this to referendum. He doesn't think it is fair to the citizens of this town to put this up for referendum when the town does not have a long term plan. He doesn't mind the Library being the first on that Plan, but just wants the Plan in place. He signed up for Council to look at the best interests of this town. He doesn't believe this has been well thought out.

Mr. Gill will vote and support this going to referendum. Although, he is not as excited as the public is about this. His reservations are similar to Mr. Stanford's. He does want to come up with a long range Capital Plan before November, and believes they can do that. He is a strong proponent that the Library be the first on that plan.

Mr. Field disagrees with Stanford and Gill. He understands the needs for a Capital Plan, and believes that there is a long term Capital Plan already in place, and that the Library is first in the plan. This has been thought out. The experts have decided this is what is best for the town. The public will decide at the referendum.

Ms. Rubino said they have been waiting for 10 years for something to happen. She believes the Community has come out by and large. She commends those that have come out time and time again. She supports the referendum.

Mr. Stanford said he has been trying to get the BOE to have a long-term facilities plan. He believes it to be hypocritical of them to do things, and to not act in the same fashion. Mr. Stanford said it was never his intention not to have this go to referendum in November. All he has asked is that the vote be delayed on the public hearing to send it to referendum until August. Ms. Rubino said in August many are on vacation and very few people have an opportunity to come and participate. Mr. Stanford commented that there was a public hearing last July and people participated. He doesn't believe that the Council doesn't understand that the Community wants this library. That is not the issue.

Mr. Freeman believes the delay to find the information is fine, but it can take place while this goes to referendum. We represent the residents. He has not heard a single person opposed to this.

Jan Rubino, Josh Freeman, Rick Field, Mark Gill and Jack Scavone are in favor. Sam Belsito is opposed. Ben Stanford abstained. The motion passed.

The public applauded at the result of the vote.

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

7a1. Agricultural Sub-Committee Task Force Report.

Linda Palmer, Deb Campbell and Michelle May, members of the Sub-Ag Committee were all in attendance. They were charged to explore the need for a permanent Agriculture Commission in Tolland. They spent five months exploring the state of agriculture in Tolland and the benefits nearby towns have reaped. Ms. Palmer spoke and provided a PowerPoint. They believe the time is right to establish a permanent Agriculture Commission in Tolland. The PowerPoint included slides such as: what Agriculture is; the importance of it for our community; and the state of agriculture in Tolland. They outlined what they believed the mission and goals of the Ag Commission should be. They showed a recommended organizational structure of an agricultural commission. They thanked all for considering their findings.

Before leaving the meeting, Mr. Belsito expressed that his was 110% in support of this. Mr. Field also expressed that he is in support of this. Ms. Rubino thanked the sub-committee, and commented that they have put in a lot of work on this. She mentioned that Coventry just approved a farming ordinance. This would benefit the entire community. The members took a look at a display the Committee had set-up.

Ms. Campbell said the surrounding towns are very happy to hear we are doing this, and have offered to assist should they need any.

7b. REPORTS OF TOWN COUNCIL LIAISONS: Mr. Freeman said there will be a PZC public hearing on proposed changes to the corridor. The biggest focus was on the west side of the Green. Mr. Werbner said there was a general acceptance of the plan. Ms. Farmer commented she is waiting to hear back from the DOT. Notices will need to be sent to the property abutters and it will need to be advertised. Mr. Freeman said the Tech Zone is in the books and was passed. Mr. Field commented that he was at the dedication of the Luce Property. It is very impressive and hopes it will get a lot of use. Mr. Scavone commented on the ESKO meeting. They provided their Investment Grade Audit (IGA). They are now at the point where they need to decide which way to go. There is opportunity for improvement in our facilities. It is showing that some of our newest buildings need the most work. Ms. Bellody will get the members an electronic copy of the IGA.

8. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

8.1 Approval of the continuation of present hours of operation at the Town Hall.

Mr. Werbner commented that this has been happening since October 2008. On average, it has saved the town \$10,000 a year. He found the previous schedule to be inefficient. The current schedule is favorable to town residents. It is recommended that the town continue to work on this schedule moving forward. Mr. Scavone asked if the employees were happier with a four day work week. Mr. Werbner said they are much happier.

Rick Field read the following resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby approves the continuation, subject to Town Hall (CSEA) bargaining unit agreement, the following hours of operation for the Hicks Memorial Municipal Center town offices:

Monday: 8:00 a.m. to 4:30 p.m.
Tuesday: 8:00 a.m. to 4:30 p.m.
Wednesday: 8:00 a.m. to 4:30 p.m.
Thursday: 8:00 a.m. to 7:30 p.m.
Friday: Closed

Hours of work for 40 hour per week employees shall be adjusted accordingly.

BE IT FURTHER RESOLVED that the hours of operation for the Tolland Public Library, the Public Works Department, the Fire Department and the Tolland Senior Center are not altered and remain in effect as currently defined.

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

8.2 Consideration and action of Suspense List for June 30, 2013.

Mr. Werbner said this is an annual list. The list is relatively small compared to other communities. All efforts have been made to collect on these accounts.

Rick Field read the following resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby approves the June 30, 2013 Suspense List in the amount of \$26,743.29.

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

8.3 Consideration of a resolution to approve the revised Personnel Policies and Procedures.

Mike Wilkinson updated the revisions to the policies, which included: the Family Medical Leave Act to comply with recent changes for covered veterans; increased the health insurance premium share to 18% from 17%, but also added general language to allow for voluntary wellness programs and incentives for employees and dependents. The incentive is up to a possible 3% reduction in the premium share by joining and meeting the requirements of the wellness program. The wellness program and the 3% incentive will also be offered to the Fire and CSEA unions. The wellness program will be extended to spouses.

Rick Field read the following resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby approves the attached revisions to the "Town of Tolland Personnel Policies and Procedures".

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

8.4 Consideration of a resolution amending the appropriation and use of bond proceeds for cost of purchase and installation of lights for stadium field located at Tolland High School to include the cost of purchase and installation of artificial turf for such field and the setting of a public hearing thereon June 25, 2013.

Mr. Werbner commented that the Bonding Resolution previously passed pertaining to this item appropriated the sum of \$300,000 for the cost of the purchase and installation of lights for the stadium field located at Tolland High School. At that time the thought was the first phase would be the lights followed by field turf at some subsequent point. Now, after receiving a substantial amount of grants we are attempting to do the entire project all at once. The light portion of the project is more in the neighborhood of \$200,000 and the remaining amount is needed for the turf installation portion. He has verified with the sports groups that are pledging to pay back the principle and interest costs associated with this borrowing that the original intent was to use the \$300,000 for the project and not just for lights. We have received the first interest only payment on behalf of the groups. This resolution is needed to clarify that the borrowed funds can be used to cover costs of the entire project and not just a portion. A public hearing is required.

Rick Field motioned that the following resolution be introduced and set down for a public hearing on June 25, 2013 at 7:30 p.m. in Tolland Town Council Chambers:

**RESOLUTION AMENDING APPROPRIATION AND USE OF BOND
PROCEEDS FOR TOLLAND HIGH SCHOOL STADIUM LIGHTS PROJECT
TO INCLUDE ARTIFICIAL TURF FOR STADIUM FIELD.**

NOW, THEREFORE, BE IT RESOLVED, that the Resolution of the Town Council for Various Capital Projects, 2012-2013, adopted on July 10, 2012 (the "2012-2013 Resolution"), is hereby amended as follows:

(i) Section (1) of the 2012-2013 Resolution is hereby amended by striking the clause, "(v) the sum of \$300,000 for the cost of the purchase and installation of lights for the stadium field located at the Tolland High School (the "Stadium Lights Project")" and replacing it with the clause "(v) the sum of \$300,000 for the cost of the purchase and installation of lights and artificial turf and related improvements for the stadium field located at the Tolland High School (the "Stadium Project")."

(ii) The 2012-2013 Resolution is further amended by replacing the language "the Stadium Lights Project" wherever it appears in said resolution with the language "the Stadium Project".

NOW, THEREFORE, BE IT FURTHER RESOLVED that:

(i) Section (7) of the 2012-2013 Resolution regarding the official intent of the Town under Treasury Regulations Section 1.150-2 shall be applicable to the appropriation and authorization as amended by this resolution, as of the date of adoption of this resolution.

(ii) Except as expressly stated herein, the 2012-2013 Resolution shall remain unchanged and shall be in full force and effect.

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

8.5 Appointments to vacancies on various municipal boards/commissions.

There were no appointments made tonight.

9. OLD BUSINESS (ACTION/DISCUSSION ITEMS):

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

Mr. Werbner said the departments did go through the equipment. He is not sure what was taken, but whatever remains should be declared surplus.

Rick Field read the following resolution:

BE IT RESOLVED that the attached items are hereby declared surplus and may be disposed of in accordance with Policy A176-4, Policy Concerning Disposal of Surplus Personal Public Property. Disposal and any costs for disposal of these items will be the responsibility of the Board of Education.

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

10. **REPORT OF THE TOWN MANAGER (A WRITTEN REPORT SHALL BE PROVIDED THE 1ST MEETING OF THE MONTH ONLY):** Mr. Werbner had nothing more to add to his report provided in the member's packets.

11. **ADOPTION OF MINUTES**

- 11.1 May 28, 2013 Meeting Minutes: Rick Field moved to adopt the minutes; Seconded by Mark Gill. All in favor. None opposed. Ben Stanford abstained.

12. **CORRESPONDENCE TO COUNCIL**

- 12.1 Letter from Sandra Cyr thanking the Public Works Department, Town Manager and the Council for approving the budget to pave Metcalf Road;
12.2 Letter from Kate Farrish stating she was in favor of the Library; and
12.3 Letter from CT Dept. of Labors Rapid Response Unit.

13. **COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS:** Ms. Rubino congratulated Mr. Werbner on the birth of his new grandchild. Mr. Field congratulated Mark Morrison for a job well done in the town and good luck with his new position at 911 Dispatch. Mr. Scavone asked what was happening with the education fund. Mr. Werbner said the BOE is reviewing it and it is on their agenda tomorrow night. Mr. Scavone asked that the Council be advised of the outcome so that it can be put on the Council's next meeting agenda. Mr. Gill advised Mr. Clark that the Council is looking for feedback if they have any. Mr. Clark said it is on the agenda as part of the Superintendent's report, but doesn't believe any action will actually be taken. Mr. Werbner did advise that it did not need to be finalized by the end of June. Mr. Scavone suggested that they get a Capital Plan in writing for the next Council in November.

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

15. **EXECUTIVE SESSION**

Rick Field motioned to go into Executive Session at 9:16 p.m., thus ending the Regular Meeting of the Town Council; Seconded by Mark Gill. All in favor. None opposed.

- 15.1 Executive Session to discuss firefighter negotiations.

16. **ADJOURNMENT:** Rick Field moved to adjourn the meeting; Seconded by Mark Gill at 9:35 p.m. All were in favor.

Jack Scavone, Council Chair

Michelle A. Finnegan
Town Council Clerk