

TOLLAND BOARD OF EDUCATION
PLEASE NOTE CHANGE IN LOCATION AND DATE

Tolland High School
Library Media Center
Tolland, CT 06084

SPECIAL MEETING

7:30 – 10:00 P.M.

AGENDA
March 27, 2012

VISION STATEMENT

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

- A. CALL TO ORDER, PLEDGE OF ALLEGIANCE
- B. APPROVAL OF MINUTES
March 14, 2012 – Regular Meeting
- C. PUBLIC PARTICIPATION (2 minute limit)
The members of the Tolland Board of Education welcome members of the public to share their thoughts and ideas at this time. When appropriate to do so, members of the Board and the administration may respond to comments during "Points of Information." However, in consideration of those in attendance and in an effort to proceed in a timely manner, follow-up discussion may need to take place outside of the meeting setting.
- D. POINTS OF INFORMATION
- E. STUDENT REPRESENTATIVE REPORT
- F. SUPERINTENDENT'S REPORT
- F.1. Tolland High School Girls Basketball Team
 - F.2. Contribution
 - F.3. Proposed School Calendar for 2012-2013
 - F.4. Board Policies and Administrative Regulation
 - Administrative Regulation 4022 – Regarding Concussion Training for Athletic Coaches
 - Policy 5080 – Student Discipline
 - Policy 4080 – Family and Medical Leave
 - F.5. Proposed Increase in Lunch Prices
 - F.6. Status of the Budget (no enclosure)

- G. COMMITTEE & LIAISON REPORTS
- H. CHAIRPERSON'S REPORT
- I. BOARD ACTION
- J. PUBLIC PARTICIPATION (2 minute limit)
Comments must be limited to items on this agenda.
- K. POINTS OF INFORMATION
- L. CORRESPONDENCE
 - School Calendars for April
 - March 6, 2012 – Joint Meeting Town Council/ Board of Education
 - Town Council Minutes of March 13, 2012
- M. FUTURE AGENDA ITEMS
- N. ADJOURNMENT

**TOLLAND BOARD OF EDUCATION
Tolland, CT****MINUTES – March 14, 2012**

Members Present: Mr. Andy Powell, Chairperson; Mr. Robert Pagoni, Vice Chairperson; Ms. Christine Riley Vincent, Secretary; Dr. Gayle Block; Mr. Steve Clark; Mr. Thomas Frattaroli; Mrs. Karen Kramer; and Mr. Frank Tantillo.

Administrators Present: Mr. William Guzman, Superintendent of Schools; Dr. Kathryn Eidson, Director of Curriculum and Instruction; and Mrs. Jane Neel, Business Manager.

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

APPROVAL OF MINUTES

Ms. Riley Vincent motioned and Dr. Block seconded to approve the minutes of the special meeting of February 17, 2012. Mr. Clark stated that he had not withdrawn his motion, but that it was voted on and failed 7 – 0. Dr. Block, Mr. Frattaroli, Mr. Clark, Ms. Riley Vincent, Mr. Powell and Mrs. Kramer in favor with correction. Mr. Pagoni and Mr. Tantillo abstained. Motion carried.

Ms. Riley Vincent motioned and Mr. Tantillo seconded to approve the minutes of the regular meeting of February 22, 2012. All in favor. Motion carried.

PUBLIC PARTICIPATION

Mike Shea of 240 Sugar Hill Road asked for clarification of the Pay to Play program with respect to cost, a family cap and what will be the proposal for Pay to Play be going forward.

Jackie Kolb of 34 Susan Drive asked what would be impacted by the 3% Town Manager's proposed budget.

Bob Howard of 6 Center Road reported on an Office of Legislative Research study that of the 116 respondents Tolland ranked highest with respect to the cost of Pay to Play. He stated that it seemed that the budget shortfall was a shifting of the cost to the parents.

POINTS OF INFORMATION

Mr. Powell explained that under the projected 2012/2013 Board of Education Budget, the funding of Junior Varsity and Middle school sports was included. Junior Varsity and Middle school sports would have a participation fee of \$225 and Varsity would be \$325. He appreciated the conversation and the Board would still be looking into solutions. The lessons learned in the classroom are still more important than sports.

Dr. Block stated that sports should not be viewed in a vacuum and that they are a part of education and asked that the citizens present encourage others to go out and vote for the referendum.

Mr. Pagoni stated that over the years he had watched both sports and program atrophy. He feels that there is nothing else but sports to teach about "us" instead of "I".

Mr. Clark stated that when sports were self-funded, the District became close to being in violation of the Title IX Federal law.

The Superintendent explained the Pay to Play program as currently in the Board of Education approved budget. He also explained that there were three areas that may offset the amount of reduction from the Board of Education Budget and the Town Manager's proposed budget. They are reductions to health benefits cost increase, employees switching over to the high deductible health program (HAS) and any year-end balance that could be used to offset next year's budget.

STUDENT REPRESENTATIVE REPORT

Kim Kostant distributed the Culinary Arts program upcoming menus. The program is run by Ms. Deblois' Culinary II class during third block on Fridays. The cost is \$5.00. She also reported that the girls' basketball team is participating in the Class M State Championship against Weaver High School at Mohegan Sun. Everyone is very proud of the entire team.

Kate-Lynn Walsh reported that the Music department put on its production of "Bye Bye Birdie" last weekend and it was a great success thanks to the cast, crew, and the pit crew as well as Mrs. Micari, Mrs. Tracy and Mrs. Kirwin for their hard work.

Congratulations to Kirstin Shatzlein, a Tolland High School Senior, for being awarded the Gatorade Girls Basketball Player of the year in Connecticut. She is now entered into a national tournament against the best players in the nation for the national title.

The dodgeball tournament took place on March 2, 2012. There were 21 teams and a large amount of money was raised for the senior class.

Mr. THS pageant will take place on March 28, 2012 and is sure to be an exciting show.

SUPERINTENDENT'S REPORT

F.1. BlumShapiro Audit Findings – FY 2010/2011

The Superintendent presented the Independent Auditor's Report dated December 1, 2011.

Mr. Guzman indicated that the Federal Single Audit Report for year ending June 30, 2011 and a copy of the State Single Audit Report for year ending June 30, 2011 were included. The third attachment was the auditor's report on the District's school year grant data. The forms reviewed include Form ED001 (End of Year School Report), Form ED006S (Public School Information System Supplemental Information), and the PSIS Racial Survey and Enrollment report. There were no material findings.

The full audit report can be found on line in the electronic version of the Board agenda at www.tolland.k12.ct.us.

F.2. Proposed 2012-2013 School Calendar

Mr. Guzman presented the proposed school calendar for 2012-2013. The calendar has 183 school days with the first day of school being August 29, 2012. The February break is proposed for two days. Professional development will be three half-day sessions falling on September 19, October 24, and January 30. A discussion during the Policy Committee review was to have school on Columbus Day. The proposed calendar will be posted on the website for review and comments can be emailed to the Superintendent. This will be reported on at the next meeting of the Board of Education and be an action item at the April 11, 2012 regular meeting of the Board of Education.

F. 3. 2012-2013 Board of Education Budget

The Superintendent reported that the Public Hearing on the budget will be March 28, 2012 at the Tolland High School Auditorium and that it was important to get the community to attend and to express their opinions on the budget. He distributed an analysis of the impact of budget cuts since 2003/2004. There has been a net loss of 25.56 teaching positions during that time which have impacted classroom instruction, Art, Music, Physical Education and Counseling programs.

COMMITTEE & LIAISON REPORTS

- **Policy Committee – March 14, 2012**

Dr. Block reported on the Policy Committee meeting. They reviewed an Administrative Regulation regarding concussion training, policies regarding the Family Medical Leave Act and Student Discipline.

- **EASTCONN Representative – January 24, 2012**

Mrs. Kramer noted some of the highlights of the meeting of January 24, 2012. The Regional Adult Education program graduated 230 students, many of which were the first to graduate in their family. The 2010-11 Audit Report was discussed and the year was finished in the black. The 2011-12 Budget was updated and some concern was mentioned about possible cutbacks in grants. A Head Start program was updated. The Safe School Climate Plan was also reviewed.

- **Town Council Liaison**

Mr. Clark noted that the Town Council approved a Medicaid reimbursement to the Board of Education. There will also be 3 task forces to investigate ways to work together to solve some of the issues. One task force will be technology task force and Josh Freeman will head that task force. The Community Hour was also discussed and there was some concern about having these meetings at local businesses.

CHAIRPERSON'S REPORT

Mr. Powell reminded everyone that the Public Hearing on the budget will be March 28, 2012 at the Tolland High School Auditorium at 7:30 p.m. and urged everyone to attend this meeting. He reminded everyone that if the first referendum is defeated, the referendum amount will only go down. He urged everyone to consider what we could do if we had more funding.

Mr. Clark reminded Mr. Powell that March 28 was a regular meeting night for the Board of Education. After discussion, it was determined that the March 28, 2012 meeting of the Board would be cancelled and a special meeting will be held on March 27, 2012 at the Tolland High School Library Media center.

BOARD ACTION**I.1. Board Policies**

- **Policy 4090 – Reports of Suspected Abuse and Neglect of Children**
- **Policy 5060 – Non-Discrimination (Students)**

Mr. Clark motioned and Mr. Tantillo seconded to approve Board Policy 4090 – Reports of Suspected Abuse and Neglect of Children as presented at the February 22, 2012 meeting of the Board of Education. All in favor. Motion carried.

Ms. Riley Howard motioned and Mr. Tantillo seconded to approve Board Policy 5040 – Non-Discrimination (Students) as presented at the February 22, 2012 meeting of the Board of Education. All in favor. Motion carried.

PUBLIC PARTICIPATION

Dany Halliday of 9 Louise Drive and a Junior at Tolland High School expressed her dissatisfaction with the Pay to Play program. She has started a petition and had written a letter to be read at the Town Council Budget Workshop but the Council sent her back to the Board meeting. Dany read her statement and the Board suggested that she get additional signatures and forward to the Board, who in turn would forward the petition and letter to the Town Council members.

Dan Whitman of 195 Eaton Road stated that it was not just the Pay to Play, but the additional fundraising that parents had to do to have their child participate in the programs. He suggested that perhaps volunteers could be used to offset coaching costs.

Beth Whitman of 195 Eaton Road asked for information concerning the \$259,000 amount in the budget resulting from the Pay to Play.

Sam Adlerstein of 164 Pine Hill Road stated that part of the problem was the perception that there was money in the Board budget. It is also time to play offense and focus on a plan to bring hope back to the community.

POINTS OF INFORMATION

Mr. Powell stated that volunteers could not be used for the teams because of state regulations, mandates and liabilities.

Mr. Powell also explained that the \$259,000 was used to fund positions that had been previously funded by a grant.

CORRESPONDENCE

- Public Hearing on Proposed 5-Year Capital Improvement – February 23, 2012
- Town Council Minutes from Regular Meeting of February 28, 2012

FUTURE AGENDA ITEMS

1. Board Policies
2. Proposed 2012-2013 School Calendar
3. Status of the Budget
4. Proposal to Increase Lunch Prices

The Superintendent reminded everyone that a program sponsored by the PTO's and the Booster Club Celebrating Tolland Schools will be held at Tolland High School on March 22, 2012.

ADJOURNMENT

Mr. Pagoni motioned and Ms. Riley Vincent seconded to adjourn at 9:09 p.m. All in favor. Motion carried.

Respectfully submitted,

Cheryl J. Abbott
Board Clerk

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: March 27, 2012

SUBJECT: Tolland High School Girls Basketball Team

Members of the Tolland High School Girls Basketball team will be present at the Board meeting to be recognized for their achievements during the season. Members of the Basketball team are:

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

Rocco Sansone, coach of the Girls' Basketball team, will also be present at the meeting.

WDG:ca

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: March 27, 2012

SUBJECT: Contribution

Please find on the reverse side of this memorandum a copy of a March 14, 2012 Letter from Mrs. Jaime Summers and a check in the amount of \$3,000 contributed to the Tolland Middle School to help support the Positive Behavior program.

I have accepted this check as per Board Policy 3050 (Gifts, Grants, and Bequests to the District) and wish to thank Mr. and Mrs. Summers for their thoughtful contribution.

WDG:ca


671 Old Post Road
Tolland, Connecticut 06084
Phone (860) 875-5006
Fax (860) 872-1565
www.mastercam.com

March 14, 2012

Tolland Board of Education
Attention: Mr. Guzman
51 Tolland Green
Tolland, CT 06084

Dear Mr. Guzman:

Enclosed you will find a check to help support the Tolland Middle School Positive Behavior program as managed by Principal Walter Willet.

Sincerely,

Jamie Summers

RECEIVED
MAR 19 2012
Tolland Public Schools

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

17677



C.N.C. SOFTWARE, INC.
671 OLD POST ROAD
TOLLAND, CONNECTICUT 06084
860-875-5006



BANK OF AMERICA
CONNECTICUT

51-57/119

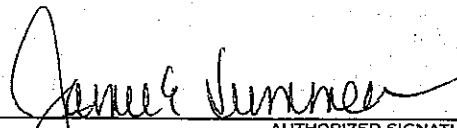
NUMBER
17677

***Three Thousand & No/100 Dollars

DATE
03/13/12

AMOUNT
\$3,000.00

PAY TO THE ORDER OF
TOLLAND BOARD OF EDUCATION
TOLLAND GREEN
TOLLAND, CT 06084


AUTHORIZED SIGNATURE

For: TMS Positive behavioral Support Program

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈017677⑈ ⑆011900571⑆385004339311⑈

F.3.

TO: Members of the Board of Education
FROM: William D. Guzman
DATE: March 27, 2012
SUBJECT: Proposed 2012-2013 School Calendar

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

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

WDG:ca

Tolland Public Schools

2012-13



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

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

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

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

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

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

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

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

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

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

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

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

DATES

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

First Day
*Last Day
*THS Graduation

NO SCHOOL =

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

HALF DAYS = HD

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

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

PTC = Parent/Teacher Conferences*

IS = Inservice Meeting for Teachers

HD = Half Day (Inservice)

LD = Last Day



Students = 183
Teachers = 188

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: February 22, 2012

SUBJECT: Board Policies and Administrative Regulation

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

Attached please find Administrative Regulation 4022 – Concussion Training for Athletic Coaches, Board Policy 5080 – Student Discipline and Board Policy 4080 Family and Medical Leave.

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

Board Policies 5080, and 4080 are revised. The language to be deleted is in brackets and new language is in caps and is bolded.

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

WDG:ca

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

ADMINISTRATIVE REGULATION REGARDING: CONCUSSION TRAINING
FOR ATHLETIC COACHES

Number: 4022
PERSONNEL

Approved: 12/8/10

REVISED:

For purposes of these administrative regulations concerning training regarding concussions and head injuries, the term “**coach**” means any person who holds or is issued a coaching permit by the Connecticut State Department of Education and who is hired by the Tolland Board of Education to coach intramural or interscholastic athletics.

Mandatory Training Concerning Concussions

1. Any coach of intramural or interscholastic athletics, who holds or is issued a coaching permit, must, before commencing his/her coaching assignment for the season, complete an initial training course concerning concussions and head injuries. This training course must be approved by the State Department of Education.
2. Coaches must provide proof of initial course completion to the Athletic Director or his/her designee prior to commencing their coaching assignments for the season in which they coach.
3. One year after receiving an initial training, and every year thereafter, coaches must review current and relevant information regarding concussions and head injuries prior to commencing their coaching assignments for the season. This current and relevant information shall be that approved by the State Department of Education. Coaches need not review this information in the year they are required to take a refresher course, as discussed below.
4. Coaches must complete a refresher course concerning concussions and head injuries not later than five (5) years after receiving their initial training course, and once every five (5) years thereafter. Coaches must provide proof of refresher course completion to the Athletic Director or his/her designee prior to commencing their coaching assignments for the season in which they coach.

5. The Board shall consider a coach as having successfully completed the initial training course regarding concussions and head injuries if such coach completes a course that is offered by the governing authority for intramural and interscholastic athletics and is substantially similar, as determined by the Department of Education, to the training course required by subsection 1 of these administrative regulations, provided such substantially similar course is completed on or after January 1, 2010, but prior to the date the State Board of Education approves the training course discussed in subsection 1 of these administrative regulations.

Concussion Management

1. Any coach of any intramural or interscholastic athletics shall immediately remove a student athlete from participating in any intramural or interscholastic athletic activity who:
 - a. is observed to exhibit signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body; or
 - b. is diagnosed with a concussion, regardless of when such concussion or head injury may have occurred.
2. The coach shall not permit such student athlete to participate in any supervised team activities involving physical exertion, including, but not limited to, practices, games or competitions, until such student athlete receives written clearance to participate in such supervised team activities involving physical exertion from a licensed health care professional trained in the evaluation and management of concussions.
3. Following receipt of clearance, the coach shall not permit such student athlete to participate in any full, unrestricted supervised team activities without limitations on contact or physical exertion, including, but not limited to, practices, games or competitions, until such student athlete:
 - a. no longer exhibits signs, symptoms or behaviors consistent with a concussion at rest or with exertion; and
 - b. receives written clearance to participate in such full, unrestricted supervised team activities from a licensed health care professional trained in the evaluation and management of concussions.

Miscellaneous

1. For purposes of these administrative regulations, "licensed health care professional" means a physician licensed pursuant to Chapter 370 of the

Connecticut General Statutes, a physician assistant licensed pursuant to Chapter 370 of the Connecticut General Statutes, an advanced practice registered nurse licensed pursuant to Chapter 378 of the Connecticut General Statutes, or an athletic trainer licensed pursuant to Chapter 375a of the Connecticut General Statutes.

2. Should a coach fail to adhere to the requirements of these administrative regulations, the coach may be subject to discipline up to and including termination, as well as permit revocation by the State Board of Education.

3. **TOLLAND HIGH SCHOOL AND TOLLAND MIDDLE SCHOOL HANDBOOKS WILL INCLUDE THE FOLLOWING PRESEASON MEETING REQUIREMENT:**

THE CIAC REQUIRES EACH TEAM TO CONDUCT A MANDATORY PRE-SEASON PARENT MEETING. THIS MEETING PROVIDES PARENTS WITH IMPORTANT INFORMATION REGARDING THE IMPENDING SEASON. ITEMS OF IMPORTANCE TO BE DISCUSSED AT THIS MEETING INCLUDE CIAC ELIGIBILITY REQUIREMENTS, TEAM GOALS, INJURY (INCLUDING CONCUSSION AWARENESS), INSURANCE PROCEDURES, TEAM ATTENDANCE POLICIES, PLAYING TIME CONSIDERATIONS, HAZING PREVENTION, TRYOUT PROCEDURES, SUBSTANCE ABUSE/CHEMICAL HEALTH, AND ANYTHING ELSE THE COACH DEEM NECESSARY FOR ATHLETES AND THEIR PARENTS TO KNOW. PARENTS SHOULD MAKE EVERY EFFORT TO ATTEND THE PRESEASON PARENT MEETING.

4. **THE FOLLOWING ACKNOWLEDGEMENT FORM WILL BE DISTRIBUTED TO PARENTS ALONG WITH AN ATHLETIC PARTICIPATION FORMS.**

Legal References

[Public Act 10-62, An Act Concerning Student Athletes and Concussions]
CONN. GEN. STAT. § 10-149B. TRAINING COURSES FOR COACHES RE CONCUSSIONS AND HEAD INJURIES.

CONN. GEN. STAT. § 10-149C. STUDENT ATHLETES AND CONCUSSIONS. REMOVAL FROM ATHLETIC ACTIVITIES.

CONCUSSION: SIGNS AND SYMPTOMS

A CONCUSSION IS NOT A STRUCTURAL INJURY AND THERE IS NO PROTECTIVE EQUIPMENT TO DATE THAT

PROTECT AGAINST A CONCUSSION. CONCUSSIONS ARE CEREBRAL INJURIES RESULTING IN A DISRUPTION

OF THE NERVES, CELLS AND CHEMICALS WITHIN THE BRAIN. THIS PROCESS IS CALLED A METABOLIC

CASCADE AND IS MANIFESTED IN THE DEVELOPMENT OF SIGNS AND SYMPTOMS LISTED BELOW.

A CONCUSSION IS CAUSED BY A BLOW TO THE HEAD OR BODY RESULTING IN A MANIFESTATION OF

SIGNS AND SYMPTOMS INCLUDING, BUT NOT LIMITED TO:

- **HEADACHE, CONFUSION, DIFFICULTY REMEMBERING OR PAYING ATTENTION.**
- **BALANCE PROBLEMS, DIZZINESS, FEELING SLUGGISH, HAZY, FOGGY OR GROGGY.**
- **NAUSEA, VOMITING, SLOWED REACTION TIME.**
- **BOTHERED BY LIGHT OR NOISE, DOUBLE OR BLURRY VISION**
- **LOSS OF CONSCIOUSNESS, FEELING IRRITABLE, MORE EMOTIONAL OR “DOWN”.**

IF YOU SUSPECT THAT YOUR SON/DAUGHTER HAS SUSTAINED A CONCUSSION, PLEASE FOLLOW UP WITH YOUR COACH, ATHLETIC TRAINER, SCHOOL NURSE OR DOCTOR.

PLEASE SIGN BELOW TO INDICATE YOU HAVE READ THE ABOVE STATEMENT.

SON/DAUGHTER_____

DATE_____

PARENT_____

DATE_____

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

REGARDING: Student Discipline

Number: 5080
Students

Approved: 2/12/03

Revised: 6/28/06

Revised: 6/13/07

Revised: 6/25/08

Revised: 2/24/10

Revised: 6/22/11

REVISED:

I. Definitions

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

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

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

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

II. Scope of the Student Discipline Policy

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IV. DISCRETIONARY AND MANDATORY EXPULSIONS

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

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

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

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

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

V. Procedures Governing Removal from Class

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

VI. Procedures Governing Suspension

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

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

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

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

VII. Procedures Governing In-School Suspension

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

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

VIII. Procedures Governing Expulsion Hearing

A. Emergency Exception:

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

B. Hearing Panel:

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

C. Hearing Notice:

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

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

D. Hearing Procedures:

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

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

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

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

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

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

F. Stipulated Agreements:

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

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

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

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

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

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

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

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

2. The Board of Education is not required to offer an alternative [program] **EDUCATIONAL OPPORTUNITY** to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity.
3. **THE BOARD OF EDUCATION SHALL COUNT THE EXPULSION OF A PUPIL WHEN HE/SHE WAS UNDER SIXTEEN OF AGE FOR PURPOSES OF DETERMINING WHETHER AN ALTERNATIVE EDUCATIONAL OPPORTUNITY IS REQUIRED FOR SUCH PUPIL WHEN HE/SHE IS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN.**

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

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

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

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

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

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

X. Notice of Student Expulsion on Cumulative Record:

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

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

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

XI. Change of Residence During Expulsion Proceedings:

A. *Student moving into the school district:*

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

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

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

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

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

A. *Suspension of IDEA students:*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

XV. Early Readmission to School

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

XVI. Dissemination of Policy

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

XVII. Compliance with Reporting Requirements

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

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

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

Legal References:

Connecticut General Statutes:

§§4-176e through 4-180a	
AND §4-181a	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 [10-111] 11-115 , An Act Concerning JUVENILE REENTRY AND	
Education [Reform in Connecticut]	
PUBLIC ACT 11-126, AN ACT CONCERNING ADULT EDUCATION.	
PUBLIC ACT 11-232, AN ACT CONCERNING THE STRENGTHENING OF	
SCHOOL BULLY LAWS.	
PUBLIC ACT 11-157, AN ACT CONCERNING JUVENILE JUSTICE	

Federal law:

Honig v. Doe, (United States Supreme Court 1988)
Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq. as amended by the Individuals with Disabilities Education Improvement Act of 2004
PUB. L. 108-446
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).
18 U.S.C. § 921 (Definition of “Firearm”)
18 U.S.C. § 930 (g) (2) (Definition of ‘Dangerous Weapon’)
18 U.S.C. § 1365(H)(3) (Identifying “Serious Bodily Injury”)
21 U.S.C. § 812(C) (Identifying “controlled substances”)
34 C.F.R. § 300.530 (DEFINING ILLEGAL DRUGS”)
Gun-Free Schools Act. Pub. L. 107-110, SEC. 401,115 Stat. 1762
(Codified at 20 U.S.C. §7151)

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

REGARDING: Family and Medical Leave

Number: 4080
Personnel

Approved: 2/28/01

REVISED:

PURPOSE

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

ELIGIBILITY

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

REASONS FOR LEAVE

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

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

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

LENGTH OF LEAVE

(A) BASIC FMLA LEAVE ENTITLEMENT

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

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

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

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

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

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

TYPES OF LEAVE AND CONDITIONS

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

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

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

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

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

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

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

(B) Both Spouses Working for the Same Employer

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

(C) LIGHT DUTY

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

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

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

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

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

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

REQUESTS FOR LEAVE

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

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

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

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

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

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

USE OF PAID LEAVE

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

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

MEDICAL INSURANCE AND OTHER BENEFITS

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

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

REINSTATEMENT

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

ADDITIONAL INFORMATION

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

Legal References:

Connecticut General Statutes:

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

UNITED STATES CODE:

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

29 CFR PART 825 ET SEQ.

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

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

TO: Members of the Board of Education

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

DATE: March 27, 2012

SUBJECT: Proposed Increase in Lunch Prices

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

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

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

WDG/JN/ca



Tolland Public Schools
Department of Food Service

Date: February 23, 2012
To: Jane A. Neel, Business Manager
From: Abby Kassman-Harned, Director of Food Service
Subject: Lunch Price Proposal Fiscal Year 2012-2013

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

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

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

Current Prices:

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

Proposed Prices for 2012--2013:

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

Attachment

Tolland Public Schools Department of Food Service Lunch Price Comparison 2011-2012

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

April 2012						
Mon	Tue	Wed	Thu	Fri	Sat	Sun
Mar 26	27	28 <input type="checkbox"/> Half Day, Teacher in Service <input type="checkbox"/> Board of Ed Meeting at the Council Chambers	29 <i>More events...</i>	30 <input type="checkbox"/> Preschool Learning Center Screening <input type="checkbox"/> Preschool Learning Center Screening	31	Apr 1
2	3	4	5 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013	6 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013 <input type="checkbox"/> No School	7 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013	8 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013
9 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013	10 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013	11 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013 <input type="checkbox"/> Board of Ed Meeting at the Council Chambers	12 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013	13 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013	14 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013	15 <input type="checkbox"/> Last day to order your child's Tool Box Kit for 2012-2013
16 <input type="checkbox"/> Spring Break	17 <input type="checkbox"/> Spring Break	18 <input type="checkbox"/> Spring Break	19 <input type="checkbox"/> Spring Break	20 <input type="checkbox"/> Spring Break	21	22
23 <input type="checkbox"/> Concert: Mrs. Beaton's AM & PM classes 6:15PM-6:45PM <input type="checkbox"/> Concert: Mrs. Gramling's AM & PM classes 7:15PM-7:45PM	24 <input type="checkbox"/> Concert: Mrs. Miner's & Mrs Kelly's classes 6:15PM-6:45PM <input type="checkbox"/> Concert: Mrs. Boucher's AM & PM classes 7:15PM-7:45PM	25 <input type="checkbox"/> Concert: Mrs. Littell's & Mrs. McGee's classes 6:15PM-6:45PM <input type="checkbox"/> Board of Ed Meeting at the Council Chambers	26 <input type="checkbox"/> Enrichment Club: Math Magic	27 <input type="checkbox"/> Preschool Learning Center Screening <input type="checkbox"/> Preschool Learning Center Screening	28	29
30	May 1	2	3 <input type="checkbox"/> Enrichment Club: Math Magic	4	5	6

[Print](#)

April 2012						
Mon	Tue	Wed	Thu	Fri	Sat	Sun
Mar 26 Book Fair	27 Book Fair	28 Book Fair Half Day - K-12 - Teacher In-Service	29 Book Fair	30 TIS Beach Day Book Fair	31	Apr 1
2	3 Grade 5 Chorus Concert	4	5	6 No School - Contractual Holiday	7	8
9	10	11	12	13 TIS Crazy Sock Day	14	15
16 No School - Spring Break	17 No School - Spring Break	18 No School - Spring Break	19 No School - Spring Break	20 No School - Spring Break	21	22
23	24	25 5th Grade Assembly - We are the People	26	27 3rd Grade Field Trip	28	29
30 5th Grade Boston Field Trip - Ms. Leser/Mr. Zangerl Only	May 1 5th Grade Boston Field Trip - Mr. McCarthy/Mrs. Racco Only	2 5th Grade Boston Field Trip - Mrs. Kneeland/Mr. Campbell Only	3 5th Grade Boston Field Trip - Ms. Moebus/Miss Deliman Only	4 5th Grade Boston Field Trip - Ms. Storozuk/Miss Paquette Only	5	6

[Print](#)

April 2012						
Mon	Tue	Wed	Thu	Fri	Sat	Sun
Mar 26	27	28	29	30 Track Tryouts - Grade 8 Only Student Government Activity Night	31	Apr 1
2 Track Tryouts - Grades 6 and 7	3 Track Tyouts - All Grades	4 Track Tyouts - All Grades	5 Track Tyouts - All Grades	6 Contractual Holiday - No School	7	8
9 ROPE Graduation	10	11	12	13 Service Corps Dodgeball Tournament	14	15
16 Spring Break - No School	17 Spring Break - No School	18 Spring Break - No School	19 Spring Break - No School	20 Spring Break - No School	21	22
23	24	25	26	27	28	29
30 TMS PTO Book Fair	May 1 TMS PTO Book Fair	2 TMS PTO Book Fair	3 TMS PTO Book Fair Breakfast with the Principal	4 TMS PTO Book Fair Student Council Dance 7:30 - 9:30 p.m.	5	6

[Print](#)

April 2012						
Mon	Tue	Wed	Thu	Fri	Sat	Sun
Mar 26	27	28	29 🎵 Music Concert	30 📅 Spring Fling Dance	31 📅 Project Graduation Bottle Drive	Apr 1
2	3	4	5 📅 End of 3rd Quarter	6 📅 No School	7	8
9	10	11	12	13	14 📅 ACT	15
16 📅 No School - Spring Break	17 📅 No School - Spring Break	18 📅 No School - Spring Break	19 📅 No School - Spring Break	20 📅 No School - Spring Break	21	22
23 📅 Booster Club	24	25	26 📅 Sophomore Early College Planning Program	27	28	29
30	May 1	2	3	4	5 📅 SAT	6

[Print](#)

Received March 8, 2012
Margaret DeVito
Tollan Clark

MEETING MINUTES

TOWN COUNCIL/BOARD OF EDUCATION JOINT MEETING HICKS MEMORIAL MUNICIPAL CENTER 6TH FLOOR COUNCIL ROOM MARCH 6, 2012 - 7:00 P.M.

RECEIVED
MARCH 7 2012
Tollan Public School

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

MEMBERS ABSENT: None.

BOARD OF EDUCATION MEMBERS PRESENT: Andy Powell, Chairman; Robert Pagoni, Vice-Chair; E. Steve Clark; Thomas J. Frattaroli; Karen Kramer and Frank Tantillo

BOARD OF EDUCATION MEMBERS ABSENT: Althea Gill; Gayle Block and Christine Riley Vincent

OTHERS PRESENT: William Guzman, Superintendent of Schools; Jane Neel, Business Manager; Mike Wilkinson, Director of Administrative Services; Tom Swanson, Principal of Birch Grove School; Jim Dineen, Principal of Tolland Intermediate School; Adam Sher, Director of Technology; Chris White, District Technology Specialist

1. **Call to Order:** Pursuant to Section § C9-4 of the Town Charter the Town Manager is required to call and attend a joint meeting of the Town Council and Board of Education for the purpose of discussing the appropriation request of the Board of Education. Steven Werbner called the meeting to order at 7:00 p.m.
2. **Discussion and questions between Board of Education, Town Council, Town Manager and Superintendent of Schools regarding the Board of Education proposed budget for 2012-2013:**

Mr. Guzman started by expressing his appreciation for the time, effort and hard work that the Town Council and BOE have attended and participated in over the last several months. This is uncharted territory and unprecedented. He appreciates their hard work, dedication and commitment to this task.

Mr. Guzman gave an overview of the District with the use of a PowerPoint. When he initially presented his budget request to the Board, it totaled a 5.98% increase. After the Board reviewed it and worked with it, they reduced his request to 4.64% increase. They did do their due diligence in looking at the budget request and the opportunities that could be moved forward on. They are looking for \$36,270,848. A slide was shown displaying the drivers behind the increase. Many of the items are contractually mandated. Personnel (salaries & benefits) and Special Services (program) were the two highest increases. The BOE decided to fund all levels of athletics in the budget, by increasing the pay to play rates. 77.1% of the budget represents personnel; and 22.9% represents programs.

He reviewed what the budget includes, such as a \$225 set athletics participation fee at TMS; JV and V athletics participation fees are set at \$325 per student; 2 World Language teachers at TMS; 1 English teacher, 1 Math teacher and 1 Social Worker at THS; \$60,000 for the lease purchase of 300 computers (5 year lease); and \$197,034 anticipated increase of 10% in the health insurance, as well as an assumption that 15 staff members will move from the premium program to the HSA account.

He reviewed the academic program. Right now they are in the middle of Connecticut Mastery Testing and CAP testing. He reviewed the scores and showed how we compare with the State and DRG in the areas of reading, writing, math and science. With regard to SAT scores Tolland ranks fairly high. They are some of the highest in the States. About 85% of our students go on to post education. Our graduation rate is 98.6%, which is high.

A slide was shown outlining the per pupil expenditure by type. Tolland is \$10,663, where the State average is \$13,592. The slide showed the expense type, total expenditure and the State average breakdown. Mr. Field asked how Tolland compared to the DRG regarding the per pupil expenditure. Mr. Guzman said it is \$13,000+, which is similar to the State's average.

Mr. Freeman was curious as to the number projected for the HSA. Mr. Guzman said he is projecting going forward. He is hoping there is more participation. Currently, there is only one year of history that they can rely on. He believes that the first year will be the peak. He does not believe the second year will get to the first year's number. He is making an assumption on his end, although he hopes his number is conservative. He commented on a meeting held today with Mr. Werbner, wherein the insurance carrier is saying the premium number is higher than what was predicted by the consultant.

Mr. Belsito asked why the resistance to the HSA? Mr. Guzman said the employees are comfortable with the premium base and the program they are currently on. Some are concerned with meeting the high deductible in the HSA plan. Mr. Guzman believes there are a number of good points to moving over to the HSA.

Andy Powell added that there had been previous comments from the Council members regarding the utilization of the Social Worker in the high school. He wondered if the Council had any other questions with regard to how that person is being utilized or the work load of that person. Mr. Gill responded by saying that this was discussed at another meeting, and he trusts that it is needed if it is being asked for.

3. Discussion of Town and Board of Education Technology Needs:

Mr. Werbner commented that the town side has no full time technology staff, and currently are using an outside consultant that is paid on a yearly basis. The BOE has three full time staff. The town looks forward to any input that the Council and BOE might have. Mr. Powell said there was a request in regard to the school systems technology plan from the Council. The system does have a 5 year plan. He has asked that the plan be brought forward, but the issue is that the Plan is currently at its end point and is in the process of being reconstructed. Once it is complete, they will be provided a copy.

Mr. Powell said they were excited to work with the town on a server based technology. He commented that the amount being sought in the budget is a band-aid to get them through until they can do the full plan. From a technology plan standpoint, they are looking at providing additional points of areas, with various security levels. Teachers and staff would be able to work with sensitive information and be secure, rather than being unsecured outside of a building. The technology is no longer just using individual PC's, it is more handheld devices, items that can be carried or transported place to place. They should not be concentrating on operating systems, they are irrelevant. They should be focusing on the person, the location and the device that people have, although the devices held today, will not be the device used tomorrow. Obviously, security for who has access to what will need to be considered. He advised that no crazy purchases were being made right now.

From a short term stand point, they are looking at making the Wi-Fi infrastructure more robust. That is an investment that they see actually saving money.

He believes we are at a great time to comingle the town and the school resources to provide better benefit, not just to the students, but to the town as well. They will also be looking at the potential of shared services from a SAS standpoint. Applications that do not need to be hosted internally, will be hosted other places. He continued speaking of the technology needs into the future.

Mr. Gill asked if he would be interested in a technology task force. Mr. Powell said yes. Mr. Gill said the task force might be able to help them in developing their plan, and that they need to get as many different eyes looking at this, from many different areas, so that we capture everything we can.

Mr. Freeman said he wants to tap into the knowledge within the town and have that talent tapped into to develop the plan. We need to have a road map to justify the expense.

Mr. Scavone asked if they could act on something fast enough so that they wouldn't have to invest in a band-aid. Could the \$60,000 be used better sometime in the future? Mr. Freeman asked if there was something that could be put in this investment to get us through the next six months. Mr. Sure responded by saying that they would need to take computers out of the students' hands to put them on teachers' desks so that they could do their job.

Mr. Field agreed with Mr. Guzman by saying he is totally right. He thanked everyone, both on the Council and BOE, for putting in the effort.

Mr. Powell said if they want to see why or where a number is coming from in the BOE budget, just ask. They do not want to engage in us v. them. The whole conversation here is about Tolland. They all have a game in this. If they want to get to #1 on the list, they need to all be engaged. Engagement and voting is absolutely necessary. The first Tuesday in May is the referendum date. If the public can't make it, they have enough notice to get in an absentee ballot.

Richard Filed motioned to add public comment to the agenda; Seconded by Mark Gill. All in favor. None opposed.

Linda Rallo of 38 Barbara Road – She is a resident and teacher. She teaches 2nd grade. She knows the economy is tight. She asked them to take a long hard look at where they would like our students to be.

Sam Adlerstein of 164 Pine Hill Road – He wanted to recognize how hard all the leaders are working. This is wonderful and encouraged them to keep it up.

Bob Rubino of 296 Weigold Road – He sang his song again for HSA's. They are a great plan for the individual, never mind the town. Once you get over the initial shock of something being different, you get through it. There is savings on the premium, its pre-tax dollars and you can carry it into retirement. He believes the technology task force is a great idea.

- 4. Adjournment:** Jan Rubino moved to adjourn the meeting; Seconded by Josh Freeman at 8:27 p.m. All were in favor.

Steven R. Werbner
Town Manager

Michelle A. Finnegan
Town Council Clerk

RECEIVED
MAR 15 2012
Tolland Public Schools

MEETING MINUTES

Received March 15, 2012
Margaret DeVito
Town Clerk

**TOLLAND TOWN COUNCIL
HICKS MEMORIAL MUNICIPAL CENTER
6th FLOOR COUNCIL ROOM
MARCH 13, 2012 – 7:30 P.M.**

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Steven R. Werbner, Town Manager; Michael Wilkinson; Clem Langlois, Public Works; John Littell, Public Safety/Fire Chief; Beverly Bellody, Human Services; Lisa Hancock, Director of Finance and Records; Linda Calabrese, Collector of Revenue; Mark Summers, Chair of the Energy Committee; Marilee Beebe, Chair of the PZC; Susan Errickson, Vice-Chair of the PZC; Linda Farmer, Director of Planning and Community Development

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:** Certificates of Appreciation presented to Chapman Properties, The Country Butcher, John Olender Corporation, Rock-Vern Electric, Inc. and Star Hill Family Athletic Facility for their generosity and assistance during Storm Irene & Storm Alfred.

Mr. Scavone thanked the local businesses for their dedication and help to the Town of Tolland. It is citizens and businesses like this that makes him proud to live in Tolland.

Mr. Scavone, Mr. Littell and Mr. Langlois presented the following certificates to:

The Country Butcher, Mr. Boyer: Mr. Werbner commented that Mr. Boyer provided food for 5 days, which fed over 100 people each night. Mr. Littell told Mr. Boyer that they spoiled everyone with their food.

John Olender Corporation, John Olender: Mr. Littell said Mr. Olender assisted with the supply of generators and "spare of the moment" assistance. Without his generators, this town would never have been able to run the EOC, all communications, showers, and Station 140.

Rock-Vern Electric, Inc., Stephen Palumbo: Mr. Littell said Mr. Palumbo committed his services to the Town of Tolland for the generators located at the EOC, Station 140, the well-pump, the Senior Center and part of the school system. He dedicated himself to this community and its residents, when he could have been out doing other work.

Mr. Palumbo commented that the town was lucky to have John Littell and Clem Langlois. He has never seen anyone put in as much time as those two guys.

Mr. Werbner commented on the two businesses not present:

Chapman Properties: Provided trucks to haul supplies; and

Star Hill Family Athletic Facility: Opened up their facility for the use of their showers. Their Certificates will be delivered to them.

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

6. **PUBLIC HEARING ITEMS:**

6.1 Consideration of a resolution making an additional appropriation of \$3,125.78 to the Board of Education's 2011-12 Budget for Medicaid payments.

Mr. Werbner said this is money received routinely by the BOE for Medicaid payments received from the State of Connecticut. A portion of the BOE's cost of providing certain case-specific services is eligible for partial reimbursement from Medicaid. Attorney Conti indicates that these funds are required to be returned to the BOE pursuant to State statutes.

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

A straw poll was conducted of all those in favor of making this additional appropriation. 12 in favor; 0 opposed.

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

Richard Filed read the following resolution:

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

WHEREAS the Board of Education has received a payment in the amount of \$3,125.78 from the Department of Social Services' Medicaid Reimbursement Plan;

NOW, THEREFORE, BE IT RESOLVED by the Tolland Town Council that it hereby appropriates an additional \$3,125.78 in Medicaid payments to the Board of Education's 2011-12 budget.

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

6.2 Consideration to amend Ordinance 78 to provide that motor vehicle taxes shall be due and payable in full in one installment due on July 1, 2013. Thereafter, motor vehicle taxes shall be due and payable in full in one installment on each July 1 following each subsequent Grand List.

Mr. Werbner read his item summary:

ITEM SUMMARY: Under Connecticut law motor vehicle taxes are essentially due on July 1 of the fiscal year except that Towns may elect to allow two or four equal installments. In most Connecticut municipalities real estate taxes are collected in two installments and motor vehicle taxes are collected in one installment. The Town of Tolland's charter Sec C9-12 states "taxes levied by the Council shall be due and payable in two equal installments. The Town Council may by ordinance allow for other payment installments."

The Town Council voted on February 24, 2009 to convert to a single installment starting July 1, 2010. A public hearing was held on March 10, 2009 and the Ordinance 78 was adopted as amended. On May 25, 2010 and February 22, 2011 the Council amended the Ordinance 78 to be effective as of July 1, 2011 and July 1, 2012 accordingly. The previous Town Council indicated that this matter should again be reviewed in February of 2012. We are recommending a final amendment to delay the effective date to July 1, 2013 in order to provide advance communication and press releases to the public so they can be financially prepared for this change. Section C9-12 of the Town Charter and Conn. Gen. Stat. §12-144a regarding payment of tax on motor vehicles is attached as well as a portion of minutes from the February 22, 2011 Town Council meeting.

The advantages for making this change are as follows:

1. Cash flow will be significantly improved to cover expenditure requirements as well as additional funds available for generation of investment income to help offset the amount required to be raised from taxation.
2. There could be some reduction in staff processing time which can allow for an enhanced focus by staff on delinquent collections and other office responsibilities.
3. There will be a reduction in banking fees, deposit preparation time, requests for replacement copies of lost bills and office paper and ink for receipts.
4. There will be a reduction in customer confusion between the motor vehicle supplemental bills which are mailed in January and the current second installment. We can better manage the supplemental billing process during the January collection period. There are a number of individuals who do get confused with the second installment. They forget that there is a second payment, until they realize that they are already delinquent and interest accrues on their outstanding bill.
5. There will be a reduction in duplicate delinquent tax collection efforts for each time a same taxpayer may be delinquent for the separate installments. Fewer delinquent billings will be mailed.
6. There can be a reduction in the number of late payments due to some people who tend to forget the January installment being due.
7. We can code and manage supplemental bills more accurately.

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

A straw poll was conducted of all those in favor of this Ordinance. 9 in favor; 1 opposed.

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

Ms. Rubino said she has received feedback on this. A number of people are opposed to this. Mr. Freeman said the feedback he has received has been to stay with two payments. The two payment system to him is more feasible for those who live paycheck to paycheck. He would vote against this. Mr. Stanford said he has had people comment for and against this item. He believes this matter should be resolved one way or another. Mr. Belsito said feels this does not put the taxpayer first. There are going to be some individuals who will not be able to pay in one lump sum. It's been two installments since he's been in town. He doesn't think there will be any savings, but it will hurt the taxpayers. Mr. Gill said the feedback he's received has been half and half. He loves anytime we can pick up efficiency, although he doesn't think this is broke, so it doesn't need to be fixed. Mr. Field said this came up when he was previously on the Council. There will be some people that can afford it, but there will be some that can't. Mr. Scavone said there is not an advantage, other than the efficiencies to do it. At some point in the future, there may be a significant financial advantage.

Mr. Werbner said it is an inefficient and difficult way for the collections. The average motor vehicle tax is \$800.00. When this first came up, there was going to be \$8,000 – 10,000 in interest incurred. Now, it is much lower.

Richard Field read the following resolution:

NOW, THEREFORE, BE IT RESOLVED by the Tolland Town Council that it hereby amends Ordinance 78 to provide that motor vehicle taxes shall be due and payable in full in one installment due on July 1, 2013. Thereafter, motor vehicle taxes shall be due and payable in full in one installment on each July 1 following each subsequent Grand List.

Seconded by Mark Gill. Mr. Scavone and Mr. Stanford were in favor. Jan Rubino, Josh Freeman, Richard Field, Mark Gill and Sam Belsito were opposed.

Ben Stanford motioned to set a public hearing date for March 27, 2012, to discuss changes to Ordinance 78 and to take action on it; Seconded by Richard Field. All in favor. None opposed.

- 6.3 Consideration of a resolution to make an appropriation of \$20,000 from the Department of Energy & Environmental Protection Municipal Quick Spend Energy Efficiency & Conservation Program to the Capital Budget.

Mr. Werbner commented that the DEEP notified the Town that they received a grant award for \$20,000 to engage a consultant to look at the possibility of performance contracting for energy improvements primarily at TMS and TIS, but also BOE and town buildings. The Consultants will assist the town in preparing and going out for RFP's. The first phase needs to be completed by June 30, 2012. We have the money, we are ready to go. This will put the money in place to pay the Consultant to move forward with the project.

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

A straw poll was conducted of all those in favor of making this appropriation. 6 in favor; 0 opposed.

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

Richard Field read the following resolution:

WHEREAS, The Department of Energy and Environmental Protection notified the Town on February 8, 2012 that competitive grant application for an ESPC Owner's Representative Energy Consultant in the amount of \$20,000 had been approved.

WHEREAS, The ARRA EECBG QuickSpend Grant Award Contract has been signed by the Town and returned to DEEP. The Town is ready to proceed with the project. This project is required to be completed by June 30, 2012.

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

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

- 7a1. Tolland Energy Task Force: Mark Summers, Chair of the Energy Committee, spoke about what they have been doing and updated the Council on the work at the town hall. He reviewed the Agenda from their last meeting: they revisit the status of this building; they are trying to establish a process to visit buildings in town to determine energy usage, and if there are any easy ways to improve the energy usage; they spoke of building guidelines that may get submitted to the Building Department; and they are doing publications, some through the Tolland Patch. The town hall project consists of a new geothermal system, new lighting, new ceiling tiles and a new parking lot. The completion date is still scheduled for October 15, 2012. They are into the project 175 days and are about 45% complete. The wells have been piped to the building and have been charged with water. He gave a complete update of the job to date. Commissioning is ongoing and will continue. The elevator project will be completed at the end of March. The architects have commented that they are pleased with the interaction and the progress with the town and say that "the town has been gracious and flexible with the contractors in the process and progress has been smooth."

Mr. Scavone asked what the anticipated energy savings will be to the town. Mr. Summers said in terms of oil, 6,500 gallons a year (cost of a gallon of oil x 6,500 gallons); electricity use will be about the same.

Mr. Freeman asked how much the energy software for the Energy Task Force would be to enable them to track energy use. Mr. Summers said it is about \$2,000 a year. Mr. Freeman said the software is called Energy Cap. It allows the town to track the usage from multiple meters (fuel, propane, electricity and water). Without it, we can't trend where we are, or learn what the usage patterns are. The BOE uses it. Mr. Freeman suggests that they look at making this investment. Mr. Werbner said he believed the Energy Task Force maybe looking into a grant to acquire this.

7b. **REPORTS OF TOWN COUNCIL LIAISONS:** Mr. Field went to the Tolland 300th Community meeting. He was impressed with the way things are set up. They are still looking for a spot to put up a Memorial, and were inquiring as to a specific area that the town is working on acquiring. Mr. Belsito reported that PZC is trying to change the zoning so that pharmacies *only* can have drive-thrus; they are working on new sign regulations; engineering assistance on the Tolland Village site may not be compatible with the vision that was presented. Mr. Gill commented that he attended the Girl Scouts 100th Anniversary on the Green. It was a really nice event and he congratulated the Girl Scouts.

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

- 8.1 Approval for the Town Public Works Department to proceed with the roof repair work on Level 2 of the Hicks Memorial Municipal Center utilizing already in place funding sources.

Mr. Werbner commented that this is an item in the capital budget for the next fiscal year. It would allow for roof repairs in the area of the building where Public Works, Probates and formerly Recreation are located. We have ongoing leaks in that section of the building. As of now, they are actively involved in the HVAC project, and that is the level that is currently being worked on. While replacing duct work, they are replacing ceiling tiles and carpeting within those locations. It doesn't make sense to put new ceiling tile and carpeting in an area that is leaking. The money is in the capital revenue accounts and is eligible to be used at this time.

Richard Field read the following resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby approves the Town Public Works Department to proceed with the roof repair work on Level 2 of the Hicks Memorial Municipal

Center utilizing already in place funding sources. The money for the work, approximately \$100,000 is currently budgeted within the capital revenue accounts.

Seconded by Josh Freeman.

Mr. Gill said this money was planned on being spent next year, and the only reason we are doing it now is because of the measures that Mr. Werbner spoke about. From a financial standpoint, the money being used is currently available and we are paying down next year's expense.

Mr. Field asked Mr. Werbner if anyone is ever brought in to do any predictive maintenance work. Mr. Werbner commented that a full scan of this building was done before this project. It was done at the high school after it was completed. Mr. Field said it may be a good idea to put that on a regular schedule.

All in favor. None opposed.

8.2 Approval for the Town Manager to work with the UConn Graduate School of Public Policy to prepare an update to the 2008 citizen survey.

Mr. Werbner commented that the town conducted a survey in 2008 using the Survey Research Center at UConn, costing \$20,000. He believes the surveys are a useful policy tool and should be updated every five years or so. He has had discussions with the UConn Graduate School of Public Policy about including a survey of this nature as a project which students would undertake as part of their graduation requirements. The cost to use the services in this fashion is \$50. Students would be responsible for working with us and three professors in updating questions, preparing new questions (the BOE would like to add some questions), making recommendations on sampling methodology (who will be included, will it be a mailer or on-line survey), analyzing results and comparing 2013 results with those obtained in 2008. We would be responsible for any printing or mailing costs (\$2,000 – 5,000). He believes it is an excellent way to get feedback from residents on many important issues at a reasonable cost. If this is approved, he will meet with the Professor who is in charge on March 19th to discuss how to move forward. The work would start in August, 2012 and be completed by May, 2013, the time they graduate.

Mr. Scavone said he would like to see it done within 6 months. It may be more beneficial if it could be in one class, one term, and we could have it in January 2013. He believes it would be beneficial going into the budget cycle. Mr. Werbner will check on that. Mr. Freeman would be interested to see if it could be done on-line, or in combination with mailings. It may increase the return rate. Mr. Werbner said in order to make it statistically valid, there was an elaborate method that the 2008 UConn group used.

Richard Field read the following resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby approves the Town Manager to work with the UConn Graduate School of Public Policy to prepare an update to the 2008 citizen survey.

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

8.3 Request from the Planning & Zoning Commission for transfer of funds from Building Inspection Professional Services and Engineering Payroll for consultant services in the proposed Technology Zone.

Mr. Werbner commented that the PZC is focusing on completion of new Zoning Regulations for the Technology Zone as part of the Growth and Development Initiative. Efforts to adopt regulations for this area several years ago were not completed, but sewer and water infrastructure is in place and interest has

been shown for development in the area. We are excited in paralleling any work we do in this area with what is happening at UConn. The PZC is working with Planimetrics to evaluate the development potential of the approximately 140 acres (100 non-wetlands acres) in this zone and identify desired development patterns. This would include 3'D visualizations that were successful in the Tolland Village Area in helping residents and landowners understand how development and multiple stories would look. A Public Workshop and presentation to boards and commissions, as well as alternate site sketches are included.

The PZC had a made a request as part of the budget process for money in next year's budget to do this work. Although, he has found that the money is needed now because they are doing the work now. It would not be beneficial to hold off and wait another fiscal year. The money is currently available because of the vacancy of the town engineering position. He is seeking to make a transfer of \$15,000 to make up the difference in the Consultant quote and \$5,000 would come from salary within the building inspection office, as well as \$10,000 from salary within the engineering office.

Marilee Beebe, Chair of the PZC, thanked the Council for considering this. She encourages moving forward so that they can pursue the technology zone regulations in conjunction with what UConn is doing. This will allow for a coordinated approach to the UConn technology park and all the development that is going on in Storrs. She does not anticipate having to come back to ask for more money.

Ms. Rubino is in favor of them having the funds. Mr. Freeman thinks visual representation is important. Mr. Stanford asked what the general scope of the regulation changes are for the technology zone, compared to what they are today. Ms. Beebe said it is more of a mix use, providing for residential and commercial. Mr. Belsito asked what the time table would be. Ms. Beebe said probably over 15-20 years. Mr. Belsito is concerned about the planning that was done prior for the Tolland Village, wherein the buildings will not fit on that turf. Ms. Beebe said there are some areas that are not easy to build on, not all the land is flat farm land. She used Star Hill as an example. When they started that project, they were told it was never going to fit, it wasn't going to work, and they wouldn't be able to get athletic fields in the side of a mountain. They used some very creative engineering and they were able to develop a nice facility. Mr. Scavone asked the timeframe? Ms. Beebe said 6-9 months. Mr. Scavone suggested tweaking the presentation a little bit to sell the project to someone at the same time.

Richard Field read the following resolution:

The PZC seeks the transfer of \$15,000 to make up the difference in consultant quote and their available funds for this fiscal year. These funds would be transferred from the following accounts: Building Inspection Professional Services \$5,000 and Engineering Payroll \$10,000 due to a savings realized from personnel vacancies and attrition in payroll. \$15,000 will be transferred to Engineering Professional Services.

BE IT RESOLVED that the Town Council authorizes request from the Planning & Zoning Commission for a transfer of funds from Building Inspection Professional Services and Engineering Payroll for consultant services in the proposed Technology Zone.

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

- 8.4 Discussion of the creation and development of mission statements and reporting timelines for a Technology Task Force, Economic Sustainability Task Force and expansion of the Energy Task Force to include a review of efficiencies associated with Town facility consolidation, renovation or expansion.

Mr. Werbner said that the Town Council asked that there be an agenda item to discuss creating a Technology Task Force/Advisory Board that would assess the technology needs of the Town as well as the

Board of Education and develop an action plan for implementation. This request has been expanded to include a task force on economic sustainability as well as to expand the charge of the Energy Task Force to include an analysis of the efficiency associated with consolidation, expansion or rehabilitation of Town facilities.

Mr. Stanford suggested discussing what the task forces would look like, how to staff, the goals, scopes of work, etc. Mr. Scavone suggested doing some community outreach to the citizens of the town that have background in these areas. Mr. Field suggested that a couple of Council members get together to work up outline for each task force. Mr. Gill commented that for the sustainability task force, he wants to tap into the energy that exists today in this town for a green environment and put it to work to protect the environment and deliver a fixed, tangible result in reduced costs. Mr. Werbner said specific goals and a timeframe would be important before soliciting volunteers.

Mr. Field said there needs to be an outline for each task force. It was determined that outlines would be prepared by: Mark Gill: Sustainability Task Force, Josh Freeman: Technology Task Force, and Ben Stanford: Energy Task Force.

Mr. Scavone is hopeful that the BOE will get involved on these task forces. This will be put on the Agenda for the first meeting in April, 2012.

Richard Field moved to table this item until the first meeting in April; Seconded by Mark Gill. All in favor. None opposed.

- 8.5 Consideration and action concerning a resolution to approve the issue of \$17,000,000 bonds to refund certain prior bonds of the Town and to finance such additional amounts as are needed to pay all fees, costs, expenses and premium in connection with the refunding of the prior bonds and the setting of a public hearing thereon for March 27, 2012.

Mr. Werbner commented that several years ago there was a refunding of outstanding bonds. We saved several hundred thousand dollars as a result of the refunding. There are \$17,000,000 in existing bonds that may be eligible for refunding and sold at a lower interest rate. The proceeds will buy securities sufficient in earnings to retire the earlier issue at the stated redemption rate. By doing this, we have the potential of saving, over the life of these bonds, an amount close to \$245,000, if the market stays the way it is today a month from now after the public hearing process. If it does not stay the same, as soon as the market comes back down, it can be jumped on.

Richard Field motioned to set a public hearing on March 27, 2012 at 7:30 p.m. in Tolland Town Council Chambers for consideration and action concerning a resolution to approve the issue of \$17,000,000 bonds to refund certain prior bonds of the Town and to finance such additional amounts as are needed to pay all fees, costs, expenses and premium in connection with the refunding of the prior bonds and the setting of a public hearing. Seconded by Mark Gill. All in favor. None opposed.

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

Jan Rubino motioned to appoint the following:

- Robin Shea of 240 Sugar Hill Road is appointed to the Board of Recreation;
- Mary-Pat Soucy of 111 Torry Road is appointed to the Permanent Celebration Committee; and
- Edward Young of 183 Old Post Road is appointed to the Veteran's Recognition Commission.

Seconded by Ben Stanford. All in favor. None opposed.

9. **OLD BUSINESS (ACTION/DISCUSSION ITEMS):** None.
10. **REPORT OF THE TOWN MANAGER (A WRITTEN REPORT SHALL BE PROVIDED THE 1ST MEETING OF THE MONTH ONLY):** Mr. Werbner said there was good publicity on the closing out of the 1989 consent decree at the highway garage. Through a lot of hard work by our Legislatures, Clem Langlois and Jerry Clark, this 23 year old consent order as closed. It will save us a yearly expense. He reminded of important dates: March 14th, 20th, and 21st are the departmental reviews for the budget; March 28th is his public hearing on his recommended budget at the THS Auditorium at 7:30 p.m.; April 3rd the Council adopts their budget; April 24th is the annual budget presentation meeting; April 25th there is a budget presentation at the Senior Center at noon, and May 1st is the annual referendum. If the referendum does not pass, every other Tuesday until it passes will be referendum days. Mr. Clark commented that the BOE meeting will be at the High School on March 15th.
11. **ADOPTION OF MINUTES**
 - 11.1 February 23, 2012 Budget Presentation Minutes and February 28, 2012 Meeting Minutes: Richard Field moved to adopt the minutes; Seconded by Jan Rubino. All in favor. None opposed.
12. **CORRESPONDENCE TO COUNCIL:** None.
13. **COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS:** Mr. Field said he would like to get the safety and darkness of the Green's sidewalk on the agenda. Mr. Werbner commented that there is money in the budget for this. The resetting of the stones is on Mr. Langlois' list, and when time presents itself, it will be addressed. Mr. Werbner will provide a memo on this item to the Council. Mr. Field reminded Mr. Clark that March 29th is the first TC/BOE hour at a school. He needs to know what school so that it can be advertised. Mr. Clark commented that he did give the list of dates to the Superintendent and will follow up with the BOE. Mr. Field wants to start talking about the incentive program for the volunteer fire department. Mr. Werbner said there is a small proposal in the fire budget for the ambulance section, so it will come up in discussion.

Ms. Rubino mentioned moving forward with the appreciation day for the volunteers in the town that was discussed prior. She thought it would be nice as a Council to have a picnic at the new Pavilion. It would be a way for them to reach out to people, and to let them know they are working together. It would also be a way to show appreciation for the work done in this town. Ms. Rubino said they would coordinate it and handle it.
14. **PUBLIC LISTED PARTICIPATION** (*on any subject within the jurisdiction of the Town Council*) (*3 minute limit*): None.
15. **ADJOURNMENT:** Richard Field moved to adjourn the meeting; Seconded by Ben Stanford at 9:31 p.m. All were in favor.

Jack Scavone, Council Chair

Michelle A. Finnegan
Town Council Clerk