

**Please note: These minutes are pending Board approval.
Board of Education
Newtown, Connecticut**

Minutes of the Board of Education meeting on September 6, 2016 in the Reed Intermediate School library, 3 Trades Lane.

| | |
|------------------------------------|---------------|
| K. Alexander, Chair | J. Erardi |
| M. Ku, Vice Chair | J. Davila |
| D. Leidlein, Secretary (7:20 p.m.) | R. Bienkowski |
| J. Vouros | 3 Staff |
| R. Harriman-Stites | 10 Public |
| A. Clure | 2 Press |
| D. Cruson (7:20 p.m.) | |

MOTION: Mrs. Harriman-Stites moved that the Board of Education go into executive session to interview the candidate for the supervisor of special education position and invite Dr. Erardi, Mrs. Davila, Kimberly Beck and Dr. Paula Correia-Grayson. Mr. Vouros seconded. Motion passes unanimously.

Item 1 – Executive Session

The Board came out of executive session at 6:40 p.m.

Item 2 – Pledge of Allegiance

Item 3 – FOIA/Confidentiality Workshop

Attorney Richard Mills gave a presentation on FOIA and confidentiality.

Mrs. Leidlein and Mr. Cruson arrived at 7:20 p.m.

Mr. Alexander asked if there was a problem if a Board member shared a document with the Board to read but not discuss.

Attorney Mills said that one-way communication was fine but if it leads to more emails and texting it becomes a meeting.

Mr. Alexander asked about executive session placement on the agenda and if it could be added during the meeting.

Attorney Mills indicated that the words executive session don't have to be on an agenda. What has to be on is the description of an item which would be under executive session. As a courtesy to the public the item should be listed as executive session. There is no requirement that the agenda list executive sessions. To add an executive session during a meeting there needs to be two, two-thirds votes with the first to add it to the agenda and the second to go into executive session.

Mr. Alexander asked of Board committees have to approve their minutes.

Attorney Mills said that requiring minutes to be approved would be a Board operational decision. FOIA just wants there to be minutes.

Item 4 – Execution Session Action

MOTION: Mrs. Ku moved that the Board of Education appoint Dr. Paula Correia-Grayson supervisor of special education to begin October 10, 2016 with salary per the administrators' contract. Mr. Vouros seconded. Vote: 6 ayes, 1 abstained (Cruson) Motion passes.

Dr. Erardi was pleased that Dr. Grayson was joining the district.

Dr. Grayson indicated that she was grateful for this opportunity and looks forward to this opportunity.

Item 5 – Celebration of Excellence

Dr. Erardi reported that through the hard work by our representatives we expect to receive \$180,000 in March or April. It was a pleasure to introduce Senator Tony Hwang and Representatives Mitch Bolinsky, J. P. Sredzinski, and Dan Carter. From its concept the efforts of these leaders moved this act successfully through the legislature.

Mr. Alexander thanked them their work behind the scenes and with Dr. Erardi. Senator Hwang stated that Dr. Erardi's work was helpful and he acknowledged the district staff and volunteers. There is nothing more important than celebrating the privilege to serve. Representative Bolinsky said this was achieved not only through our efforts but through the follow up by Dr. Erardi and the administrative team. Representative Sredzinski stated that this was an opportunity to work together and it was great to see it come together. Representative Carter said we were on track with this issue and he appreciated the opportunity.

Item 6 – Consent Agenda

MOTION: Mrs. Ku moved that the Board of Education approve the consent agenda which includes the minutes of August 16, 2016, the resignation of Sandy Rodriguez, and the updated Newtown High School fall coaches' roster. Mrs. Leidlein seconded. Motion passes unanimously.

Item 7 – Public Participation

Ryan Knapp, 11 Jeremiah Rd., is a member of the Legislative Council but was speaking for himself. He thanked the Board for recognizing the state representatives and Dr. Erardi for collaborating with them. In our per pupil expenditure calculations the costs incurred from grants from the tragedy counted against us. It was troubling when Dr. Erardi brought it up during budget deliberations. This was a correction that made sense and he was very relieved it happened.

Item 8 – Reports

Chair Report: Mr. Alexander commented on the good opening of school which was also respectful to Sandy Hook School. He would be attending the Legislative Council meeting Wednesday night where there would be a discussion of the purchasing policy as it relates to the Board of Education.

Superintendent's Report:

Dr. Erardi spoke about the projected enrollment and August 29 enrollment. The decline is taking place but in this year we are plus 80 from the projection in 2014. The greatest growth was at Sandy Hook School. He thanked the media for being respectful. He was pleased that everyone in town had the opportunity to walk through the new school. It was a very strong opening.

October 5 at 7 PM in the Edmond Town Hall there will be a presentation about opioid use being brought to the community by various town agencies.

The Community Forum dates were shared with the Board.

Committee Reports:

Mrs. Ku said the policy committee is still reviewing the 3000 series and beginning to review certain policies in the 5000 series.

As the Reed School liaison, Mr. Alexander spoke to some of the teachers before school.

Mr. Clure attended the middle school open house last Wednesday.

Student Reports:

Dylan Lew spoke about the first week of school. He is part of the link crew to help incoming freshmen.

Simran Shand stated that the counselor workshops began for freshman and seniors. The college process has begun along with scholarship applications.

Dylan said that club signups will begin. The first National Honor Society meeting is set for September 7 with Mr. Tolson as the new advisor. Fall sports have begun.

Simran said there is a football conference game this week.

Mr. Vouros asked their opinion on the freshman indoctrination program.

Dylan said that his link crew experience was amazing. It's a way for all freshmen to relax before school starts. One way to improve is to have all students be involved, not just link crew.

Simran said her brother was worried when he started as a freshman. It's important to let these students know they can make mistakes.

Item 9 – Old Business

Newtown Public Schools Strategic Plan 2016-2021:

MOTION: Mrs. Leidlein moved that the Board of Education approve the Newtown Public Schools Strategic Plan 2016-2021. Mrs. Ku seconded. Motion passes unanimously.

Superintendent's Goals and Objectives 2016-2017:

MOTION: Mrs. Ku moved that the Board of Education approve the Superintendent's goals and objectives for 2016-2017. Mrs. Harriman-Sites seconded. Motion passes unanimously.

Policy 5145.122 Use of Dogs to Search School Property:

MOTION: Mrs. Leidlein moved that the Board of Education approve policy 5145.122 Use of Dogs to Search School Property. Mr. Vouros seconded.

Dr. Erardi assured the Board that in partnership with Mark Pompano and Chief Viadero they brought the Board's concerns to practice and the schedule will be updated during the school year.

Mr. Vouros said it was encouraging that the middle school would be involved.

Motion passes unanimously.

Facility and Enrollment Study:

MOTION: Mr. Clure moved that the Board of Education remove from the current facility and enrollment study the option of closing any of the elementary schools as noted in the study by Options A through D and that the options continue with E through I or keeping the number of facilities unchanged. Mr. Cruson seconded.

Mr. Alexander agreed with this motion because closing an elementary school doesn't meet what the projections are showing.

Mrs. Harriman-Stites feels we need to focus our discussion that closing an elementary school doesn't have long-term sustainability. She prefers a more focused discussion on the options that have long-term sustainability.

Mrs. Ku supports this but disagrees that closing the middle school is more sustainable than closing an elementary school.

Mr. Vouros stated that he would never vote for closing an elementary school. He is excited about reviewing what would happen if we closed the middle school educationally for the children. There needs to be a discussion about the seventh and eighth graders. Before we vote it was important to hear from Dr. Erardi about how he feels and what this vote might mean.

Dr. Erardi said in June 2015 when the Board took action to have a deeper dive into facilities and enrollment the secondary conversation never had a chance to unfold. We have an up-tick from projections in the elementary schools. This confirms Mr. Clure's proposal and he supports the recommendation which begins to narrow the scope.

Mrs. Leidlein is reluctant to make decisions without knowing the big picture. What happens to a removed building? How might we repurpose the building? She will vote in favor of this motion but has reservations.

Mr. Alexander is comfortable doing this and appreciated that we have four separate options. He wants to look at what will be functional.

Mrs. Harriman-Stites was convinced that through data closing an elementary school was not an option.

Mrs. Leidlein's concern is that we are making a decision to take options out of the equation without knowing what would happen to the middle school if it were to close. What happens when the enrollment changes and we have one less building?

Mr. Vouros asked the time frame for the final decision.

Mr. Alexander said there is no timeline. We have to self-impose a timeline and move the decision forward.

Mrs. Leidlein asked if the committee was going to give us an idea of what could be done with the building. Is that part of our consideration prior to making a decision?

Mr. Alexander said the committee wasn't required to find out what the town would do with the building.

Mrs. Leidlein wanted to confirm that if we eliminate Options A through D that each elementary school will stay an elementary school.

Mrs. Harriman-Stites said the charge was to keep all buildings. The committee looked at it as repurposing extra space in school buildings.

Dr. Erardi stated that the four elementary schools will stay open with students as elementary schools as the spirit of the motion. Then the conversation is around one building.

MOTION: Mrs. Leidlein moved to amend the motion to say that those elementary school facilities will remain elementary school facilities. Mr. Clure and Mr. Cruson agreed.

Motion passes unanimously.

Mrs. Leidlein asked for a comment on how we address this going forward. She is not in favor of any scenarios about turning over a school. Looking at the sustainability report she is curious about the vision going forward from our administration to help make this process most sustainable and advantageous for our district going forward.

Dr. Erardi suggested going forward with the best information before making a decision. This action will allow the administration to reconvene the committee with updated information for the

first meeting in October. We need to come back with an “if” and a “then.” There are questions that need to be answered such as what would happen if there was programming in the building or if grade configuration needs to be changed.

Mrs. Harriman-Stites said we need to be as specific as possible about what we are asking the committee.

Mr. Vouros wants the committee to look at the educational components for the seventh and eighth grade students if they were not in the middle school and what the committee feels is the best educational use of the middle school so we can retain it instead of it going back to the town.

Mrs. Leidlein agreed that we should be looking at what the building would be used for as we would only need to occupy a portion of it. What alternative purposes could any part of our facilities be used for?

Mrs. Ku asked if we were ruling out the idea of turning over the middle school to the town. She also wanted the committee to look at the transitions program to possibly be in the middle school.

Mr. Cruson said he would be interested to see information on repurposing parts of the buildings. Mrs. Leidlein wanted to hear what the administration feels would bring value to the buildings and best utilize the space.

Mr. Clure thanked everyone for supporting his motion. Only one option has the high school staying grades 9-12. How are other districts dealing with declining enrollment when they have more space in their high schools?

Dr. Erardi said we have exhausted a number of resources and have no data on grades 7-12 or 8-12. He will continue to look and the committee will come back with that information.

Mr. Alexander asked if we had full data on long term sustainability of closing the middle school. Dr. Erardi stated that we tried to not project beyond the projection. For Options E through I he asked if it made sense to put these in some type of priority or to create options.

Mrs. Leidlein said Options E and F seem to be an issue once K-5 enrollment increases. She prefers the committee focuses on Options G, H and I.

Mrs. Ku provided information on the medium K-4 projections. By 2029 elementary schools will be at capacity. We are already eight students higher than the study. If you close the middle school where will you put the fifth grade students? The long-term projections show the elementary and Reed schools quite full by 2029.

Mr. Vouros asked if October was premature to get this data.

Dr. Erardi said if we stay concise the committee will deliver. Our charge has been consistent with medium projections but we may be in the wrong space.

Mr. Cruson asked if the projections were not what was really reflected.

Dr. Erardi felt they were pretty close.

Mr. Alexander feels the committee needs to look at the high projections also.

Mrs. Leidlein asked if it made any sense to have the enrollment study updated.

Dr. Erardi said if we shift to the high enrollment category the study remains accurate. Moving the study data to the high enrollment status makes sense. The greatest enrollment is at Sandy Hook School with plus 29 students this year. A new study would take a couple of months.

Mr. Alexander didn't feel another study would be helpful at this time.

Item 10 – New Business

First Read of Policies 9323 Construction of the Agenda and Policy 5131.6 Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances

Mr. Clure asked about eliminating the vice chair and secretary from agenda meetings.

Mr. Alexander said having those members attend agenda meetings is not common. The Superintendent and chair normally set the agenda.

Regarding Policy 5131.6, Mr. Clure asked if students can use these substances when they walk off the property.

Dr. Erardi said there are a narrow number of students that smoke. We can only take responsibility for school grounds which includes cars and parking lots.

Mrs. Harriman-Stites said the policy also covers extracurricular activities and field trips.

Item 11 – Public Participation

Trent Harrison, 16 Turkey Hill Road, thanked the Board for the work of the Future Forecast Committee. It will be difficult to get seventh and eighth grade students in the high school. Culinary and the Nurtury spaces would be affected. Transportation pick up times will also be an issue if that occurs. Some student drop-off times are very early.

John Alvarez, 276 Berkshire Road, high school student, said he heard there was going to be a bridge from F-wing to B-wing and asked if that was going to happen.

MOTION: Mrs. Leidlein moved that the Board of Education go into executive session regarding the behavior therapist contracts for 2016-2017 and invited Dr. Erardi, Mrs. Davila and Mr. Bienkowski. Mrs. Harriman-Stites seconded. Motion passes unanimously.

Item 12 – Executive Session

The Board went into executive session at 9:45 p.m. and came out at 10:07 p.m.

Item 13 – Public Session for Possible Vote

MOTION: Mrs. Leidlein moved that the Board of Education approve the recommendation of the Superintendent regarding the behavior therapist contracts for 2016-2017. Mrs. Ku seconded. Motion passes unanimously.

MOTION: Mrs. Leidlein moved to adjourn. Mr. Clure seconded. Motion passes unanimously.

Item 14 – Adjournment

The meeting adjourned at 10:09 p.m.

Respectfully submitted:

Debbie Leidlein
Secretary



NEWTOWN PUBLIC SCHOOLS
Department of Pupil Services
3 Primrose Street • Newtown, CT 06470

Dr. David Abbey
Interim Director of Human Resources
Newtown Public Schools
3 Primrose Street
Newtown, CT 06470

August 26, 2016

Dear Dr. Abbey,

Please accept this letter as my formal resignation from my role as Special Education Supervisor. My last day with Newtown Public Schools will be **September 9, 2016.**

I would like to thank Newtown Public Schools for being pivotal in helping me grow both personally and professionally in my tenure. I am very grateful for the time I have spent working with various teams across the district and the professional relationships I have established. It has been a pleasure working for you, and I hope our paths will cross again in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sandy Rodriguez', with a large, stylized flourish at the end.

Sandy Rodriguez

Cc: Dr. Joseph Erardi, Superintendent
Deborah Mailloux-Petersen, Director of Pupil Services
Suzanne Deramo, Human Resources Coordinator

NEWTOWN HIGH SCHOOL FALL COACHES ROSTER 2016

UPDATED 8/22/16

CHANGES IN RED

| NAME/STEP | SPORT/COACH RETURNING OR NEW HIRE |
|------------------------|--|
| SUSAN BRIDGES 3 | CHEERLEADING--- RETURNING |
| CHERYL STENZ 3 | DANCE TEAM----RETURNING |
| MARC KENNEY 3 | GIRLS SOCCER---- RETURNING |
| LAURA MCLEAN 3 | J.V. GIRLS SOCCER---RETURNING |
| KASEY SCHULZ 1 | FRESHMAN GIRLS SOCCER-NEW |
| BRIAN NEUMEYER 3 | BOYS SOCCER----RETURNING |
| CHRIS HOAGLAND 2 | J.V.BOYS SOCCER----NEW COACH—FORMER VOLUNTEER |
| DONALD FOSSIE 1 | FRESHMAN BOYS SOCCER |
| TOM CZAPLINSKI 3 | GIRLS VOLLEYBALL----RETURNING |
| LISA BURBANK 3 | J.V. GIRLS VOLLEYBALL— RETURNING |
| CHRIS PEARSON 2 | FRESHMAN GIRLS VOLLEYBALL- RETURNING |
| REBECCA OSBORNE 1 | GIRLS SWIM----- |
| LISA IRVING 3 | ASST. GIRLS SWIM---RETURNING |
| DOUG RUSSELL 3 | GIRLS CROSS COUNTRY-- RETURNING |
| CARL STRAIT 3 | BOYS CROSS COUNTRY-- RETURNING |
| CHARLOTTE MANOS 3 | ASSISTANT CROSS COUNTRY- RETURNING |
| STEPHANIE PAPROSKI 3 | FIELD HOCKEY- RETURNING |
| KATHY DAVEY 3 | J.V. FIELD HOCKEY—RETURNING |
| SHANNON PAPROSKI 2 | FRESHMAN FIELD HOCKEY— ----NEW COACH—FORMER VOLUNTEER |
| STEVE GEORGE 3 | FOOTBALL----RETURNING |
| BOB PATTISON 3 | ASST. FOOTBALL----RETURNING |
| IAN SUTER 3 | J.V. FOOTBALL-- RETURNING |
| CARL PATERNOSTER 3 | FRESHMAN FOOTBALL-- RETURNING |
| COREY FISHER 3 | FRESHMAN FOOTBALL---RETURNING |
| MELISSA CARROLL 1 | DIVE COACH |

VOLUNTEER COACHES

| | |
|----------------------|-------------------|
| TYLER TARANTINO | FOOTBALL |
| JOHN MARCUCILI | FOOTBALL |
| NICK TARANTINO | FOOTBALL |
| MIKE KEARNS | FOOTBALL |
| MATT PELLICONE | FOOTBALL |
| KYLE MCNAMARA | FOOTBALL |
| CAITLIN DELOHERY | CHEERLEADING |
| LORI ROHRBACHER | CHEERLEADING |
| HENRYK TERASZKIEWICZ | VOLLEYBALL |
| KELLY TERASZKIEWICZ | VOLLEYBALL |
| MEGAN CASEY | VOLLEYBALL |
| MIKE DYER | BOYS SOCCER |
| RUSS DAVEY | FIELD HOCKEY |
| EMILY DAVIS | FIELD HOCKEY |
| EMMA HEARING | VOLLEYBALL |
| ANTHONY PATERNOSTER | FOOTBALL |
| KAILA HARRINGTON | CHEERLEADING |

Administrative Report

Tuesday, September 6th

1. School Opening 2016-17

2. Projected / Actual Enrollment 16-17

(Attachment #1)

3. Annual Policy Updates

a. Policy 3280 – Monthly Supplies / Equipment

b. Policy 3430 - Monthly Budget Update

4. Community Conversation – Opiate Addiction

October 5th - Edmond Town Hall – 7PM

(Attachment #2)

5. Community Forum 2016-2017

(Attachment #3)

Handwritten signature
9/6/16

| | <u>Kindergarten</u> | <u>K-12</u> | <u>K-4</u> | <u>5-6</u> | <u>7-8</u> | <u>9-12</u> |
|----------------------------------|---------------------|-------------|------------|------------|------------|-------------|
| 2016-17 Projected Enrollment | 204 | 4,311 | 1,264 | 639 | 745 | 1,663 |
| 2016 August 29 Actual Enrollment | 225 | 4,391 | 1,290 | 660 | 752 | 1,689 |
| Difference to Projection | 21 | 80 | 26 | 21 | 7 | 26 |

**Newtown Prevention Council
Local Opioid Planning Meeting
August 31, 2016 at 9:00 a.m.
Newtown Municipal Center Council Chamber**

Agenda

Review status of current opioid prevention efforts (30 minutes)

Have attendees explain their current services, programs and/or events that address the opioid use/abuse in our community. Also share any related data or experience.

Learn more about Connecticut Opioid Response (CORE) Initiative (30 minutes)

Presentation of the CORE Initiative by a planning team member, discussion of how our community can benefit from the state's efforts and resources, and provide feedback.

Plan & finalize details for Newtown community forum for Sept/Oct (30 minutes)

Purpose, speakers, location (NMS Auditorium), date

Resource information for attendees to take home

Identify future community actions (30 minutes)

The community forum will be held to raise awareness of the severity and immediacy of the opioid crisis and to give attendees opportunity to ask questions and voice thoughts/concerns. Resources will also be made available to attendees.

It is important to follow-up after having such a forum. Next steps can address crisis response, treatment, prevention, support (not necessarily in that order, and more likely, simultaneously). This step should identify a finite number (3 to 5) of specific actions and will establish individuals/groups for follow-thru.

Community Forum Dates
2016-2017
Newtown High School Lecture Hall
7:00 PM

September 28

October 26

December 7

January 25

February 22

March 22

April 26

May 17

Classroom Use Based on Milone-MacBroom Medium Projections, K-4

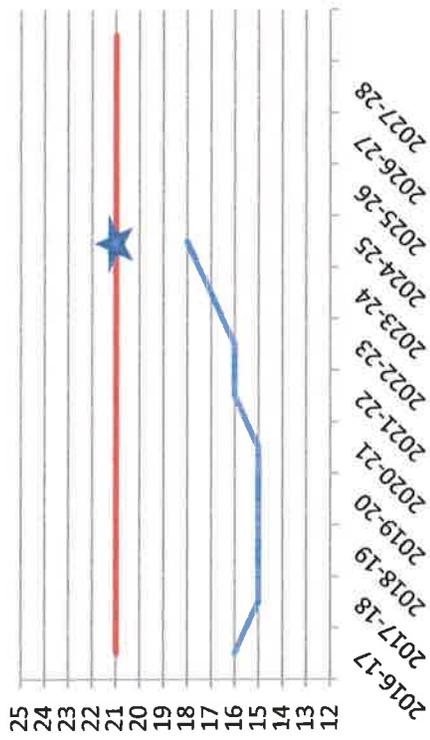
— : grade-level classrooms available

★ : number of classrooms needed if 5th grade is included

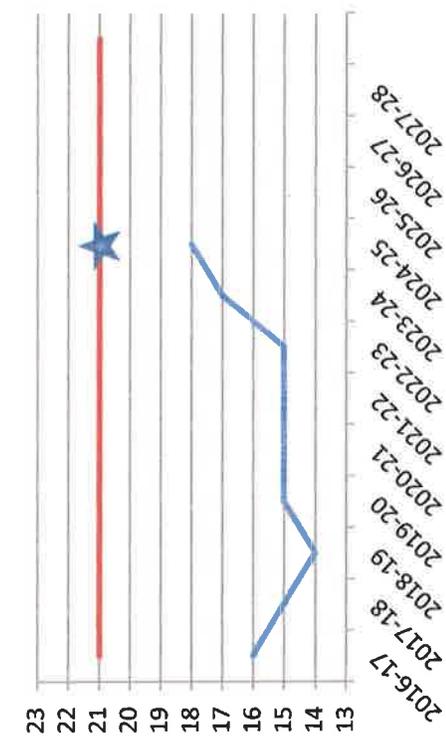
— : grade-level classrooms used

★ : number of classrooms needed if 5th grade is included

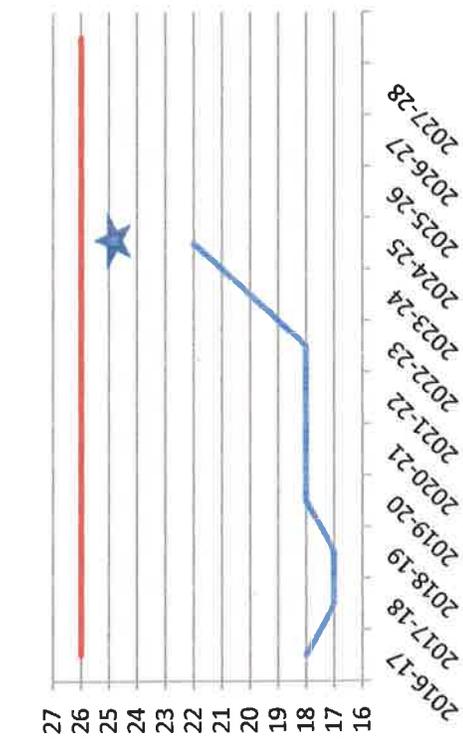
Hawley



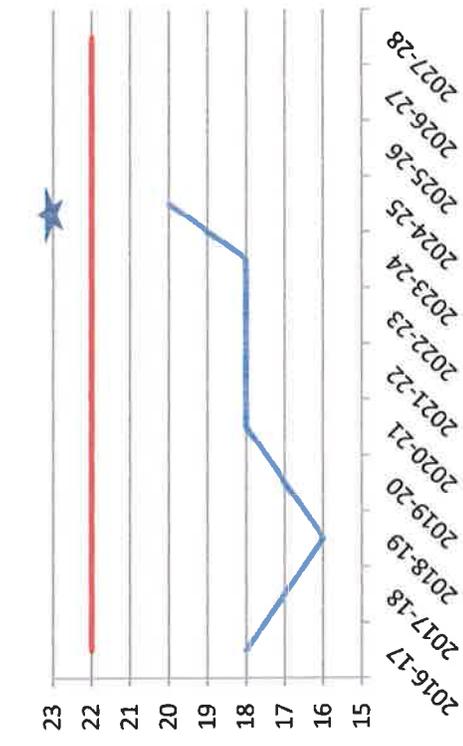
Head O'Meadow



Middle Gate



Sandy Hook



DETAILED ELEMENTARY PROJECTIONS (MEDIUM-GROWTH)

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2015-16 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 53 | 56 | 64 | 58 | 69 | 301 |
| Head O' Meado | 46 | 60 | 48 | 79 | 78 | 311 |
| Middle Gate | 68 | 74 | 65 | 81 | 79 | 366 |
| Sandy Hook | 72 | 62 | 79 | 65 | 65 | 343 |
| TOTAL | 239 | 252 | 256 | 283 | 291 | 1,321 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2016-17 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 45 | 61 | 54 | 67 | 59 | 285 |
| Head O' Meado | 44 | 53 | 63 | 50 | 81 | 290 |
| Middle Gate | 59 | 73 | 75 | 63 | 79 | 348 |
| Sandy Hook | 57 | 76 | 62 | 80 | 65 | 340 |
| TOTAL | 204 | 262 | 254 | 260 | 284 | 1,264 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2017-18 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 44 | 51 | 59 | 57 | 68 | 278 |
| Head O' Meado | 46 | 51 | 55 | 65 | 51 | 268 |
| Middle Gate | 59 | 63 | 74 | 73 | 62 | 330 |
| Sandy Hook | 53 | 60 | 77 | 63 | 80 | 333 |
| TOTAL | 202 | 224 | 264 | 258 | 261 | 1,209 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2018-19 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 45 | 50 | 49 | 61 | 58 | 263 |
| Head O' Meado | 40 | 53 | 53 | 57 | 67 | 270 |
| Middle Gate | 56 | 63 | 64 | 72 | 71 | 326 |
| Sandy Hook | 57 | 56 | 60 | 78 | 63 | 314 |
| TOTAL | 198 | 222 | 226 | 268 | 259 | 1,173 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2019-20 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 47 | 51 | 49 | 51 | 62 | 260 |
| Head O' Meado | 44 | 46 | 55 | 55 | 58 | 259 |
| Middle Gate | 63 | 60 | 64 | 62 | 71 | 320 |
| Sandy Hook | 60 | 60 | 56 | 61 | 78 | 315 |
| TOTAL | 213 | 218 | 223 | 229 | 269 | 1,152 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2020-21 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 50 | 53 | 49 | 51 | 52 | 255 |
| Head O' Meado | 48 | 51 | 48 | 57 | 56 | 260 |
| Middle Gate | 67 | 67 | 61 | 62 | 61 | 319 |
| Sandy Hook | 64 | 63 | 61 | 57 | 61 | 305 |
| TOTAL | 229 | 234 | 219 | 227 | 230 | 1,139 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2021-22 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 54 | 57 | 51 | 52 | 52 | 264 |
| Head O' Meado | 51 | 55 | 53 | 50 | 59 | 267 |
| Middle Gate | 72 | 72 | 68 | 60 | 61 | 333 |
| Sandy Hook | 68 | 68 | 63 | 62 | 56 | 317 |
| TOTAL | 245 | 251 | 236 | 223 | 227 | 1,182 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2022-23 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 57 | 61 | 55 | 53 | 52 | 278 |
| Head O' Meado | 55 | 59 | 57 | 55 | 51 | 276 |
| Middle Gate | 77 | 77 | 73 | 66 | 58 | 352 |
| Sandy Hook | 73 | 72 | 68 | 64 | 62 | 339 |
| TOTAL | 262 | 269 | 253 | 239 | 223 | 1,247 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2023-24 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 61 | 65 | 59 | 57 | 54 | 296 |
| Head O' Meado | 58 | 63 | 61 | 59 | 57 | 298 |
| Middle Gate | 82 | 83 | 78 | 71 | 65 | 379 |
| Sandy Hook | 78 | 77 | 73 | 69 | 64 | 361 |
| TOTAL | 279 | 287 | 271 | 257 | 240 | 1,334 |

| Newtown Public Schools | | | | | | |
|--|------------|------------|------------|------------|------------|--------------|
| Elementary School Enrollment Projections 2024-25 | | | | | | |
| School | K | 1 | 2 | 3 | 4 | K-4th |
| Hawley | 65 | 69 | 63 | 61 | 58 | 316 |
| Head O' Meado | 62 | 67 | 65 | 63 | 61 | 318 |
| Middle Gate | 87 | 88 | 84 | 76 | 70 | 405 |
| Sandy Hook | 83 | 82 | 78 | 74 | 69 | 386 |
| TOTAL | 296 | 306 | 289 | 275 | 258 | 1,424 |

1,290 students currently.
Even more than the Milome-
Macbroom "high" prediction of
1,282 students.

~900 students will be in grades
5-7 in 2029. Reed optimal
upper number of students is 820
(which will occur in 2027).

**NEWTOWN PUBLIC SCHOOLS
STRATEGIC PLAN
2016 - 2021**



Proposed Draft Revisions

Submitted by

Jean M. Evans Davila, Assistant Superintendent

August 16, 2016

Acknowledgements

Special thanks to the members of the Long-term Planning Committee for their dedication and participation in conducting a protocol-based review of the 2012 Strategic Plan, gathering information from stakeholders in the district and the community, and drafting this proposal for a revised Strategic Plan for 2016 - 2021 that aligns with the district's vision for providing the best opportunities for students to become well-educated graduates of Newtown Public Schools.

| Long-term Planning Committee Facilitator: Jean M. Evans Davila, Assistant Superintendent | | |
|---|--|---|
| Phil Bierle | Reed Intermediate School | Band Teacher Aspiring Administrator |
| Melissa Beylouni | Head O' Meadow Elementary School | Parent PTA President |
| Laura Brennan | Hawley Elementary School and Reed Intermediate School | Parent |
| Carol Danenberg | Head O' Meadow Elementary School | Lead Teacher |
| Jean Evans Davila | Central Office | Assistant Superintendent |
| Mike Jones | Newtown Middle School | Language Arts Teacher Aspiring Administrator |
| Dana Manning | Newtown High School | Assistant Principal |
| Tim Napolitano | Sandy Hook Elementary School | Assistant Principal |
| Keri Snowden | Hawley Elementary School | Lead Teacher |
| John Sullivan | Middle Gate Elementary School | Lead Teacher |

**NEWTOWN PUBLIC SCHOOLS
2016 – 2021 STRATEGIC PLAN
PROPOSED DRAFT REVISIONS**

Mission

The mission of the Newtown Public Schools, a partnership of students, families, educators and community, is to **INSPIRE EACH STUDENT TO EXCEL** in attaining and applying the knowledge, skills and attributes that lead to personal success while becoming a contributing member of a dynamic global community. We accomplish this by creating an unparalleled learning environment characterized by

- High expectations
- Quality instruction
- Continuous improvement
- Civic responsibility

Beliefs

We believe that. . .

- Each individual is unique and has value.
- Everyone can and will learn well.
- It takes effort and persistence to achieve one's full potential.
- High expectations inspire higher levels of performance.
- Honesty, integrity, respect, and open communication build trust.
- Quality education expands the opportunities for individuals and is vital to the success of the entire community.
- Educating children is a shared responsibility of the entire community.
- Family is a critical influence in each individual's development.
- Understanding all forms of diversity is essential for sustaining a democratic society.
- All individuals are responsible for their behavior and choices.
- Educated and involved citizens are essential for sustaining a democratic society.
- Everyone has the responsibility to contribute to the greater good of the community.
- Continuous improvement requires the courage to change.

Objective I: Each student will develop and consistently demonstrate college, career, and global readiness skills in

- problem-solving,
- critical and creative thinking,
- collaboration, and
- written and verbal communication.

Strategy 1: We will develop and implement a rigorous academic curriculum and ensure that all staff use effective instructional tools, best practices, assessment data and intervention resources to improve academic standing and inspire students to excel.

K-12 Action Plan:

1. Foster the skills and knowledge to ensure students develop agile and innovative thinking to generate solutions and respond to authentic global situations and challenges.
2. Provide a broader and more comprehensive range of academic, technical, visual and performing arts opportunities to encourage, excite and ignite student achievement.
3. Utilize collaboration, differentiated instruction, and personalized learning as fundamental means of providing appropriate extensions, interventions, and enrichment for students.
4. Provide ongoing opportunities for teacher collaboration in which assessment data and the review of student work informs instruction.
5. Ensure vertical alignment within K-12 Concept Based Curriculum and horizontal consistency of instructional practices in all disciplines.
6. Use Scientific Research Based Intervention (SRBI) model to monitor intervention effectiveness and improve student performance over time.
7. Establish a network of academic, business, and community professionals to develop students' skills required for success in school, work, and life.

Strategy 2: Expand the multiple pathways that afford opportunities for personalized learning.

K-12 Action Plan:

1. Strengthen and expand district science, technology, engineering, and mathematics offerings.
2. Continue to build a cohesive K-8 World Languages program that prepares students for success with World Languages opportunities at the high school level.
3. Expand opportunities for experiential learning, such as internships and community service.
4. Establish external partnerships with organizations to provide further content enrichment opportunities for students and staff.

Objective II: Each student will develop and demonstrate necessary character attributes for personal well-being and to become contributing members of the local and global communities. These attributes include

- social emotional wellness,
- positive behaviors,
- respect for diversity, and
- responsible digital citizenship.

Strategy: We will develop and implement a rigorous social curriculum and ensure that all staff use effective instructional tools, best practices, assessment data and intervention resources to promote and model social emotional wellness and positive behaviors

K-12 Action Plan:

1. Develop a consistent plan for implementation of existing social-emotional curriculum and resource to leverage effectiveness.
2. Raise awareness and improve accountability for social emotional wellness practices at every level including a structure to identify and support students.
3. Utilize school-wide resources and staff to promote positive behaviors at every level.
4. Ensure vertical alignment and horizontal consistency of the behavioral practices developed by the District Safe Schools Climate Committee.
5. Use Scientific Research Based Intervention (SRBI) model to monitor the effectiveness of social-emotional interventions and the improvement student behaviors over time.
6. Promote an appreciation of diverse cultures, people, and perspectives.
7. Provide tools and resources to ensure responsible digital citizenship within the school community.

Objective III: Each student will set and achieve personally challenging goals and demonstrate their learning through multiple modes in addition to formative and summative assessments of learning.

Strategy: We will provide students with the opportunity to be co-collaborators in their learning through means that include

- personalized goal setting,
- collaborative partnerships,
- conferencing,
- multiple modes to demonstrate success, and
- celebrations of learning.

K-12 Action Plan:

1. Continue to support school counselors in the implementation and development of Student Success Plans (SSP) in grades 5-12.
2. Begin a process to identify specific elements of SSPs that are developmentally appropriate for students in grades K-4 (i.e., goal-setting) and create a model that reviews and celebrates student accomplishments.
3. Provide opportunities for students to demonstrate learning through multiple modes that encourage students to develop and capitalize on their talents and interests.

Goals and Objectives

School Year: 2016/2017

Board Members:

The proposed improvement plan is intended to continue to move what is now positive K-12 energy in an even more meaningful place for our 4,000 learners. The draft is a combination of your beliefs, the design of Central Office planning, and the wisdom of our building administrators.

Ideally, you will be in a position to move the document from proposal to action at your Tuesday, September 6, Board of Education Meeting.

The Board of Education will look to bring to appropriate close three 2015-2016 initiatives that will profoundly impact teaching and learning:

1. The *Future Forecast Committee* presented their seven month study to the Board of Education at the close of the school year. The Board of Education will continue to have public dialogue around the issue and then look to bring the issue to close early within the 2016-2017 school year.
2. The *Long Term Planning Committee* will present their work on August 16. The Board of Education should bring to close this recommendation early on in the 2016-2017 school year.
3. The opening of the new Sandy Hook School will return students from Monroe for the start of the 2016-2017 school year.

Upon closure of the above three mentioned focus areas, the Board of Education will launch a year-long study on **school start time, sleep, and what constitutes an optimal environment for teaching and learning**. Findings will be brought back to the Board of Education on or before June 2017.

In addition, the following will be accomplished:

Teaching and Learning

- Under the leadership of the Assistant Superintendent, a continued review of K-12 alignment, particularly at the transition years, will be examined with findings back to the Board-at-large on or before May 2017.
- Under the leadership of the Director of Pupil Services, creative in-house programs will be developed on a district platform for the exceptional learner.

- Under the leadership of the Assistant Superintendent and the Curriculum and Instruction Committee of the Board of Education, a continued focus will remain on the following:
 - Grade nine opportunities for the highly capable learner (Ninth Grade Academy);
 - Defining and implementing a K-12 social emotional learning program for all children;
 - Expanding the *Project Adventure Challenge Program* to high school students;
 - Examining appropriate rigor for grade eight youngsters to have a positive transition to Newtown High School.

School Climate and Culture

- Partnership work with both certified and non-certified staff will continue with a focus on creating an optimal teaching and learning environment for students (Para/NFT Climate and Culture Committees)
- A *New Teacher Cohort* will be offered throughout the year for all first year certified staff and designed to be proactive with solutions pertaining to student learning and building logistics;
- An *Aspiring Leadership Cohort* will be in place for the 2016-2017 school year offering professional learning growth opportunities to certified staff;
- A *Teacher Forum Committee* will be in place to proactively problem-solve with every school being represented in a monthly reoccurring meeting.

Communication

- Community Forums will be held monthly (9/28, 10/26, 12/7, 1/25, 2/22, 3/22, 4/26, 5/17) on timely topics pertaining to teaching and learning;
- An enhanced monthly cable show will be produced through the community local cable station which will allow celebration and timely information to be shared with Newtown residents;
- A daily open hour will be hosted by the Superintendent each morning starting at 6:30 a.m. offering accessibility without appointment.

Together, although the tasks above have great challenge, I am confident that in partnership we will make a significant difference in the lives of our learners....one student at a time.

Respectfully,

Dr. Joseph Erardi, Jr.

A separate policy on this issue.

Students

Search and Seizure

Use of Dogs to Search School Property

The Newtown Board of Education (NBOE) believes that all students are entitled to a drug-free school environment. To that end, the Board supports proactive initiatives to effectively deter the possession and use of illegal substances in our schools. The Board of Education acknowledges its civic responsibility to conduct government search activities consistent with law and with respect to the protections contained in the Constitution of the State of Connecticut and the United States.

The Board supports the elimination of the possession or use of illegal substances/devices. The Board wants to convey a strong message to the community, faculty, staff, and student body concerning the use or possession of illegal substances.

The Board shall permit the administration to invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs trained for the purpose of detecting the presence of illegal substances, when necessary to protect the health and safety of students, employees or property and to detect the presence of illegal substances or contraband, including, **but not limited to**, alcohol, ~~and/or~~ drugs **and/or explosive devices**.

Alternate language: ~~In an effort to keep the schools free of drugs, the District may use specially trained nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on District property or at District sponsored events as long as they are not allowed to sniff within close proximity of any students.~~

The use of trained canine sniffing dogs is subject to the following:

1. The administration shall authorize the search and the Principal or his/her designee shall be present while the search is taking place. **Every reasonable effort will be made to ensure that searches are conducted outside the view of students and staff not assigned to the search.**
2. Parents and students shall be notified of this policy through its inclusion in the student and/or parent handbook and on the District's/school's website. ~~In addition, the school shall host an informational meeting for parents and their children regarding this policy and practice.~~

Students

Search and Seizure

Use of Dogs to Search School Property (continued)

3. All school property such as lockers, classrooms, parking areas and storage areas may be searched.
 - a. Dogs shall not be used in rooms occupied by persons except for demonstration purposes with the handler present.
 - b. When used for demonstration purposes, the dog may not sniff the person or any individual.
4. Individual(s) shall not be subjected to a search by dogs. To avoid the potential of allergic reactions, dogs shall be kept away from the students.
5. Once notification has been given to parents and students, through the inclusion of the policies in the student and/or parent handbook and on the District's/school's website, the school District will have met its obligation to advertise the searches. Additional notices need not be given and actual times or dates of planned searches need not be released in advance.
6. Only the dog's official handler will determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place or responsibility for it shall be called to witness the search. If a dog alerts on a locked vehicle, the student who brought it onto District property shall be asked to unlock it for inspection.
7. Before conducting a search based upon an alert, an effort shall be made to seek the student's consent and an effort shall be made to protect the student's privacy to the greatest degree possible.
8. If because of a dog alert, a student's property is searched, the student's parents shall be notified by the school administration.
9. Law enforcement agencies will be given full authorization to investigate and prosecute any person(s) found to be responsible for illegal substances(s) on school property.

(cf. - 5145.12 Search and Seizure)

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules.
54-33n Search of school lockers and property.
No. CV094043192S, 2009 WL 3366272 (Conn. Super. Ct. Sept. 14, 2009).
New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

United States v. Place, 462 U.S. 696, (1983)
Bd. of Educ. of Indep. Sch. Dist. No. 92 v. Earls, 536 U.S. 822 (2002).

Policy adopted:

Bylaws of the Board

Construction of the Agenda

The Superintendent in cooperation with the Chairperson, ~~Vice Chairperson and Secretary~~ of the Board of Education shall prepare an agenda for each regular meeting. Any member of the Board of Education may call the Superintendent and request any item to be placed on the agenda no later than 72 hours prior to the legally required public posting of the agenda. Any business not included on the filed agenda for a regular meeting may be added to the agenda, considered, and acted upon if there is an affirmative vote of 2/3 of the members of the Board present and voting.

Posting of the Agenda

At least 24 hours prior to the time of the regular meeting, the **finalized** agenda shall be posted ~~in each school in a place readily available to parents, teachers and the general public, in the Office of the Town/City Clerk,~~ on the District's Internet Website, ~~emailed to other Town Board chairpersons as well as~~ **sent to all Board of Education members,** ~~and to the public as requested and shall be filed in the Superintendent's office,~~ **and sent to the Town Clerk's Office, electronically, for posting.**

Legal Reference: Connecticut General Statutes

1-225 Meetings of government agencies to be public. (as amended by PA 07-213)

Policy adopted: 6/5/2012
 Policy revised:

NEWTOWN PUBLIC SCHOOLS
 Newtown, Connecticut



September 6, 2016

Freedom of Information Act and Confidentiality Issues

Newtown Board of Education Workshop

Presented by:
Richard A. Mills

FOIA

- The Freedom of Information Act (the "FOIA"), Conn. Gen. Stat. §§ 1-200 through 1-241 inclusive), represents Connecticut's commitment to open government and a **strong policy in favor of public access to meetings and records.**
- Subject to narrow exceptions, which are strictly construed, the FOIA mandates that the public has access to:
 - ♦ **Meetings** of public agencies
 - ♦ **Records** that are developed and/or maintained by public agencies



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"Public Agency" or "Agency" Means

- Any executive, administrative or legislative office of the state or any political subdivision of the state and any state or town agency, any department, institution, bureau, **board**, commission, authority or official of the state or of any city, town, borough, municipal corporation, **school district**, regional district or other district or other political subdivision of the state, including **any committee of, or created by**, any such office, subdivision, agency, department, institution, bureau, board, commission, authority or official. . . . Conn. Gen. Stat. § 1-200.



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Meetings

- The FOIA defines a meeting as follows:
- “Meeting” means any **hearing or other proceeding** of a public agency, any **convening or assembly of a quorum** of a multimember public agency, and any **communication by or to a quorum** of a multimember public agency, whether **in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power.**



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“Meeting” does not include:

- Any meeting of a **personnel search committee** for executive level employment candidates;
- Any **chance meeting, or a social meeting** neither planned nor intended for the purpose of discussing matters relating to official business;
- **Strategy or negotiations with respect to collective bargaining;**
- A **caucus of members of a single political party** notwithstanding that such members also constitute a quorum of a public agency;
- An **administrative or staff meeting of a single-member public agency;** and communication limited to notice of meetings of any public agency or the agendas thereof.



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Meetings

- In general, there is a meeting **anytime a quorum of a public agency convenes or engages in interactive communication to discuss or act upon a matter for which it has responsibility**. There can even be a statutory FOIA meeting where it is "anticipated" that a quorum will be present.
- Note:
 - A quorum of the members of a public agency who are present at any event which has been noticed and conducted as a meeting of another public agency under the provisions of the Freedom of Information Act shall not be deemed to be holding a meeting of the public agency of which they are members as a result of their presence at such event.
Conn. Gen. Stat. § 1-200(2)



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Meetings

- A **conference call or other communication by means of electronic equipment** may constitute a meeting.
- Agencies are cautioned to be particularly careful that **email exchanges** may constitute a meeting for FOIA purposes.



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Under FOIA

- Meetings fall into one of three categories:
 - ◆ Regular
 - ◆ Special
 - ◆ Emergency



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Regular Meetings

- **Regular meetings** are those for which the public agency must file a schedule with the Town Clerk(s), by January 31, for the ensuing year. Conn. Gen. Stat. § 1-225(b).
- The agenda of a regular meeting of every public agency must be posted at least 24 hours prior to the meeting in the public agency's regular office or place of business.
 - ◆ **Other business** may be added to the posted agenda by a **two-thirds vote** of those members present and voting.
 - ◆ **Minutes** of a regular meeting must be available for public inspection within **seven days of the meeting**.



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Special Meetings

- **Special meetings** are those meetings that are not included on the list of regular meetings filed with the Town Clerk(s).
 - ◆ Notice of a special meeting, including the time, place and business to be transacted, must be posted **at least 24 hours in advance**. Conn. Gen. Stat. § 1-225(d). The **agenda for a special meeting must also be posted on the agency's website** "if available."
 - ◆ **No business other than that on the posted agenda may be discussed at a special meeting.** Items cannot be added to the agenda.
 - ◆ **Minutes** must be available for inspection within **seven days of the meeting.**



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Emergency Meetings

- **Emergency special meetings** may be called in an emergency without advance notice. (Note: The term "emergency" will be **strictly construed**)
 - ◆ The meeting must be limited to the matter that requires "emergency" attention.
 - ◆ **Minutes** of an emergency special meeting must be filed with the Town Clerk(s) **within 72 hours** of the emergency meeting and include a **statement setting forth the nature of the emergency**. Conn. Gen. Stat. § 1-225(a).



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Executive Sessions

Under circumstances narrowly prescribed by the FOIA, a public agency may exclude the public from a portion of its meeting by calling an executive session. Executive sessions, are defined in Conn. Gen. Stat. § 1-200(6) as follows:



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Executive Sessions

- **“Executive sessions”** means a meeting of a public agency at which the public is excluded for one or more of the following purposes:
 - ◆ Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a **public officer or employee, provided that such individual may require that discussion be held at an open meeting;**
 - ◆ **Strategy and negotiations with respect to pending claims or pending litigation** to which the public agency or a member thereof, because of the member’s conduct as a member of such agency, is a party until such litigation or claim has been finally adjudicated or otherwise settled;



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Executive Sessions

- Matters concerning **security strategy** or the deployment of security personnel, or devices affecting public security;
- Discussion of the selection of a site or the **lease, sale or purchase of real estate** by the state or a political subdivision of the state **when publicity regarding such site, lease, sale, purchase or construction would adversely impact the price** of such site, lease, sale, purchase or construction until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned; and
- **Discussion of any matter which would result in the disclosure of records that are exempt from disclosure** under Section 1-210(b).



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Executive Sessions: Requirements

- There are specific requirements for conducting business in executive session:
 - ◆ **Two-thirds** of those members of the public agency present must vote at a public meeting to go into executive session and **state the reason(s)** for such executive session. Conn. Gen. Stat. § 1-225(a).
 - ◆ **Only members of the public agency and those persons whose presence is necessary** to present testimony or give opinions may be present during the executive session. Conn. Gen. Stat. § 1-231(a)



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Executive Sessions: Requirements

- Executive sessions may only be called for the limited statutory purposes set out above.
- **Only discussion is permitted in executive session**; any votes must be taken in open session. There should not be a vote taken to come out of executive session.
- **Minutes must include the vote to go into executive session; the reason for the executive session; and, the names of the persons in attendance at the executive session (subject to limited exceptions).**



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Meeting Requirements

- **Minutes:** Generally, minutes must be available for public inspection **within seven (7) days** of session to which they refer, Conn. Gen. Stat. § 1-225(a) (formerly § 1-21(a)), and minutes should include:
 - ◆ When the meeting was convened;
 - ◆ Which members of the public agency were present;
 - ◆ A short description of the business transacted;
 - ◆ A listing of any action taken by the public agency, specifying the votes of each member;
 - ◆ Any executive session held, with a statement of the reason(s) for the executive session and who was in attendance; and
 - ◆ When the meeting was adjourned.



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Meeting Requirements

- **Agendas:** - There is no specific guidance in the FOIA as to the level of detail that is required in an agenda, but, as a practical matter, the agenda should provide **reasonable notice of the business to be transacted**.
- **Votes:** - The votes (as distinguished from meeting minutes) of all members of the public agency must be reduced to writing and be **available for public inspection within 48 hours** of the meeting.



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Records: A Brief Overview

- The FOIA **defines “public record” broadly** as follows:
 - ◆ A public record or file is defined as any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, whether such data or information be handwritten, typed, tape-recorded, printed, photostatted, photographed or recorded by any other method. Conn. Gen. Stat. §1-200(5).



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Records

- **Except as otherwise provided by any federal or state law, all records maintained or kept on file by any public agency shall be public records.**
- The FOIC has no authority to order a public agency to create records where none exist.
- The FOIA does not require a public agency to conduct legal research or to respond to questions. However, “research” or searching to locate public records is always required!



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Responding to Records Requests

- There should be a clear process in place for processing and responding to FOI requests (including a designation of the individual(s) responsible for responding).
- Disclosure must be made "**promptly**." "Promptness" will turn on the nature and extent of the specific request.
- A person making a request is generally entitled to a **response within four business days**. (If the request involves employee personnel or medical files and the agency reasonably believes an invasion of privacy would occur, a response must be made within ten business days, and special notice requirements apply).
- However, that **does not mean the public agency automatically has four days to respond to a request**. If a record is readily available for inspection or copying, it is an FOI violation to make the person requesting the record wait four days.



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FOIA Exemptions from Disclosure

There are several specific exemptions to the general rule requiring disclosure of public records. See Conn. Gen. Stat. § 1-210(b). The following are examples from the complete list of exemptions:

- **Records exempt from disclosure under federal or state law** (e.g. Section 10-151c of the Connecticut General Statutes, which exempts teacher evaluation records from disclosure).
- **Educational records** not subject to disclosure under the federal Family Educational Rights and Privacy Act (**FERPA**).



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FOIA Exemptions from Disclosure

- **Personnel or medical files and similar files, the disclosure of which would constitute an invasion of personal privacy.** Note: The legal standard for invasion of privacy is very strict: 1) the record at issue does not pertain to a matter of public concern, *and* ; 2) disclosure of the record would be highly offensive to a reasonable person.
- **Communications privileged by the attorney/client relationship;**
- Records, reports and statements of strategy or negotiations with respect to **collective bargaining**.
- Records pertaining to **strategy and negotiations with respect to pending claims or litigation** to which the public agency is a party until such litigation or claim is finally adjudicated or settled.
- **Test questions**, scoring keys and other data used to administer a licensing examination, examination for employment or academic examinations;



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FOIA Exemptions from Disclosure

- **Responses to any request for proposals or bid solicitation** issued by a public agency, or any record or file made by a public agency in connection with the contract award process, until such contract is executed or negotiations for such award have ended, whichever is earlier, provided the chief executive officer of such public agency certifies that the public interest in disclosure of such records is outweighed by the public interest in the confidentiality of such records.
- **Preliminary drafts or notes provided that the public agency has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure.**



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FOIA Exemptions from Disclosure

- However, “disclosure shall be required of: interagency or intra-agency memoranda or letters, advisory opinions, recommendations or any report compromising part of the process by which governmental decisions and policies are formulated, except **disclosure shall not be required of a preliminary draft of a memorandum, prepared by a member of the staff of the public agency, which is subject to revision** prior to submission to or discussion among the members of such agency.”
- Informal advice from the FOIC staff indicates that if the personal notes are an agency member’s own notes, thoughts, etc., and are **not disseminated to other members of the agency**, they may not be subject to disclosure.



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General Confidentiality Considerations

- The district must comply with all legal requirements concerning confidentiality (e.g., FERPA).
- Matters discussed in executive session should be maintained as confidential unless the Board authorizes disclosure of the information.
- Disclosure of confidential information can have significant consequences for the district (e.g., legal violations, increased liability, compromised position regarding negotiations).
- When in doubt, treat the information as confidential until a proper determination has been made regarding confidentiality vs. disclosure.



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Questions?



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