

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

Meeting is In-Person for those who wish to attend and will also be offered through Zoom for those who wish to attend remotely

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.

BOE GOALS

- Ensure the completion and implementation of the Portrait of a Graduate Report.
- Foster a culture and climate that supports high levels of learning and engagement, promotes mental and physical wellbeing, and leads to individual student success.
- Assess our district needs and advocate for resources to meet them, while pursuing non-traditional sources of revenue, ensuring a quality education for all students.
- Nurture and support an inclusive community where every person, regardless of their identity, is acknowledged and respected. This will ensure that Tolland students have the necessary resources to thrive at school, in the community, and in our diverse world.

REGULAR MEETING

7:00 PM

AGENDA
June 8, 2022

<https://us02web.zoom.us/j/86358441213?pwd=dUJpbnVDV3BoZW1MT1ZlZ1F1K21XZz09>

Meeting ID: 863 5844 1213

Passcode: 5FgfFH

Dial by your location
+1 929 436 2866 US (New York)
Meeting ID: 863 5844 1213
Passcode: 582724

Find your local number: <https://us02web.zoom.us/j/86358441213?pwd=dUJpbnVDV3BoZW1MT1ZlZ1F1K21XZz09>

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

B. ACKNOWLEDGEMENTS

C. APPROVAL OF THE AGENDA

D. APPROVAL OF MINUTES

May 25, 2022 – Special Meeting
May 25, 2022

E. 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.

F. CORRESPONDENCE

G. POINTS OF INFORMATION

H. STUDENT REPRESENTATIVES’ REPORT – Emily Pereira and Nathalie Mitchell

I. SUPERINTENDENT’S REPORT

- I.1 Monthly Financial Report
- I.2 Policy 4050 – Employment Checks
- I.3 Policy 5160 – Fundraising Activities

J. COMMITTEE & LIAISON REPORTS

K. CHAIRPERSON’S REPORT

L. BOARD ACTION

M. PUBLIC PARTICIPATION (2-minute limit)

Comments must be limited to items on this agenda.

N. EXECUTIVE SESSION-FOR THE PURPOSE OF SUPERINTENDENT EVALUATION/Compensation

O. POINTS OF INFORMATION

Tolland Town Council – May 24, 2022

P. FUTURE

Q. NEW BUSINESS

R. ADJOURNMENT

TOLLAND BOARD OF EDUCATION
 Tolland High School Library
 1 Eagle Hill
 Tolland, CT
 Zoom or In-Person Meeting

SPECIAL MEETING – May 23, 2022

Members Present: Ashley Lundgren, Chair; Sophia Shaikh, Vice Chair; Jacob Marie, Secretary; Jennifer Gallichant, Christine Griffin, Tony Holt, Dana Philbin (arrived at 7:35PM) (Zoom)

Members Absent: Christina Plourd, Jayden Regisford

Administrators Present: Dr. Walter Willett, Superintendent of Schools

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Ms. Lundgren called the meeting to order at 7:12 PM. The Pledge of Allegiance was recited.

B. MIRACLE FIELD

Dr. Willett provided background information.

The Council will hold a meeting tomorrow night. He has been in communication with Ms. Hancock and shared the information with the Communications Committee. The Committee presented ideas regarding what the Board may want to communicate with respect to the ensuring the sustainability of this project. In accordance with this objective, Dr. Willett presented recommendations for the Board to make to the Council. The communication would be done by Dr. Willett, as the Board's employee, to the Council on the Board's behalf via the Acting Town Manager to the Council Chair.

Dr. Willett explained that the Tolland BOE wishes to ensure the sustainability of this meaningful project and resource for Tolland. In accordance with this objective, the BOE strongly recommends the following:

- A legal and binding contract should be created versus a memorandum of intent outlining the requirements of all parties and course of action if those requirements are not met.

Dr. Willett noted that today's iteration of the memorandum has language regarding going to a full contract and this recommendation is consistent with the document. A legal and binding contract may include what would occur if the annual funding to fulfill the following does not occur.

- All construction, maintenance, and day-to-day custodial services for the facility, once completed, will be the responsibility of, and funded by, the Miracle League of Northern Connecticut (MLNCT) for an annual set fee based on the services required as determined by the DPW, due April 1st of each year, with no termination date unless jointly agreed upon by the Council and the MLNCT.
- ADA accessible sanitary portable toilets will be provided and paid for by the MLNCT during the period of time that the field will be used by the organization.
- MLNCT has committed to all construction and design-related expenses to build the Miracle League Athletic Complex which will be paid for in its entirety by the MLNCT with a contribution of \$200K from the Town of Tolland toward a portion of the site preparation, site drainage improvement, site parking expansion for

accessible spaces, and ADA compliant sidewalks. The MLNCT agrees to work with the town and neighborhood to ensure various landscaping buffers surround the location of field. Dr. Willett explained that the question is what happens if the funding is not actualized.

- The MLNCT has committed to establishing a trust fund with an initial deposit of \$50K prior to the commencement of any construction of the field and agrees to deposit a minimum of \$15K per year for future service.

Dr. Willett explained that these are conditions the Board would hope to see in contractual form and strongly recommend be articulated in the contract.

- An assigned fund be set up by the Town of Tolland for the total and complete cost of the project for at least 1 full cycle of replacement. Any funding received by MLNCT can then be deposited into this fund on an established basis and when this occurs an equal amount to the deposit is then restored to the general fund accordingly as MLNCT funds accrue.

Dr. Willett explained that the purpose is to set funding aside in case something falls through and outside funds are not actualized. This would allow the field to be maintained and provide for the sustainability of the field for 1 full cycle. The cost of completing the field is what would be set aside. Otherwise, the funds could be used to fully restore the field when needed.

- A town process should be established for the authorization of synthetic field construction which includes pre-established criteria that must be put in place before construction can begin including funding requirements that can be consistently applied to all projects.

Dr. Willett explained that the Board would recommend that a process be set up so that any future fields presented to the town would be examined and processed in a similar manner.

- Analysis of the ability for this, or any, organization to pay. What process would be used for approving advertising?

Dr. Willett noted that he heard from every Board member that they feel this project is valuable and the question is not its value, but the Board wants to ensure its sustainability. Further, given its location on school grounds, students will be directly affected if it cannot be sustained.

Ms. Gallichant commented that the project is important for the community, and they want to ensure its longevity by going forward in the most responsible manner possible.

Ms. Griffin explained that what concerns her is the Council voting on the contract. The Board is listed as a partner but is not included in the rest of the document. She would like the contract to include that the BOE will not be required or expected to use any of its staff or budget in any capacity for the maintenance or replacement of the field. This is important to show that the town and the MLNCT are going to take responsibility. The Board needs to think about if its staff will be expected to maintain an additional field. Further, they need to ensure the field is safe for students since they will be using it. She would like the Board to discuss the MOU or contract with the Council before it is finalized.

Ms. Lundgren asked about what entities would be in the contract. Dr. Willett explained that if this is an engagement with the town, and sustained by town funds, there is may not need to be a reason for the Board to be in a contract per se. Being in a contract may suggest a

responsibility by the Board to some extent unless it is explicitly specified otherwise. The Board's attorney has a copy of the most recent MOA shared with the Board, but Dr. Willett has not yet received feedback. Dr. Willett noted that given his last communication with Ms. Hancock, he believes it is the Acting Town Manager's intention to request this tabled on Tuesday until more information can be processed but he is unsure if this is the intention of the Council.

Mr. Holt referenced the MOU and commented that the first line suggests that it will become a contract. His concern is that not only does it list the Board as a partner but also assigns responsibilities. If the Board is not part of the contractual agreement, then how is it being assigned responsibilities. Dr. Willett explained that right now, if the Board is being included in a contract and if assigned responsibilities, the Board owns those responsibilities. Mr. Holt asked if the Board should then be able to approve it given that it is being assigned responsibilities. Dr. Willett noted that one of the Board's recommendations could be that they do not see a need for the Board to be in a contract if there are no listed obligations. Mr. Holt asked if in that case the responsibilities could be removed. Dr. Willett responded that it is up to the Board how it wants to proceed. Mr. Holt explained that if assigned responsibilities, the Board should be part of the contract and part of the approval process. A brief discussion took place regarding scheduling. Dr. Willett explained that during the school day, the field would not be available for use by anyone outside of the Tolland Public Schools as is the case for all fields on school grounds for security reasons.

Ms. Lundgren commented that if the Board is being given obligations and if it is a partner, then it should be able to take action on the decision. Ms. Griffin commented that the section regarding the Board should be removed if it is not part of the approval process and not listed as a partner. Further, the Board should not be listed as a partner. Ms. Shaikh explained that the consideration may be that the field is being given to the school, during school hours, for its use and not necessarily an obligation. She noted that during the Committee meeting she brought up the question of who is insuring the field and the potential costs including insurance, sanitization of the field, and field replacement. Dr. Willett explained that another question is sustainability – what happens if the funds are not available. He believes the intention is to create a contract from the most recent MOA. A brief discussion took place and it was noted that a possible vote by the Council is on its agenda.

Mr. Marie commented that he would like to consider broadening the recommendation regarding synthetic field projects to capital projects over a specified amount. He asked about the analysis of the ability to pay and the 1 full replacement cycle. He would like to see the analysis. Dr. Willett believes the question is whether the field can be sustained. If the field is going to be in Tolland and/or on school grounds, they cannot be in a situation where it cannot be actualized or sustained. He cited the turf field at THS and commitments that were not actualized and recommended that there be a contract and not an MOA and that the contract specify alternatives if funding is not actualized. Dr. Willett reviewed specific items in the document. Mr. Marie asked the recommendations set something up for future organizations or the MLNCT. Dr. Willett responded that there are 3 pieces – the recommendation for a contractually binding agreement, the funding mechanism for sustainment, and an analysis of the ability to pay.

Ms. Gallichant commented while it is great that there will be an initial deposit of \$50K, if the funds are not actualized, what that would mean for the field. The \$50K would allow them to put

the field back to grass but it would be horrible to put the community in a position to have to make that decision. It would no longer be a miracle field and some children would not be able to play on it. They want to ensure there is a set aside for replacement. Dr. Willett noted that another item is ensuring that decisions made now are made with sufficient planning, so this does not become a bone of contention for future boards or councils. The conversation of not having the field for children with disabilities and digging it up for \$50K would be very difficult; whereas, a sufficient paradigm or structure for how the funding is set aside and sustained despite varying economic conditions would avoid the problem.

Ms. Griffin commented that one of her items of concern is the Fields & Grounds Agreement that was signed in 2021. It includes a line that states, "BOE and the Town of Tolland will work collaboratively to come up with a funding method for the turf field replacement". She explained the Council has not yet addressed this or discussed it with the Board. As the Chair of the FFC, she explained that the Board can present its recommendations, but the Council does not seem interested in bringing the Board into the conversation about the Miracle Field similar to the Fields & Grounds Agreement. She believes the Council is circumventing the Board and not bringing it into the discussion. She asked that the Council consider not voting until the Fields & Grounds Agreement is addressed. Ms. Lundgren noted that the Board just had a discussion about turning the turf field at THS back to grass due to the cost for replacement. Further conversations need to take place.

Ms. Shaikh commented that the project is important and special. The Board members are behind it. They are being responsible and are making recommendations to set it up for success. She wants it to be long-lasting and enrich the town but looking only 10 years into the future is not good enough for such a project. It should go in perpetuity in a responsible way.

Ms. Philbin commented that she agreed with Dr. Willett about having a contract. They do not want to find themselves in a similar situation to the one with the turf field at THS. A meeting took place on May 5th for all stakeholders regarding the Miracle Field so the Council has reached out. She commented that the Board is having a robust conversation and is being responsible about this opportunity for an investment for the town. Ms. Philbin noted that there is a commitment to funding for the field from the Miracle League team including starting the replacement fund before construction begins and this needs to be in writing. She added that they need to think of the Miracle Field as a long-term commitment and the value it could bring to town.

A brief discussion took place about the May 5th meeting. Ms. Griffin commented that the Birch Grove site was not an official option and was not really discussed but it seems that the Council decided this was the best option but did not communicate it to the Board. Dr. Willett noted that he has heard from everyone about how excited they are to have opportunities for kids with disabilities and it is about ensuring the sustainability of it. It is not about any individual but rather future boards and councils and setting them up for success. To that end, there needs to be a contractual understanding and commitment regardless of the fluctuations of the economy. He noted that he is sure MLNCT is responsible, but every organization has hardships and troubles, and something may not be possible that may have been perceived as so at a certain point and if this happens there needs to be sustainability if something falls through. In Tolland, it would fall back to areas that may not be able to handle it and thus why these things need to be established in a strong contract with funding set aside to be restored. The process for

authorization for such projects should be consistent for anyone who wants to do such a project in town. Dr. Willett noted that there have been several meetings about this project and information has been shared. The most recent update had the field on Birch Grove grounds which raised the question of sustainability. No one wants to be in a position of turning away children with disabilities because the place set up for them could not be sustained.

Mr. Holt commented that assuming the Board is a partner in the conversation, it has to weigh in and consider the risk. They are a week or 2 away from the referendum where cuts were made to the budget and discussions took place about how they would deliver the education promised. He posed the question if when they talk about the town putting aside funds, is the town in the fiscal position to take on the risk at a time when they are trying to shave the budget and if projects on this scope make sense. Mr. Holt noted that he is not arguing with the intelligence of the project, he is asking about the timing. Mr. Holt explained that they would be looking to the town to create a parachute if the fiscal responsibilities fall. Holistically, if they are looking at level budget cuts, is the town prepared to enter into such a risk. At this point, that is a Council question. Dr. Willett commented that this falls in line with the communication that the Board may consider making that highlights the 3 items noted and expanded on them.

Ms. Shaikh commented that in terms of the contract, she would like it to include who is responsible for what in terms of maintenance and insurance. It should also have a provision for modifications if something changed that cannot be predicted. A process where stakeholders come together to modify the contract. These are with the objectives of the field being successful and going on for perpetuity. She asked who would take care of the porta potties. Dr. Willett explained that in the current document the DPW would receive funding from MLNCT to address them. That said, what happens if there are hard times for the organization – it goes back to sustainability.

Ms. Lundgren commented that she would like to see the contract prior to the Council voting to have the field at Birch Grove.

Ms. Griffin noted that the communication needs to be from the Board to the Council. She posed the question of if the Board wants to inquire about why the other location options are no longer on the table. If the field was at another location, it would alleviate a lot of the Board's concerns.

Dr. Willett clarified that he believes Mr. Marie wants to ensure that funding would be actualized in order for the field to be on school grounds. In terms of whether Dr. Willett attends the Council meeting, or the Chair does, he would not deviate from the recommendations if he attended. If the field is at Birch Grove, then the consideration of sustainability is something the Board and Council would have to address if the obligations under the contract were not fulfilled. The questions raised are applicable regardless as to the field's location. If Tolland commits to the field, it is making a commitment whether funds are set aside or not. He confirmed that the Board wants to ensure the sustainability of the field and to that end wants clear provisions in the contract about alternatives and what happens if funding does not come through. This includes the consideration of a fund that is restored vs. one that is sustained by an outside organization. Further, Dr. Willett confirmed the Board's recommendation for a town process

and its questions about how the ability to pay is assessed and the process for reviewing advertising.

Ms. Gallichant commented that sustainability is about not taking something away from children. She explained that at one of her first meetings they discussed the turf field and she was surprised at the ease of the suggestion that it be turned back to grass. This is a much bigger deal. She would like the field and would like it in town. They are trying to ensure it is being done responsibly so nothing is taken away from children. Dr. Willett noted that if the THS turf field is turned back to a natural field, football can still be played. If a miracle field is turned back, then something is being taken away and the Board wants to ensure that a future board and council are never in a position to have to make that decision.

C. ADJOURNMENT

Mr. Marie motioned to adjourn at 8:32 PM.

Mr. Holt seconded the motion.

Discussion: none

Motion passed unanimously.

Respectfully submitted,
Lisa Pascuzzi
Clerk

TOLLAND BOARD OF EDUCATION

Hybrid Meeting
Council Chambers
Tolland, CT 06084

REGULAR MEETING – May 25, 2022

Members Present: Ashley Lundgren, Chair; Sophia Shaikh, Vice Chair; Jacob Marie, Secretary; Jennifer Gallichant, Christine Griffin, Tony Holt, Dana Philbin, Christina Plourd, Jayden Regisford (Zoom)

Members Absent: none

Administrators Present: Dr. Walter Willett, Superintendent of Schools

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Ms. Lundgren called the meeting to order at 7:06 PM.

A moment of silence was observed for the victims in Uvalde, TX.

B. ACKNOWLEDGEMENTS

Ms. Beth Penney, the Advisor of the Technology Student Association at THS, as well as members who competed at the CT, State, and New England Regional TSA Conference competition were in attendance. Ms. Penney acknowledged the students' hard work and noted that they have been preparing since the beginning of the year. Students who competed in Video Game Design repeated their 3rd place performance. Also, for the first time, students participated in the VEX Skills competition (robotics) and placed 1st in the regional competition. Further, there was participation in Board Game Design. A student also performed in the Sci-Viz (coding) competition and came in 2nd place.

Students presented overviews of their projects.

- Video Game Design: Students used Unity software and did the coding, styling, graphic design, and other components.
- Board Game Design: The student created the game *Run Johnny Run*. He made the pieces with a 3-D printer, drew the game board, and created the rules for the 2-person game.
- VEX Skills: Students created a robot and programmed it to do specific tasks.
- Dr. Willett presented certificates to the students:
 - Alexander Johnson - Participation Board Game Design competition
 - Calista Mayer - Participation Coding competition
 - Sulan Zhang - 2nd place SciVis competition
 - Daniel Duff, Justin Pavlov, Eric Eckblom - 3rd place Video Game Design competition
 - Daniel Duff and Ashton Prathepan - 1st place VEX EDR Robotics Skills competition

C. APPROVAL OF THE AGENDA - none

D. APPROVAL OF MINUTES

- May 11, 2022 – BOE Meeting

- May 11, 2022 – Special BOE Meeting

Mr. Holt motioned to approve the minutes of the May 11th meetings with the amendment.

Ms. Shaikh seconded the motion.

Discussion – Ms. Griffin was not in attendance at the May 11th Special BOE meeting and arrived at 7:05PM at the May 11th BOE meeting.

In favor: Lundgren, Shaikh, Gallichant, Griffin, Holt, Philbin, Plourd, Regisford

Opposed: none

Abstentions: Marie

Motion passed.

E. PUBLIC PARTICIPATION - none

F. CORRESPONDENCE

May 11th

- E-mail asking the Board to support the budget; requested social/emotional learning on an upcoming agenda; provided information on state guidance regarding LGBT
- E-mail asking the district to change the author's e-mail address on file
- E-mail asking the Board and school administration to plan field trips differently so all students regardless of vaccination status are included
- E-mail asking the Board not to make substantial cuts to education services particularly regarding social/emotional learning, class sizes, and enrichment experiences; follow up e-mail with typo correction
- E-mail requesting the Intent to Homeschool form
- E-mail expressing frustration with the First Student bus fleet; author asked the Board to pursue legal measures to address the substandard performance or request compensation at the next round of negotiations; requested that school bus GPS tracking be implemented

May 25th

- E-mail to the Board and Council advocating to keep the BOE budget intact
- E-mail expressing sadness to the proposed reductions to the Board budget post-referendum; asked for united support for a strong school budget; desires that elected officials not post their opinions on social media
- E-mail asking for united BOE support for a strong BOE budget; asked that elected officials not post their opinions on political matters on social media
- E-mail expressing concern about school bus breakdowns
- E-mail expressing frustration about mechanical and cleanliness issues of the school bus fleet
- E-mail expressing frustration over the inconsistent school bus schedule
- E-mail expressing dismay over the general condition of the school bus fleet and unreliable schedule; concern about the general condition of the district's buildings
- E-mail from the President of the Tolland Soccer Club expressing concern over the general condition of the Birch Grove athletic fields
- E-mail asking the Superintendent to send out a list of safety procedures and security equipment to parents in light of the tragedy in Uvalde, TX

G. POINTS OF INFORMATION

- Mr. Marie commented that thinking of something ever happening in the district like what occurred in Uvalde is terrifying. While Board members may disagree on some items, they can all get behind keeping students safe. He has confidence in district staff and the facilities to keep students safe. A competent system is in place but if anything else can be done in the district, he wants to be sure that it is.
- Ms. Gallichant addressed what happened in Uvalde. As a parent she understands why the feedback was received. There is a lot of sadness, and she is grappling with that herself. Over the years she has been in lockdowns with the children sitting on the floor, in the dark, while huddled together. It is scary and she knows the sigh of relief when Mr. Swanson, with a smiling face, would open the door. She noted that in the instances she has experienced, staff handled the situations smoothly and with a tremendous amount of care toward children. As Dr. Willett's e-mail highlighted today, TPS has a robust safety plan in place that is consistently reviewed and updated. Ms. Gallichant understands that parents may still have questions and should present them to the Superintendent. He will answer them as well as he can. Ms. Gallichant recalled the Sandy Hook tragedy – her son was in kindergarten. She walked him into his classroom the next day. His teacher hugged her and said that she would protect her son with her life. Ms. Gallichant did not expect this and throughout the years staff has held her children's hands through scary moments. Ms. Gallichant thanked Dr. Willett and the Public Safety professionals for their work to ensure the schools have a robust plan. She thanked TPS staff for the work they do every day to care for the mental and physical health of students. Many staff have children themselves and it must be difficult to send their kids to school and take care of the community's children, but they do so every day. As a Board member she promised to advocate for mental health in schools and always ask questions to ensure they are proactively doing all they can to keep kids safe.
- Dr. Willett noted that he sent communications last night and today. It is emotionally upsetting to experience this happening again. As noted in the communications, he does not have a lot to say right now – words are not sufficient. Dr. Willett explained that in decades of working in education, he has never seen more committed people to the welfare and protection of children than those in the Tolland Public Schools. He is deeply grateful for all of the staff and the community who emphasize love and humanity. Sometimes tragedy can bring people together and he has seen this in the last 24 hours. He is thankful for the love and caring that people are giving each other as the nation moves forward to try to address these very difficult issues.

H. STUDENT REPRESENTATIVES' REPORT – Nathalie Mitchell and Emily Pereira - none

I. SUPERINTENDENT'S REPORT

I.1 EOY Budget Update

Dr. Willett thanked the community for supporting the referendum that passed. He worked with the administrators to restore 2 positions to the budget – School Counselor Position 1.0 FTE and THS & TMS Math 1.0 FTE. The proposed FY23 reductions and pre-investments are available for review on the dashboard and today's agenda so the public can see how they reached the number the Council gave the BOE to achieve. Additionally, he projects having a balance (minus pre-investments) of \$179K at the end of May if the excess cost (estimated \$160K) and transportation funds (estimated \$163K)

come in as expected. Dr. Willett noted that over the next month, the \$179K will decrease and expects to end the year under \$100K. He estimated there will be \$130,878 in pre-investments and will present any updates to the Board on June 8th.

Dr. Willett noted that they are working with the town to process the Technology purchases that will come out of the ERF. Plans set by the Board are being executed.

Mr. Marie commented that he is pleased the 2 positions were restored. He asked for more information about the Spec Ed Other Prof. Ed. Services (\$75K) pre-investment. Dr. Willett explained that this is related to special education and autism programming. It has been valuable. Mr. Marie asked if the funds are not available if the recommendation would be to use the ERF. Dr. Willett responded that he would try to find the funds. Given the circumstances, he does not foresee a time when these services will not be needed. He provided the example of CT-SEDS where staff training will be needed, and overtime will likely be incurred given the timing.

Ms. Plourd asked if the district could receive a larger credit than the \$160K listed for transportation. She noted that they are \$300K over budget in this line item and asked if there is more they can negotiate. Dr. Willett responded that he does not believe they will see more than this before the end of the fiscal year, but they continue to have conversations. The contract expires at the end of next year and it is a long process. He invited Board members to participate.

Mr. Holt commented that he is interested in conversations regarding transportation. He has grave concerns about what the company is supposed to be doing and what he sees at the bus stops. He asked about the conversation regarding the \$160K. Dr. Willett believes Board members' involvement in the process moving forward will help in understanding. He noted that the buses have GPS tracking and records are available which will help as well. Mr. Holt asked about the current conversations on transportation and how they are coming up with \$160K. Dr. Willett responded that it about funds that will be restored to the district with respect to special education-related items. The company is working with the district to try to provide the best outcomes. Mr. Holt commented that what he sees from the end of driveway disappoints him. Dr. Willett noted that for each person who has submitted concerns, he has had the Business Manager who is also the Transportation Director reach out to the families. He recommended that Mr. Holt submit his specific concern to the Transportation Director so they can examine the situation. Mr. Holt explained that it is an individual parent concern as well as a Board concern. He will take his personal situation through the process, but the Board needs to discuss what is being seen with the bus company in greater detail. Dr. Willett responded that he would draft a report on the statistics and present it to the Board. Mr. Holt commented that one bullet in the contract is that no child will be dropped off at their stop any longer than x number of minutes after school. He would like to know how often this is violated. He added that at the beginning of they day they are supposed to let the Board office know how many buses are in/out and asked how often this happens.

Dr. Willett noted that he does not expect to many changes to the Proposed FY23 Reductions and Pre-Investments document unless a greater amount of excess cost funds

is received. If this happens, he will present some additional items that could be acquired. With the Board's support he can move forward on this item.

Ms. Griffin commented that she is comfortable with the list presented and pleased that the 2 positions were added back. She would like to see, if funds are available, items such as World Language textbooks and athletic equipment. She believes students are still very well taken care of and the district is moving forward.

Mr. Holt commented that after speaking with Mr. Sztaba at the FFC meeting, his concern is that cuts are being made and things are not being paid for now will need to be in the future. He does not feel next year's budget will be better and is leery to kick the can down the road with the hope the more money will be available.

Mr. Marie motioned to move item I.5 to L.5 for action.

Mr. Holt seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

I.2 Miracle Field (no enclosure)

Dr. Willett noted that the Council postponed action and scheduled a meeting for May 31st. The Board is invited to attend.

Ms. Griffin commented that she did not get the impression that the Board was invited to participate in negotiations - that they were between the Miracle League and the Council. She spoke and the meeting and expressed disappointment that they did not read the Board's concerns aloud. That said, it may have been because it was noted that negotiations were not going to be discussed. She did not get the impression that the May 31st meeting would be a joint meeting with the Board and the Miracle League and believes the Board is not at the negotiation table. She asked if others heard differently.

Ms. Gallichant responded that she heard that the Board would be able to provide commentary but is unsure if the letter from the Board will be read and if the Board's concerns will be heard. She agreed with Ms. Griffin and was disappointed that the letter was not read. While she does not feel that the Board is a partner, a couple of Council members and Ms. Hancock pushed for it to be a partner. Ms. Gallichant would like to have more than spectatorship at the meeting.

Dr. Willett believes he heard at least 1 Council member say that the letter should be included in the packet. Ms. Griffin confirmed that she heard that the contract would be released to the Board prior to the meeting. Dr. Willett noted that because negotiation process is ongoing, things may be subject to change.

Ms. Lundgren asked if the Board could request that the letter be added to the packet. Ms. Philbin commented that the Council said that it would add the letter to the packet. She believes that the Board will be able to be part of the discussion but not part of the decision-making process. She added that Board members expressed concern and a desire to be part of the progress going forward particularly as it impacts the Board, future boards, and future councils.

Ms. Gallichant commented that it felt that the Miracle League was pushing to have a resolution and answer at the special meeting. She is concerned how they would come to a resolution if the Board has concerns to be addressed.

Ms. Griffin explained that this is what concerns her - if the Board is not allowed to speak. Last night at least 5 Board members were on the call. The Council allowed the Miracle League to speak freely throughout the meeting and when she tried to speak. While the Council noted that Board members were in attendance, they were not given the opportunity to speak.

Ms. Shaikh commented that she got the feeling that it was wishy washy in terms of the Board's role with regard to the Miracle Field. She hopes that it was conveyed to the Council, the Miracle League, and those watching that the Board is in support of the field, and it would be an amazing opportunity for the town, but it needs to be put in place responsibly. The lack of articulation of the Board's role is concerning and telling. The Council has not, as a group determined the Board's role. Ms. Shaikh hopes the project goes through in a productive, meaningful, and long-lasting way.

Ms. Philbin commented that the Miracle League presented information in the early summer of last year. While they are pushing for an answer or direction, the decision should not continue to be delayed. She would love to have the field in Tolland, but they need to ensure that the ducks are in a row so all are protected.

Ms. Lundgren explained that when projects are rushed, that is when errors occur and they need to think of future boards and councils. They know the situation with the turf field at THS which has not been resolved and the Miracle Field could have maintenance costs which need to be considered. The Board needs to do its due diligence. Whether the Board is allowed at the table is the question.

Ms. Griffin commented that it was said last night that there were multiple communication opportunities. She was at the May 5th meeting and there was not an invitation to speak. She asked if it would not have made sense for the Council Chair to reach out to the Board Chair. It is common courtesy and respect to have communication aside from information being available in the minutes. Ms. Griffin explained that once the project moved to site #8, there should have been some communication.

Dr. Willett commented that it is not about the Miracle Field. It is about making sure the Town has a plan for sustainability in perpetuity. There are some wonderful, dedicated, and awesome people involved and we are thankful for their efforts. Tolland has a past of relying on certain funding methods that have not been sustainable. The agreement has some language that seems to indicate support in perpetuity. The MLNCT is a noble organization with people working hard behind it. The domain was registered in October 2021 it is unclear if the Northern group is fairly new. The question is, 10 years from now will outside funding be available, and if it is not, what will the plan be? Twenty years from now will the field still be here if the people who are making these noble efforts are not able to be? If there is not a Town set aside, this is when tension will arise regarding

how the field will be funded. There needs to be a careful look at support in perpetuity. Being in the position of taking away a field, built for students who are otherwise able, could put a future board and council in extremely difficult circumstances. This can be avoided with a careful attention given to the contract language. Dr. Willett explained that hopefully they will see a processing of the recommendations provided by the Board. He heard a number of Council members comment that the recommendations were reasonable and should be part of the conversation, so he is hopeful.

Mr. Marie confirmed that Dr. Willett will ask Ms. Hancock what the Board's role will be at the May 31st meeting. He noted that Dr. Willett and Ms. Hancock are employees and Ms. Lundgren could reach out to the Council Chair. Ms. Lundgren noted that she reached out to the Chair to let him know that the Board would be discussing the topic, but he did not tell her that there would be a vote. She noted that she can reach out to him again, but she did not know about the vote until the agenda became available. Mr. Holt commented that if the Council Chair is not responding to the Chair of the BOE and they are relying on the employees, they are asking them to step beyond their bounds and it creates a bad precedent.

Mr. Marie noted that in the memorandum of understanding the Board is listed as a party and is unsure if this will be in the contract. He asked if listed, if the Board would have to vote. It was noted that they will need to ask the Board's counsel. Dr. Willett added that he is not familiar with the term memorandum of intent, the language most recently used, and it needs to come to a contract. He stressed the importance of the language in the contract being clear on sustaining the field in perpetuity, and added that it is not about the Miracle Field but about ensuring that the town adequately plans so that they do not put anyone – children or elected officials – in a tough spot in the future. Mr. Marie asked if the Board is included in the contract if it would need to be invited to the negotiating table and vote if party to it. Ms. Shaikh explained that as a player in the contract one would have to sign it, but the question becomes if they include the Board or put it on Birch Grove and not include the Board as part of the agreement. The town owns the land. Mr. Holt confirmed that in such a case, the Board would need to be omitted. Ms. Gallichant commented that she is unsure if they will draw up a legal contract. The Miracle League was looking for a good faith MOI and noted that they already have one from Vernon. While they said items would be discussed, she does not know if a legal contract will come out of it. Ms. Griffin explained that she understood that the Council wanted a contract, but she got the impression that on May 31st it will be voted upon. She does not know what the Board can do for there to be a pause. She feels the Board is still not being included in the conversation and asked if the Board can be mentioned in a contract without its agreement. Ms. Shaikh noted that the Board can be mentioned but it would not be agreeing to a role or responsibility.

Ms. Griffin asked if the contract could say that district is responsible for maintenance during the school day. Dr. Willett explained that it is about what is not said sometimes that causes challenges. All land is town land and if at the end of the driveway and being used by Tolland students, they could see a scenario in the future that people would say that for a large span of time daily it is being used and it makes sense that the Board's budget would be applied toward its maintenance. If town dollars are set aside for this purpose, it can cover this concern. One could reasonably say that unless there is a set

aside, the Board will need to accept the possibility that a financial expectation could fall on the place or facility where children access it most of the day. A conversation needs to take place that this is where they could be in the future. Dr. Willett noted that this is not about the Miracle Field. Rather, it is about a history in Tolland of a project or projects being done where commitments were not sustained, and town funding to make up for it was not clearly specified. The contract for the Miracle Field would need to specify where the funds would come from in such a case i.e., the unassigned fund balance. Ambiguity in language has not served the district well in the past.

Ms. Philbin explained that at a previous meeting the Council voted that Ms. Hancock could enter into negotiations with the Miracle League for the town and the Council voted on the ARPA funds. Ms. Philbin recommended that Ms. Lundgren reach out again to the Council Chair. She has communicated with the Council and it has the Board's letter which she assumes will be part of the contract. She wishes they knew more about the May 31st meeting. This is an opportunity for the Council and the Board to be unified for the community.

Dr. Willett noted that ARPA funds were dedicated so there is momentum. He will speak with Ms. Hancock.

J. COMMITTEE & LIAISON REPORTS

- Birch Grove Building Committee – Ms. Philbin noted that the Committee has not met but Mr. Sztaba provided an update to Ms. Murray regarding the soccer field. Ms. Philbin shared this information and noted that they are addressing the concerns.
- Curriculum – discussed the curriculum for the new Black and Latino History class; a curriculum tracker has been posted
- Finance & Facilities –discussion about multiple items, Miracle Field, buses
- Negotiations – Ms. Gallichant is now the Chair. The Committee met.
- Communications – discussed letter regarding the Miracle Field; PTO updates
- Policy – met this afternoon; discussed policies 4060, 5160, 5150
- Tolland Mental Health and Substance Use Advisory Task Force – topics discussed included LGBT issues in town

K. CHAIRPERSON'S REPORT

Ms. Lundgren read the following:

There are no right words to choose about losing children to senseless crimes. I can still recall Newtown very vividly. My son was in first grade with a brand-new teacher. The first year of having her own classroom. This is part of an email that I sent to her following the tragic events:

"I just feel the need to tell you thank you. Thank you for taking care of my precious baby every day. Thank you for encouraging, loving, and watching over him and all the other little children daily. This is a difficult world these kids are growing up in. I'm just very grateful for the environment that you provide for him. "

Here we are, almost 10 years later. This is still true today. Teachers and Staff - Thank you for everything that you do. Safety of our staff and students is always the number one priority. I do know that Tolland has plans and protocols in place for emergencies. Dr. Willett is always available to take time to answer any questions that you may have.

Sadly, mental health is currently a bigger problem than ever before. It's an enormous elephant in the room that no one likes to talk about because it's taboo. On top of that, Covid only added fuel to the fire. I hope through the Mental Health Taskforce, we can learn what our community needs are. Then take action to address those needs

As Morgan Freeman says, "How do we change the world? One random act of kindness at a time." We are one community in this large world. We need to be proactive and help each other out. My hope is that more people will choose kindness. Ask yourself, "What was your random act of kindness for the day more importantly what will it be tomorrow?"

L. BOARD ACTION

L.1 Policy 1080 – Visitors in Schools

Dr. Willett reviewed attachment L.1.

Mr. Marie motioned to approve the changes and updates to BOE policy 1080 Visitors in Schools as presented in item L.1 of the May 25, 2022 BOE meeting.

Mr. Holt seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

L.2 Policy 5040 – 5041 Combined – Transportation/Bus Cameras

Dr. Willett reviewed attachment L.2.

Mr. Marie motioned to approve the changes and updates to BOE policy 5040 Transportation as presented in item L.2 of the May 25, 2022 BOE meeting.

Mr. Holt seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

Mr. Marie motioned to eliminate policy 5041.

Ms. Philbin seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

L.3 Policy 1091 – Volunteers

Dr. Willett reviewed attachment L.3.

Mr. Marie motioned to approve the changes and updates to BOE policy 1091 Volunteers as presented in item L.3 of the May 25, 2022 BOE meeting.

Mr. Holt seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

L.4 Policy 5010 – Student Attendance and Truancy

Dr. Willett reviewed attachment L.4.

Mr. Marie motioned to approve the changes and updates to BOE policy 5010 Student Attendance and Truancy as presented in item L.4 of the May 25, 2022 BOE meeting.

Ms. Philbin seconded the motion.

*Discussion: none
All were in favor. Motion passed unanimously.*

L.5 EOY Budget Update

*Mr. Marie motioned to adopt the Superintendent's proposed reductions and pre-investments as presented at the May 25 2022 BOE meeting.
Ms. Griffin seconded the motion.
Discussion: none
In favor: Lundgren, Shaikh, Marie, Gallichant, Griffin, Philbin, Plourd, Regisford
Opposed: Holt
Abstentions: none
Motion passed.*

M. PUBLIC PARTICIPATION - none

N. EXECUTIVE SESSION FOR THE PURPOSE OF SUPERINTENDENT EVALUATION

Mr. Marie motioned to go into executive session for the purpose of the Superintendent evaluation at 8:55PM and invited Dr. Willett to attend during the second portion of the executive session.

Mr. Holt seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

The Board exited executive session at 9:56PM.

Ms. Plourd motioned to extend the BOE meeting past 10:00PM.

Mr. Holt seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

Ms. Philbin motioned to return to executive session at 9:57PM.

Ms. Gallichant seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

The Board exited executive session at 11:55PM.

O. POINTS OF INFORMATION

- Tolland Town Council – May 5, 2022 – Budget Meeting
- Tolland Town Council – May 5, 2022 – Miracle Field Meeting
- Tolland Town Council – May 10, 2022

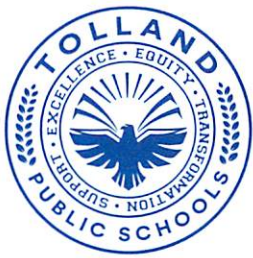
P. FUTURE - none

Q. NEW BUSINESS - none

R. ADJOURNMENT

*Mr. Holt motioned to adjourn at 11.56PM.
Mr. Regisford seconded the motion.
Discussion: none
All were in favor. Motion passed.*

Respectfully submitted,
Lisa Pascuzzi
Clerk



TOLLAND PUBLIC SCHOOLS

51 TOLLAND GREEN • TOLLAND, CONNECTICUT 06084
860-870-6850 • FAX: 860-870-7737

OFFICE OF THE
SUPERINTENDENT OF SCHOOLS

Walter Willett, Ph.D.
Superintendent

TO: Board of Education I.1

FROM: Mark S. McLaughlin, Tolland Public Schools Business Director

RE: Monthly Financial Report for May 2022

Date: June 3, 2022

CC: Walter Willett, Ph.D. Superintendent of Schools

Please find the attached financial report for the FY 2021-2022 fiscal year. The month of May 2022 is the 11th month of the 2021-2022 fiscal year. The monthly financials for this school year are atypical as the district contends with the COVID pandemic. The attached report is only a temporary financial snapshot identifying eleven months of activity. The balance does reflect both excess cost grant payments from the State of Connecticut, totaling \$790,622 applied to special education lines. The financial attachment is provided in an object format to clearly show the adopted budget and the YTD expenditures. This summary report provides the essential groups of accounts so the BOE can better understand the functional areas of the budget. The object line items follow the reporting format required by the State Dept. of Education. The line items show the approved budget, 11 months of expenses, encumbrances and available balances as generated through the financial software.

The attached May 2022 financial report shows a current available balance of \$108,589 or .27% of the BOE's current budget. As previously stated, these amounts, encumbrances and balances will change as we close the year. This year the district has faced increased incurrence of special education accountabilities earlier in the fiscal year. This balance reflects the impact of special education transportation and special education tuitions.

Health Insurances can continue to be booked as staff are hired, vacancies are filled. Substitute expenses started in September, special education student tuitions will continue to be incurred, transportation routes can be adjusted and have not been fully booked, and instructional supplies will be spent as needed for the balance of the year. Some line items cannot be encumbered and will always have available balances such as substitutes, overtime, course reimbursement, consultants, unemployment compensation, workers compensation, and severance.

In a typical year, the budget is built 18-20 months from implementation, based on the best know data and assumptions from the town, State of Ct, grants, interest rates, market conditions, contacts, negotiations, Department of Ed. Mandates, and professional services etc.

The Budget for FY21-22 was Town Council approved for \$40,819,289. The BOE is anticipating spending the allocated budget by year-end in accordance with CGS 10-222. As in the past, any balances may be returned to the town or the BOE will request to transfer the balance to the Educational Reserve Fund after final approval.

Tolland Public Schools

MM OBJ A Expenditure Report Summary (by OBJ - ???)

From Date: 7/1/2021

To Date: 5/31/2022

Fiscal Year: 2021-2022

- Subtotal by Collapse Mask
 Include pre encumbrance
 Print accounts with zero balance
 Filter Encumbrance Detail by Date Range
 Exclude Inactive Accounts with zero balance

Account Number	Description	GL Budget	Range To Date	YTD	Balance	Encumbrance	Budget Balance	% Bud
0100.0000.110.00.000.1	Salaries	\$23,366,979.52	\$19,189,574.59	\$19,189,574.59	\$4,177,404.93	\$3,939,829.76	\$237,575.17	1.02%
0100.0000.120.00.000.1	Substitutes	\$367,228.00	\$306,560.17	\$306,560.17	\$60,667.83	\$33,521.31	\$27,146.52	7.39%
0100.0000.130.00.000.1	Overtime	\$218,871.00	\$199,096.22	\$199,096.22	\$19,774.78	\$5,607.85	\$14,166.93	6.47%
0100.0000.150.00.000.1	Stipends	\$394,028.03	\$235,397.03	\$235,397.03	\$158,631.00	\$180,385.46	(\$21,754.46)	-5.52%
0100.0000.190.00.000.1	Pension/Severance	\$160,374.00	\$10,902.42	\$10,902.42	\$149,471.58	\$0.00	\$149,471.58	93.20%
0100.0000.200.00.000.1	Employee Benefits	\$513,000.00	\$490,022.02	\$490,022.02	\$22,977.98	\$1,375.00	\$21,602.98	4.21%
0100.0000.210.00.000.1	Health/Life/Disabl Ins	\$5,303,181.00	\$4,900,431.78	\$4,900,431.78	\$402,749.22	\$405,524.70	(\$2,775.48)	-0.05%
0100.0000.220.00.000.1	FICA/MED/Soc Sec	\$729,822.57	\$576,298.84	\$576,298.84	\$153,523.73	\$97,428.97	\$56,094.76	7.69%
0100.0000.240.00.000.1	Retirement (ICMA)	\$258,273.09	\$226,341.22	\$226,341.22	\$31,931.87	\$27,268.88	\$4,662.99	1.81%
0100.0000.250.00.000.1	Course Reimbursement-Degree Ch	\$50,000.00	\$22,950.00	\$22,950.00	\$27,050.00	\$0.00	\$27,050.00	54.10%
0100.0000.260.00.000.1	Unemployment Compensation	\$56,471.00	\$0.00	\$0.00	\$56,471.00	\$3,000.00	\$53,471.00	94.69%
0100.0000.270.00.000.1	Workers' Compensation	\$278,892.00	\$269,754.21	\$269,754.21	\$9,137.79	\$0.00	\$9,137.79	3.28%
0100.0000.300.00.000.1	Purch Prof & Tech Servcs	\$57,788.41	\$32,666.67	\$32,666.67	\$25,121.74	\$0.00	\$25,121.74	43.47%
0100.0000.310.00.000.1	Benefits Consultant Services	\$65,280.00	\$40,950.00	\$40,950.00	\$24,330.00	\$13,650.00	\$10,680.00	16.36%
0100.0000.320.00.000.1	Prof Educ Servcs	\$305,191.00	\$395,091.90	\$395,091.90	(\$89,900.90)	\$147,226.61	(\$237,127.51)	-77.70%
0100.0000.330.00.000.1	Professional Tech Srvs	\$34,482.00	\$14,458.10	\$14,458.10	\$20,023.90	\$2,632.30	\$17,391.60	50.44%
0100.0000.340.00.000.1	Legal/Audit/Consult Servcs	\$213,145.00	\$183,259.17	\$183,259.17	\$29,885.83	\$25,110.20	\$4,775.63	2.24%
0100.0000.350.00.000.1	Tech Services	\$530,180.72	\$439,781.85	\$439,781.85	\$90,398.87	\$87,973.79	\$2,425.08	0.46%
0100.0000.410.00.000.1	Sewer/Water	\$35,465.00	\$35,307.00	\$35,307.00	\$158.00	\$0.00	\$158.00	0.45%
0100.0000.420.00.000.1	Cleaning/Rubbish Services	\$136,558.00	\$139,793.33	\$139,793.33	(\$3,235.33)	\$25,353.68	(\$28,589.01)	-20.94%
0100.0000.430.00.000.1	Repair and Maint Servs (Facili	\$251,990.00	\$142,695.45	\$142,695.45	\$109,294.55	\$47,623.85	\$61,670.70	24.47%
0100.0000.440.00.000.1	Rentals	\$172,885.00	\$152,697.51	\$152,697.51	\$20,187.49	\$9,142.96	\$11,044.53	6.39%
0100.0000.510.00.000.1	Student Transp Srvs	\$2,621,994.00	\$1,944,703.23	\$1,944,703.23	\$677,290.77	\$733,433.28	(\$56,142.51)	-2.14%
0100.0000.520.00.000.1	Property/Liability Insurance	\$233,202.00	\$222,653.02	\$222,653.02	\$10,548.98	\$20,000.00	(\$9,451.02)	-4.05%
0100.0000.530.00.000.1	Telephone/ Postage	\$84,788.00	\$88,904.33	\$88,904.33	(\$4,116.33)	\$7,958.04	(\$12,074.37)	-14.24%
0100.0000.540.00.000.1	Advertising	\$26,500.00	\$19,055.51	\$19,055.51	\$7,444.49	\$5,388.81	\$2,055.68	7.76%
0100.0000.550.00.000.1	Printing and Binding	\$19,947.00	\$11,431.03	\$11,431.03	\$8,515.97	\$1,792.73	\$6,723.24	33.71%
0100.0000.560.00.000.1	Tuition Educ Agency	\$1,601,733.00	\$1,624,281.03	\$1,624,281.03	(\$22,548.03)	\$274,723.64	(\$297,271.67)	-18.56%
0100.0000.580.00.000.1	Travel and Conference	\$30,675.00	\$13,871.36	\$13,871.36	\$16,803.64	\$2,065.00	\$14,738.64	48.05%
0100.0000.590.00.000.1	Public Officers & State Troopre	\$91,994.00	\$46,578.19	\$46,578.19	\$45,415.81	\$9,147.16	\$36,268.65	39.43%
0100.0000.600.00.000.1	General Supplies	\$165,553.00	\$165,357.52	\$165,357.52	\$195.48	\$8,447.03	(\$8,251.55)	-4.98%
0100.0000.610.00.000.1	Instr Supplies/Mat'ls	\$276,312.88	\$227,377.75	\$227,377.75	\$48,935.13	\$85,273.35	(\$36,338.22)	-13.15%
0100.0000.620.00.000.1	Energy	\$1,672,270.00	\$1,614,049.27	\$1,614,049.27	\$58,220.73	\$61,689.56	(\$3,468.83)	-0.21%
0100.0000.640.00.000.1	Textbooks	\$189,074.62	\$159,796.49	\$159,796.49	\$29,278.13	\$11,443.27	\$17,834.86	9.43%
0100.0000.650.00.000.1	Films and Videos Supl	\$500.00	\$0.00	\$0.00	\$500.00	\$500.00	\$0.00	0.00%
0100.0000.660.00.000.1	Computer Software	\$48,794.24	\$49,359.29	\$49,359.29	(\$565.05)	\$605.00	(\$1,170.05)	-2.40%
0100.0000.690.00.000.1	Misc Supplies	\$56,478.21	\$48,014.82	\$48,014.82	\$8,463.39	\$19,586.68	(\$11,123.29)	-19.69%
0100.0000.730.00.000.1	Equip Instruct - New	\$136,640.89	\$81,577.84	\$81,577.84	\$55,063.05	\$37,993.21	\$17,069.84	12.49%
0100.0000.760.00.000.1	Equip - Spec Ed - Instr - New	\$850.00	\$0.00	\$0.00	\$850.00	\$0.00	\$850.00	100.00%
0100.0000.810.00.000.1	Dues and Fees	\$61,897.00	\$51,821.18	\$51,821.18	\$10,075.82	\$3,779.75	\$6,296.07	10.17%
0100.0000.890.00.000.1	Misc Expense	\$0.00	\$1,356.60	\$1,356.60	(\$1,356.60)	\$0.00	(\$1,356.60)	0.00%
Grand Total:		\$40,819,289.18	\$34,374,217.94	\$34,374,217.94	\$6,445,071.24	\$6,336,481.83	\$108,589.41	0.27%

End of Report

SUPERINTENDENT'S AGENDA ITEM BACKGROUND

ITEM: Policy Committee

ITEM SUBMITTED BY: Walter Willett, Ph.D., Superintendent

FOR BOE MEETING: 6/8/2022

ITEM SUMMARY:

Policy 4050 was last updated in 2012. This is a full replacement and updating of the policy in consultation with our Chief Personnel Officer.

FINANCIAL SUMMARY:

N/A

BOARD ATTORNEY OR LEGAL CONSIDERATIONS:

Conn. Gen. Stat. § 10-212

Conn. Gen. Stat. § 10-221d

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act,

Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

BOE ACTION DESIRED:

First read.

When ready: *Motion to approve and accept the changes to Policy 4050 as presented in (item #) of the (date) Board of Education meeting.*

SUPPORTING MATERIALS ATTACHED:

4050 Replacement policy, and original policy, below.

DRAFT REPLACEMENT for POLICY 4050
EMPLOYMENT AND STUDENT TEACHER CHECKS

As set forth below, each applicant for a position with the district, and each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience in the district, shall be asked to provide in writing: (1) whether he/she has ever been convicted of a crime; (2) whether there are any criminal charges pending against him/her at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending; and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased. In addition, the district shall conduct an employment history check for each applicant for a position, as set forth below.

For the purposes of this policy:

“Sexual misconduct means” any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“Abuse or neglect” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“Former employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

I. Employment History Check Procedures

A. The district shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the district:

1. Requiring the applicant:

- a. to list the name, address, and telephone number of each current employer or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) during any of the previous twenty years, if:
 - (i) such current or former employer is/was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, and/or
 - (ii) the applicant’s employment with such current or former employer caused the applicant to have contact with children.
- b. to submit a written authorization that
 - (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the information requested under paragraph I.A.2 of this policy and the release of related records by such employers,
 - (ii) consents to and authorizes disclosure by the Department of Education of the information requested under paragraph I.A.3 of this policy and the release of related records by the department, and
 - (iii) releases those employers and the Department of Education from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and
- c. to submit a written statement of whether the applicant
 - (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
 - (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
 - (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an

allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;

2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department of Education, which shall request the following:
 - a. the dates employment of the applicant, and
 - b. a statement as to whether the employer has knowledge that the applicant:
 - (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated;
 - (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or
 - (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct. Such review may be conducted telephonically or through written communication.
Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the district receives a request for such information about an employee or former employee, the district shall respond with such information. The district may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (g), such employer shall respond not later than five (5) business days after receiving such request.
3. Requesting information from the Department of Education concerning:
 - a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,
 - b. whether the Department of Education has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
 - c. whether the Department of Education has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.
- B. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, if the district receives information that an applicant for a position with or an employee of the board has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of Education of such information.
- C. The district shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The district may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the district's review of information received under this section, provided:
 1. The applicant complied with paragraph I.A.1 of this policy;
 2. The district has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the district; and
 3. The applicant affirms that the applicant is not disqualified from employment with the district.
- E. The district shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
 1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
 2. Affects the ability of the district to report suspected abuse or neglect or sexual misconduct to

- appropriate authorities; or
3. Requires the district to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the district, unless, after investigation, such allegation is dismissed or found to be false.
- F. The district shall not offer employment to a person as a substitute teacher, unless such person and the district comply with the provisions of paragraph I.A.1 of this policy. The district shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The district shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the district as a substitute teacher, as described in paragraph III.B.2 of this policy, provided the district does not have any knowledge of a reason that such person should be removed from such list.
- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a and I.A.1.c of this policy and a written authorization under paragraph I.A.1.b of this policy. Such contractor shall contact any current or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee’s employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the district, either telephonically or through written communication. If the district receives such information, it shall determine whether such employee may work in a position involving direct student contact at any school in the district. No determination by the district that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.
- H. Any applicant who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the district that may include
1. denial of employment, or
 2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151.
- I. If the district provides information in accordance with paragraph I.A.2 or I.G of this policy, the district shall be immune from criminal and civil liability, provided the district did not knowingly supply false information.
- J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (g) of Conn. Gen. Stat. § 31-51i, the district shall provide, upon request by another local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G of this policy or to the Commissioner of Education pursuant to paragraph I.B of this policy any information that the district has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.
- K. Prior to offering employment to an applicant, the district shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school, or if the applicant’s employment with such current or former employer caused the applicant to have contact with children in order to obtain information and recommendations that may be relevant to the applicant’s fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.
- L. The district shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

II. DCF Registry Checks

Prior to hiring any person for a position with the district, and where possible before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience, the district shall require such applicant or student to submit to a records check of information maintained on the Registry concerning the applicant.

The district shall request information from the Registry promptly, and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

- A. No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF for obtaining information from the Registry.
- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF with a copy to the Superintendent or his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- C. Upon receipt of Registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.
- D. If notification is received by the Superintendent or designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.

III. **Criminal Records Check Procedure**

- A. Each person hired by the district shall be required to submit to state and national criminal record checks within thirty (30) calendar days from the date of employment. Each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, shall be required to submit to state and national criminal record checks within sixty (60) calendar days from the date such student begins to perform such student teaching experience. Record checks will be processed according to the following procedure:*

 1. No later than five (5) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or his/her designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks. The Superintendent or his/her designee will also provide each applicant with the following notifications before the applicant obtains his/her fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.
 2. No later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
 3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks. Fees and costs associated with the fingerprinting process and the submission and process of requests are waived for

student teachers, in accordance with state law.

4. Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check. The affected applicant/employee may notify the Superintendent or his/her designee in writing within five (5) calendar days that the affected applicant/employee will challenge his/her criminal history record check. Upon written notification to the Superintendent or his/her designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or his/her designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or his/her designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.
5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Notwithstanding anything in paragraph III.A.5 of this Policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this Policy, above.

B. Criminal Records Check for Substitute Teachers:

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.
2. If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district, provided a substitute teacher is subjected to such checks at least once every five years.

IV. Sex Offender Registry Checks

School district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience. Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the school district.

V. Notice of Conviction

If, at any time, the district receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the district shall send such notice to the State Board of Education. In complying with this requirement, the district shall not disseminate the results of any national criminal history records check.

VI. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the district shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

VII. Personal Online Accounts

For purposes of these Administrative Regulations, "personal online account" means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the district, including, but not limited to, electronic mail, social media and retail-based Internet web sites. "Personal

online account” does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the district.

- A. During the course of an employment check, the district may not:
 - 1. request or require that an applicant provide the district with a user name and password, password or any other authentication means for accessing a personal online account;
 - 2. request or require that an applicant authenticate or access a personal online account in the presence of the district; or
 - 3. require that an applicant invite a supervisor employed by the district or accept an invitation from a supervisor employed by the district to join a group affiliated with any personal online account of the applicant.
- B. The district may request or require that an applicant provide the district with a user name and password, password or any other authentication means for accessing:
 - 1. any account or service provided by district or by virtue of the applicant’s employment relationship with the district or that the applicant uses for the district’s business purposes, or
 - 2. any electronic communications device supplied or paid for, in whole or in part, by the district.
- C. In accordance with applicable law, the district maintains the right to require an applicant to allow the district to access his or her personal online account, without disclosing the user name and password, password or other authentication means for accessing such personal online account, for the purpose of:
 - 1. conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an applicant’s personal online account; or
 - 2. conducting an investigation based on the receipt of specific information about an applicant’s unauthorized transfer of the district’s proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

VIII. Policy Inapplicable to Certain Individuals

This policy shall also not apply to:

- A. A student employed by the district who attends a district school.
- B. A person employed by the district as a teacher for a noncredit adult class or adult education activity, as defined in Conn. Gen. Stat. § 10-67, who is not required to hold a teaching certificate pursuant to Conn. Gen. Stat. § 10-145b for his or her position.

IX. Falsification of Records

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References: Conn. Gen. Stat. § 10-212

Conn. Gen. Stat. § 10-221d

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

ADOPTED: _____

REVISED: _____

11/19/2020

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

REGARDING:
EMPLOYMENT CHECKS

Number: 4050
Personnel

Approved: 2/12/03

Revised: 5/11/05

Revised: 1/25/12

Each applicant for a position with the district shall be asked whether he/she has ever been convicted of a crime, whether there are any criminal charges pending against him/her at the time of application and whether the applicant is included on the abuse and neglect registry of the Connecticut Department of Children and Families ("DCF") ("the Registry") or an equivalent database maintained in another state if the applicant's current or most recent employment occurred out of state. Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

A. Reference Checking Procedures

Prior to hiring any person, the district shall make a documented good faith effort to contact previous employers of the applicant in order to obtain information and recommendations that may be relevant to the applicant's fitness for employment.

B. DCF Registry Checks

Prior to hiring any person for a position requiring a certificate, authorization or permit issued by the State Board of Education, the District shall require such applicant to submit a records check of information maintained on the Registry concerning the applicant.

Prior to hiring any person for any other position, if the District does not have access to the information on the Registry without the consent of the applicant, the district shall request that the applicant provide the district with authorization to access information maintained on the registry

Concerning the applicant. **Refusal to permit the district to access such information shall be considered grounds for rejecting any applicant for employment.**

On and after July 1, 2012, prior to hiring any person for any position, including one that does not require a certificate, authorization or permit issued by the State Board of Education, the District shall require such applicant to submit to a records check of information maintained on the Registry concerning the applicant.

For any applicant whose current or most recent employment occurred out of state, the District shall request that the applicant provide the District with authorization to access information maintained concerning the applicant by the equivalent state agency in the state of most recent employment, if such state maintains information about abuse and neglect and has a procedure by which such

information can be obtained. Refusal to permit the district to access such information shall be considered grounds for rejecting any applicant for employment.

The district shall request information from the Registry or its out of state equivalent promptly, and in any case no later than thirty (30) days from the date of employment. Registry checks will be processed according to the following procedure:

- 1) No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF, or its out of state equivalent when available, for obtaining information from the registry.
- 2) If consent is required to access the registry, no later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF or its out of state equivalent, with a copy to the Superintendent or his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- 3) Upon receipt of Registry or out of state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the registry check.
- 4) **If notification is received by the Superintendent or designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the registry check. If warranted by the results of the registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.**

C. Criminal Records Check Procedure

Each person hired by the district shall be required to submit to state and national criminal record checks within 30 days from the date of employment. Each worker placed within a school under a public assistance employment program, or employed by a provider of supplemental services pursuant to the No Child Left Behind Act, or in a nonpaid, noncertified position completing preparation requirements for issuance of an education certificate, who performs a service involving direct student contact shall also be required to submit to state and national criminal record checks with 30 days from the date such worker begins to perform such service. Record checks will be processed according to the following procedure:

- 1) No later than ten calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent will supply the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Tolland police department or by the police department, Resident Trooper, State Police Troop for the town in which the successful applicant resides. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the

processing of state and national criminal record checks.

2) No later than ten calendar days after the Superintendent has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Tolland police department or by the police department/Resident Trooper/State Police Troop for the town in which the successful applicant resides. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.

3) Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks.

4) Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check.

5) Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.

D. Notice of Conviction

If, at any time, the board of education receives notice of a conviction of a crime by 1) a person holding a certificate, authorization or permit issued by the or permit issued by the State Board of Education, or 2) a person employed by a provided of supplemental services, the Board shall send such notice to the State Board of Education.

E. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the Board of Education shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

F. Substitute Teachers

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1.) If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.

2.) If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another

criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district.

G. Policy Inapplicable to Operators of School Transportation Vehicles.

1) This policy shall not apply to an operator of a school transportation vehicle who is already required to submit to a criminal history records check pursuant to Connecticut General Statutes § 14-44 (d).

2) This policy shall also not apply to a student employed by the local or regional school district in which the student attends school.

H. Falsification Of Records

The falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References:

Conn. Gen. Stat. § 10-221d. Criminal history records checks of school personnel. Fingerprinting. Termination or dismissal.

Conn. Gen. Stat. § 10-212. School Nurses and Nurse Practitioners (As Amended by Public Act 04-181)

No Child Left Behind Act of 2001, Public Law 107-110

Public Act 11-93, An Act Concerning the Response of School Districts and the Departments of Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children Within a District.

SUPERINTENDENT’S AGENDA ITEM BACKGROUND

ITEM: Policy 5160 – Fundraising Activities
ITEM SUBMITTED BY: Walter Willett, Ph.D., Superintendent
FOR BOE MEETING: 6/8/2022

ITEM SUMMARY:

Legal reference needs to be updated for Policy 5160.

FINANCIAL SUMMARY:

N/A

BOARD ATTORNEY OR LEGAL REFERENCES:

[Conn. Gen. Stat. § 10-215f](#)

BOE ACTION DESIRED:

First read.

When ready: *Motion to approve and accept the changes to Policy 5160 as presented in (item #) of the (date) Board of Education meeting.*

SUPPORTING MATERIALS ATTACHED:

See removed language in ~~blue highlight and strikeout.~~
See additions in yellow highlight and italics.

RECOMMENDED UPDATE:

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY REGARDING: Fundraising Activities
Number: 5160
Students
Approved: 12/16/02
Revised: 6/13/07

Students may engage in raising funds for school-sponsored activities, subject to the provisions of regulations to be developed by the Superintendent. No such fund-raising activities may involve door-to-door solicitation in the community by students.

The Board of Education will not be responsible for any fundraising activities that are not approved in accordance with the procedures set forth in this policy and the accompanying regulations.

Any fundraising activities must comply with all applicable state and federal laws and regulations, including those provisions relating to the sale of healthy foods and beverages on school grounds or at school-sponsored events.

Legal References:

~~Public Act 06-63 An Act Concerning Healthy Food And Beverages In Schools~~
[Conn. Gen. Stat. § 10-215f](#) *Certification that food meets nutrition standards*

MINUTES

TOLLAND TOWN COUNCIL HYBRID MEETING May 24, 2022 – 7:00 P.M.

Members Present: Steve Jones, Chair; John Reagan, Vice Chair; Sami Khan, Katie Murray, Lou Luba, Colleen Yudichak

Members Absent: Tammy Nuccio

Also Present: Lisa Hancock, Interim Town Manager; Dr. Walter Willett, Superintendent (Zoom); Maureen Flanagan, Assistant Director, Human Services; Bev Bellody, Director, Human Services

1. **CALL TO ORDER:** The Chair called the meeting to order at 7:00PM.
2. **PLEDGE OF ALLEGIANCE:** Recited
3. **MOMENT OF SILENCE:** In observance of the tragic shooting in Uvalde, Texas
4. **PROCLAMATIONS/PRESENTATIONS:**
 - 4.1 Proclamation Recognizing Angela Luba for the 2022 Nightingale Award for Excellence in Nursing.
Mr. Jones read the Proclamation into the record.
Mr. Luba thanked everyone for supporting his request.
 - 4.2 Proclamation Recognizing June as LGBTQ+ Pride Month
Mr. Jones read the Proclamation into the record.
5. **PUBLIC PETITIONS, COMMUNICATIONS, AND PUBLIC PARTICIPATION** *(on any subject within the jurisdiction of the Town Council) (2-minute limit)*

Charles Williams, 53 Ryan Road, thanked the Council for recognizing Pride Month. He explained that as a white, straight guy it is easy to take things like this for granted but as a retired pastor and former prison chaplain for over 30 years that this is an issue that affects people's lives deeply. Sometimes when it doesn't affect one or their family personally it is easy to forget about the issue. He commented that this particular issue does not just affect quality of life but sometimes can be a life and death issue especially for young people. As a pastor he has counseled mothers whose children have been killed. He cited an example and explained that one mother's grief seen over the years gets to one's core as a parent. Mr. Williams noted the mass shooting in Texas today where 14 young people's families and teachers will go through a lifetime of grief. When something positive is done for youth, it is often more than people realize. He cited an example of a young boy who had multiple suicide attempts. Mr. Williams explained that when people put the flag in their yards and show support for their neighbors, it matters. Young people believe those in positions of authority. Mr. Williams is a new member of the Local Prevention Council which learned that 42% of the LGBTQ youth considered suicide in the past year. Seventy-two percent reported symptoms of generalized anxiety disorder in the last 2 weeks. Nearly half of these youth have wanted counseling from a mental health professional, but it is difficult for them to receive it. Further, 70% stated that their mental health was poor most of the time or always during Covid. Mr. Williams commented that youth are not receiving the needed counseling opportunities. Both he and the Local Prevention Council thank the Town Council for supporting Pride Month.

Jacob Marie, 32 Stuart Drive, noted that he is speaking as a member of the public. In regard to the Miracle Field project, the current proposal leaves him with a number of concerns. Under ideal circumstances, the field would be beneficial to everyone, but he believes the Council needs to ensure that

the Miracle League organization is able to pay for the field's upkeep and replacement costs as outlined in the MOU. The field is an expensive facility that will need to be replaced frequently and if the MLNCT cannot come up with funds on its own, the town will be on the hook for the replacement cost. Mr. Marie explained that this is not just speculation and cited the THS turf field that also came with the best intentions and promises but was not able to pay for itself. He is concerned that they will end up in a similar situation with the Miracle League field if the proper steps are not taken. Mr. Marie noted that while noble, and the field would be nice to have, he feels this needs to be addressed first. The process with a planned vote this evening seems rushed and needs to be better thought out.

6. **PUBLIC HEARING ITEMS:** none

7a. **REPORTS OF BOARDS AND COMMITTEES RESPONSIBLE TO THE COUNCIL:** none

7b. **REPORTS OF TOWN COUNCIL LIAISONS**

- Conservation Commission – Mr. Jones provided an update of the May 12th meeting. Will meet again on May 26th.
- Water Commission – Mr. Jones provided an update of the May 23rd meeting.
- Veterans Recognition Commission – Mr. Luba provided an update.
- ARPA Subcommittee – Ms. Yudichak provided an update of the May 17th meeting.
- Board of Education – Ms. Yudichak referenced the May 23rd meeting.

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

8.1 General budget discussion and consideration of a resolution to establish a mill rate.

Ms. Murray motioned:

WHEREAS, the proposed FY 2022-2023 budget of \$59,710,999 passed at referendum on May 17, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Tolland Town Council that it hereby sets a mill rate of 36.58 mills for Real Estate and Personal Property and 32.46 for Motor Vehicles. It further authorizes the Interim Town Manager or her designee to mail out tax bills reflecting this final rate with an assigned due date of July 1, 2022.

Mr. Luba seconded the motion.

Discussion: Ms. Murray commented that during budget discussions they knew this vote was upcoming and Ms. Hancock explained that one reason the mill rate is not set at referendum is because there could be adjustments based on revenue. She confirmed that no adjustments due to revenue change were made.

All were in favor. Motion passed unanimously.

8.2 Consideration of a resolution authorizing deposit and use of the Nip Bottle Fee revenues (revenue account 33000060-681034) toward catch basin/street sweeping debris disposal costs (expense account 33000072-777400) under this Public Act 21-58

Ms. Hancock provided background information on this item.

It is estimated that Tolland will receive \$21K in revenue and has thus far has received about \$7,150.

Ms. Hancock explained that there are limited uses for the funds and cited examples. She

recommended using the funds for the cost of disposal of trash collected from storm drains and the street sweeper.

Ms. Murray asked if this authorization is for the money received to date. Ms. Hancock explained that it is for what has been collected and what is received going forward. Ms. Murray asked if the funds would cover all of the disposal costs. Ms. Hancock responded that it depends on the revenue. She confirmed that if revenue exceeds expenses, this can be reevaluated.

Mr. Luba motioned:

BE IT RESOLVED, by the Tolland Town Council that it hereby approves as follows:

Authorizes deposit and use of Nip Bottle Fee revenues (revenue account 33000060-681034) towards catch basin/street sweeping debris disposal costs (expense account 33000072-777400) under Public Act 21-58.

Ms. Murray seconded the motion.

Discussion:

All were in favor. Motion passed unanimously.

- 8.3 Consideration of a resolution to approve the use of up to \$200,000 of ARPA funds for the Miracle Field site preparation.

Ms. Hancock read the Agenda Item Background into the record.

She explained that if the Miracle League goes into town, contingent upon the execution of a contract between the town and the Miracle League, approval of the proposed resolution would show good faith and that it is supported by the Council.

Ms. Murray noted that the Council received a communication through Ms. Hancock through Dr. Willett from the BOE and asked that it be attached to the minutes. Ms. Murray confirmed that what is proposed in this item is an allowed use of the ARPA funds and asked about the mechanics. Ms. Hancock explained that she is working with the attorney on how to move forward given that there are certain laws that govern how the funds are spent, accounted for, and reported to the federal treasury. It would be a project of the town to clear the site and do the preparation work up to \$200K. Ms. Murray asked if \$200K is the right number. Ms. Hancock responded that the Miracle League group's engineer as well as the town's engineer felt comfortable that \$200K, even with prevailing wages, is a reasonable number.

Mr. Reagan commented that when first presented, everyone was on board and wanted it. It would be a great asset for the town and due diligence has been done. The town paid half of the cost of a survey to examine alternative sites. He is uncomfortable using \$200K of ARPA money given the recent budget process, the current economic times, and it has been discussed that it will be a regional facility. Mr. Reagan understands that the Miracle League is looking at a site in Vernon which is further along in the process. If the Miracle Field is in Vernon, Tolland residents would be able to use it. While less convenient, it is the next town over and if a regional facility, having it in Vernon may be a good alternative rather than using \$200K of the ARPA money.

Mr. Luba asked if the ARPA Subcommittee's vote to present this to the Council was unanimous. Ms. Yudichak responded that it was. Mr. Luba commented that while this would add value to the town, the \$200K in ARPA funds may be used for other specific items. His concern is looking down the road. After reading Dr. Willett's letter, which identified many legal issues, if they go forward very clear obligations need to be stated. He is not comfortable going forward with only an MOU. He cited the example of the turf field at THS that did not generate the promised revenue and noted that his main concern is the cost and time needed for maintenance to keep up the appropriate ADA standards. Mr. Luba explained that this needs to be looked at holistically. If the \$200K is approved, other considerations are needed that delineate the obligations of everyone involved. Although it would be on town property, it is a Miracle League field and should be the responsibility of the Miracle League. He noted that he has significant concerns about using the ARPA funds. While this is an acceptable use of the funds, the question is if it is an appropriate use.

Mr. Jones confirmed that the estimate is \$140K-\$200K and asked what happens if the full \$200K is not needed. Ms. Hancock responded that it would go back to the ARPA fund.

Mr. Luba confirmed that the \$200K is only for site prep. He asked what happens if they run into the issue of unsuitable soil. Ms. Hancock explained that testing would need to be done before the project starts. It was noted that Town Engineer Chuck Eaton and Todd Penney, PE, engineer representative for the Miracle League were in attendance. Mr. Luba asked if studies for the area being proposed for the field have been done. Mr. Penney responded that a Phase I environmental study has not been done but in his opinion, as a professional engineer, he is not concerned. Mr. Eaton noted due diligence needs to be done and would be part of the \$200K.

Ms. Yudichak commented that she understands that the Miracle League has received a great offer from Vernon, and it disappoints her that kids in Tolland would have to go to Vernon to play. Their families are also taxpayers and it is a good use of the ARPA funds. She noted that she and Mr. Khan watched a game and saw the excitement. Ms. Yudichak commented that while there is controversy, Ms. Nuccio reviewed the numbers. They have looked at a lot of options and this is an investment for the town. Businesses will make money and there will be a lot of attraction. It will not only be for those with disabilities but the buddies who help as well as the families who would not have connections in other places. She is disappointed that the community is in favor of it but that there is a "but". Ms. Yudichak commented that one either supports it or they do not. To say "go to Vernon" is disappointing. Mr. Reagan commented that it is a regional facility that would be going in Vernon, the next town over. While it would be a little less convenient for those in Tolland, they would still be able to go to a Miracle Field. Ms. Yudichak noted that she understands the BOE's concerns and is disappointed that they were not part of the conversation but were invited to a stakeholder meeting and were not in attendance. She added that Dr. Willett was there for a little while and that e-mails were received from Mr. Marie and Ms. Griffin. Ms. Yudichak commented that the Miracle Field would put Tolland on the map and be a good thing for Tolland. She added that major capital items are on the ARPA runner and confirmed that after the \$200K, over \$1M still remains. Further, this has opened the door to talking about people with disabilities and how to help everyone in the community.

Mr. Jones noted that the resolution is on the condition of a negotiated execution of a contract. He noted that this is a good faith effort but confirmed that if this cannot be reconciled, the money would go back into the fund. Ms. Hancock explained that thus far in her interactions with Mr. and Mrs. Leibowitz, the attorney, and other stakeholders many concerns expressed are being discussed

and addressed. She noted that they need to ensure it is put into a firm legal commitment for both parties and progress is being made but she wants to ensure everyone is aware and has a good understanding before the final document is presented if this is how the Council moves forward this evening. Mr. Jones asked Mr. Eaton and Mr. Penney if the site is reasonable for what is being proposed. Mr. Eaton responded that the field will fit in the space but small details will need to be addressed. Mr. Penney responded that the area is perfect in that it is relatively flat and alignment in terms of the pitcher's mound to centerfield is optimal. In his professional opinion, it is fine but he noted that there is a grade difference between the parking area and the field so they are planning an accessible route. Mr. Jones asked Ms. Hancock if when the space is cleared if there is an opportunity for revenue from the trees that are cleared. Ms. Hancock responded that there may be. There are options - it will be dependent on the timber.

Mr. Khan asked if once the land is addressed if the Miracle League would take on full maintenance of the property. Mr. Penney noted that he can only speak to the field's construction. The operations and maintenance are part of the MOU that is being worked on by Mr. Byam and Mr. Leibowitz. Ms. Hancock noted that the use of the ARPA funds for this specific purpose is contingent on the condition of the negotiation and execution of a contract between the town and the Miracle League with all of the concerns being addressed. Mr. Khan commented that there are rumors that this will cost the town money and that \$200K is being given to the Miracle League. He wants to confirm that the town is not taking any responsibility aside from the \$200K. Ms. Hancock responded that they are working on this in their contract negotiations. There are certain things the town may do but payment would be received for the services. All of the information will be shared with the Council. Mr. Khan noted that he is in favor of having the field in town and appreciates what is being done for the kids.

Ms. Yudichak asked how many people would use the field.

A brief discussion took place regarding relevancy. Mr. Jones ruled that the question may be asked but requested that it be related to the site plan and the approval of the use of the \$200K.

Ms. Yudichak will pose the question under the next item. She thanked Mr. Leibowitz for his service to Tolland.

Mr. Luba asked for the exact amount it is expected to cost to clear the proposed area. A range of \$120K-\$200K has been discussed. He expressed concern that it would cost more given that while he has been on the Council, the costs of projects have been more than anticipated, and noted concern about covering the additional expense. They want to see the project happen but need to be realistic about what difficulties may be encountered and look at the worst-case scenario. Ms. Hancock responded that the estimate is \$138K. Mr. Penney noted that this is based on his work and includes prevailing wages. Ms. Hancock noted that up to \$200K, even with prevailing wages, to clear and prepare the site would be sufficient. Mr. Eaton confirmed this and noted that he likes that the \$200K is being used. It provides a contingency to cover escalation costs and other items. Mr. Luba noted that while they will need to do prevailing wages, the town doing the project on town property is bound by separate requirements. Mr. Eaton explained that they will be looking at both state and federal wage rates, but they are essentially the same. Ms. Hancock noted that they will have to abide by federal regulations to appropriately comply with the use of the ARPA funds.

Ms. Murray commented that she is in favor of using up to \$200K of the ARPA funds for the Miracle Field site preparation. It is less than 5% of Tolland's ARPA designation. There are benefits to families who are taxpayers in Tolland as well as businesses. She referred to a quote by President

Franklin Delano Roosevelt received in an e-mail from a Tolland resident, “The test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have too little”. Ms. Murray commented that the kids have too little and the \$200K seems like a good use.

Ms. Yudichak motioned:

THEREFORE, BE IT RESOLVED that the Tolland Town Council approves the use of up to \$200,000 of ARPA funds for the Miracle Field site preparation work on condition upon the negotiation and execution of a contract between the Town of Tolland and the Miracle League of Northern CT.

Mr. Khan seconded the motion.

Discussion: none

A roll call vote was taken.

In favor: Murray, Khan, Yudichak, Jones, Luba

Opposed: Reagan,

Abstentions: none

Motion passed.

8.4 Discussion and possible approval of a Miracle Field Agreement.

Ms. Hancock provided background information on this item.

She noted that her discussions with Mr. and Mrs. Leibowitz and Mr. Byam have been going well. They are trying to work together to build a solid contract and address the concerns. A bit more is still involved to protect the town as well as the funds that will be put forward. Part of the contractual agreement includes establishing a trust fund and this has been discussed with counsel. The initial deposit would be \$50K and at least \$15K/year would be added for field replacement. She noted that Mr. and Mrs. Leibowitz indicated that the replenishment may be deposited sooner. Ms. Hancock noted that there needs to be a well-drawn out negotiated contract and not a memorandum of understanding or memorandum of intent. She sent a red-lined document to the Councilors and asked that they respond to her with their concerns so she can ensure they are discussed with the Miracle League.

Ms. Hancock recommended that the vote be postponed until the document can be solidified.

Mr. Jones asked Mr. and Mrs. Leibowitz if the passing of the resolution for the \$200K is a good faith signal that the negotiation can continue. Mr. Leibowitz commented that East Lyme and West Hartford only had an MOU. East Lyme welcomed the project and did not have concerns about replacement. The MOU is a letter of intent – a good faith effort on the part of the Council. It is not a binding contract. He explained that the MOU is no different than putting an offer on a house that has contingencies. He wants people to think about why the Miracle League is still here. He asked that they think about the asset the field would be for Birch Grove and the community. It will be available for use by Birch Grove and is a field that will not puddle or have pesticides. Mr. Leibowitz explained that they went to Vernon and other towns because the discussion has gone back and forth in Tolland. Mrs. Leibowitz added that they want to put the field where it is fully wanted and embraced by the community. Mr. Leibowitz commented that they do not want a community to accommodate them but to want and fight for them and thank them for giving this gift to the community. He explained they have spent hours raising \$200K. They have had an agreement with

Vernon for about 6 weeks, but they approached Tolland first and the town has spent time and effort. Mr. Leibowitz explained that they have a committee of 9 people, and he does not know where the committee will go with its decision. He noted that Mr. Byam has stated that the MOU is not a binding contract – it is an intent. They are willing to take the MOU and tabling it hamstrings Tolland a little bit because it means Mr. Leibowitz has to put off the other towns. He noted that both Tolland and Vernon know that the Miracle League is talking with both towns. The League is not pitting the towns against each other – the deal is not different. He explained that the kids need somewhere to play. The fields in East Lyme and West Hartford draw from 45 communities and families travel up to an hour to play on those fields. Mr. Leibowitz commented that they would rather not table this because it is only an MOU. Then they can take 30 days to see if they can make a deal. Thus, they would like a vote on an MOU or the intent to do the project going forward. He explained that it is non-binding and likened it to a straw poll and does not want it to become a democrat/republican item. It is for the special needs community of Tolland and this is a gift they want to give the town. Mr. Leibowitz noted that they will put up the \$50K and commit to \$15K/year. He hopes that going forward, if the field is in Tolland, that the Councilors will ensure that the field will remain and be partners and help fundraise for it. They want to see a vote on an MOU tonight or a vote to say ok if Ms. Hancock and Attorney Conti can get the language right. They have the authority to sign the MOU – an intent and good faith gesture from the Council to put the Miracle Field in Tolland. He noted that the Miracle League has an MOU from Vernon.

Mr. Jones noted that he has had conversations with Ms. Hancock and understood that the ARPA funds would be the good faith gesture. The Council will offer to hold a special meeting if the Miracle League does not want to wait until the next regular meeting. This would allow time for Ms. Hancock to finalize the document. Mr. Leibowitz noted that Mr. Byam said at the May 5th meeting that they want to select a field by the end of the month. Ms. Hancock noted that she has spoken with the attorney and they want to put everything into a final contract rather than an MOU or MOI. Mr. Leibowitz commented that an MOI is acceptable to them to say that they are ready to negotiate a contract. Ms. Hancock noted that she does not have anything prepared this evening for the Council to vote upon. Mr. Jones explained that this was his understanding when he spoke with Ms. Hancock on Monday. She shared the recommendation to postpone the vote with the Council via e-mail. Mr. Leibowitz commented that the first he heard about tabling the vote was at the BOE meeting last night. Mrs. Leibowitz commented that Ms. Hancock discussed this and explained that they just want a deadline – when the Council will have a decision. It keeps getting pushed and there will always be something. Mr. Jones explained that discussion regarding negotiation should take place internally in the town. The Council voted to have Ms. Hancock work with the Miracle League and provide updates to the Council. Mr. Jones' intent was to have it postponed to the next regular meeting or hold a special meeting. Mr. Leibowitz commented on having a special meeting held next week and a non-binding resolution from the Council that says they want the Miracle Field in town. Mr. Jones explained that the discussion needs to occur between the Town Manager's Office and the Miracle League with updates to the Council as it was voted upon.

Mr. Luba commented on the request regarding a good faith showing from the Council. He explained that the Council just voted on \$200K as good faith. It was not unanimous or by party lines. Mr. Luba commented that he is insulted that they are saying that the Council needs to show more and explained that they are going back to last year when the Miracle League presented to the Birch Grove Building Committee saying that they needed to act at that time. He added that the Council is being put in a corner. The Miracle League is expecting an MOU in a specific timeframe and to be done in a particular way. Mr. Luba noted that he is not ready to do this. It is not because

of showing good faith – the vote just showed that they have good faith - \$200K was approved for clearing the property. He noted that they are being face with almost an ultimatum – that this needs to be done now or they will look elsewhere by saying that they hoped for a decision by the end of the month. Mr. Luba added that if this is what it comes down to that his vote will be “no”. The Council’s obligation and requirement is to do its due diligence. He asked if Mr. Leibowitz is saying that the MOU does not mean anything, why is it needed? He commented that the \$200K is good faith and if the MOU is not needed or does not mean anything, then why would the Council sign it and why is it being demanded. He added that the BOE needs to be involved as well so they can speak to what they want in the contract since it will be on their property and they will be responsible for maintaining it to some degree. Mr. Luba explained that he understands the desire to move quickly on this and they have been waiting a year and a half since it was originally brought forward but the Council has an obligation to be good stewards and to do what is right for the town and protect it. He added that there are other concerns as well. They are saying that Birch Grove students may also use the property. He has seen other situations where people have used a field so much that it was worn down and the town needed to step up and pay money - this happened in West Hartford. He feels the Council’s hands are being forced and he is not comfortable going forward with an MOU. As an attorney, it would be negligent on his part. As a Council member, what is he right now, putting his attorney position aside, this is even more negligent. He needs to ensure that all the concerns of the town are appropriately covered, and all stakeholders need to be involved. The Council has expressed its support all the way along and would like to do its due diligence and have something more binding. Mr. Luba commented that the Council has seen the issues raised by the BOE. If the Council considers going forward, the concerns should be appropriately addressed in the MOU while working on the contract. Thus, he is not comfortable with the MOU that has been presented. If forced to vote on the MOU tonight, his vote is a “no”. They need more than what has been presented so the obligations are clearly delineated since they just pledged \$200K.

Mr. Jones noted that a communication was shared regarding the BOE’s concerns and he believes some of these are included in the ongoing negotiations. The draft resolution for the \$200K in ARPA funds is conditional on the negotiation and execution of a contract. Mr. Luba commented that while negotiations are ongoing, the concerns are not appropriately reflected in the MOU that was presented. In terms of the MOU, it is one of the most basic that he has encountered. This is why is he concerned given the scope.

Ms. Murray asked what matter is currently before the Council for discussion. Mr. Jones reviewed the draft resolution, “that the Tolland Town Council approves the agreement between the Town of Tolland and the Miracle League as set forth in the Agreement dated 5/24/22”. He explained that it was not included in the packet based on the recommendation of the Interim Town Manager to postpone it. Thus, the Council does not have anything to vote on for this item this evening but the \$200K was a good faith step to have the Miracle League in town. His intent was to have a discussion tonight and have Councilors provide input as negotiations continue. Ms. Hancock has been given the continued authorization to do the negotiations. Ms. Murray confirmed that the motion that passed unanimously at the May 10th meeting where the Council voted to allow the Temporary Town Manager to enter negotiations with the Miracle Field League is still in effect and the Council approved, in a bipartisan manner, up to \$200K of ARPA funds to prepare the site for the Miracle Field.

Mr. Reagan commented that when the Miracle League first presented the proposal everyone wanted it in town. While he articulated his issue with the \$200K of ARPA funds, now that it has passed, he wants to do whatever they can to bring the field to Tolland. He noted that he believes the motives are sincere and believes in the organization.

Ms. Yudichak commented that she agrees that it is good faith that the up to \$200K was approved. There has been mentions of a deadline. A special meeting could be held next week and the BOE has valid concerns that should be respected and discussed. She wants the field in Tolland. A little more time is needed to get it right.

Mr. Leibowitz noted that the best way to hammer out a deal is to have stakeholders in the room and cited them rather than having Ms. Hancock bring it to separate entities. Mr. Luba explained that the Council is bound by different rules and cited FOIA requirements.

Mrs. Leibowitz asked if the site being proposed is on town property or school property. Mr. Jones explained that is it town property. Ms. Hancock noted that all property, even where the schools are, is town property. She noted that if the negotiations of the contract for the project are going to have any impact on the BOE then they should be included. This includes any future impacts. Currently, the only impact in the language is that the school system may use the field during the school day. Any other use would be limited to the Miracle League for its activities and additional usage would go through the Tolland Parks & Recreation program for scheduling. Further, there is no language regarding the BOE having any responsibility for maintaining the field or providing custodial services or repair. Mr. Jones explained that the understanding is that this is between the town and the Miracle League. Given the proximity, the school system may use it, but the primary purpose is to give the kids of the Miracle League a home and have it available for other high-needs people when not in use. He noted that at the May 5th meeting, Mr. Marie sent commentary and Ms. Griffin and Dr. Willett stayed for some of the meeting but was unsure for how long. This evening, only Mr. Marie shared insight. Mr. Jones noted that the Council's minutes are shared with the BOE and believes they need to reinstitute having a BOE liaison attend Council meetings. Ms. Hancock noted that Dr. Willett was in attendance for the entirety of the May 5th meeting. She added that a straw poll was taken at that meeting and the preferred site was the Cross Farms location. When visited by the engineer and the Miracle League, it was determined that it would be much more costly than the area being discussed now. Thus, the BOE at that time was likely not aware of the proposed site (site #8) with the exception of the discussion of the site during the meeting. Mr. Jones noted that the location was clarified at the Council's May 10th meeting when the vote was taken to go into negotiations.

Ms. Yudichak recommended that the Council hold a special meeting next week. She does not want to lose the Miracle Field.

Ms. Murray commented that she is in favor of bringing the Miracle Field to Tolland and is excited about it. She thanked the Miracle League for bringing this before the Council. The Council members volunteer their time to the community and it takes a village. The Miracle League is contributing in another way. She thanked them.

A discussion took place regarding scheduling.

Mr. Jones invited Dr. Willett to provide commentary and conveyed an open invite for him and BOE members to attend the special meeting.

Dr. Willett responded that the Board would appreciate the opportunity and appreciates the hard work of the Council and the Miracle Field of Northern Connecticut (MFNCT). He stated that he would let the comments of the Board, through the communication today, stand as his comments for this evening.

Ms. Yudichak motioned to postpone this topic to a special meeting to be held on Tuesday, May 31st at 7:15PM.

Ms. Murray seconded the motion.

Discussion: none

All were in favor. Motion passed unanimously.

8.5 Appointments to vacancies on various municipal boards/commissions.

No appointments.

Anyone interested should reach out to vacancies@tollandct.gov.

Ms. Hancock noted that a concern was shared with the Council regarding an individual who applied for the Commission on People with Disabilities. A reply e-mail was sent with an apology. The Committee selected someone and while they normally send a letter to applicants advising them that a position has been filled, it did not happen this time. Ms. Hancock publicly apologized for this and noted that they are putting procedures in place so it does not happen again.

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

10. **REPORT OF THE TEMPORARY TOWN MANAGER**

- Ms. Hancock noted that she is pulling together information on Council goals as she prepares for the next meeting. She sent letters to federal legislators requesting assistance with well water concerns to learn if anything can be done and shared copies with the Council.
- Ms. Hancock asked if any Councilors have reached out to the state regarding legislation on crumbling foundations. Mr. Jones responded that he sent a communication about sharing town-specific data on the crumbling foundation site to show statistics.

11. **ADOPTION OF MINUTES**

11.1 May 5, 2022, Budget Meeting Minutes

11.2 May 5, 2022, Special Meeting Minutes

11.3 May 10, 2022, Regular Meeting Minutes

Mr. Luba motioned to accept the minutes as laid out in 11.1, 11.2, and 11.3.

Ms. Murray seconded the motion.

Edits: none

Motion passed unanimously.

12. **CORRESPONDENCE TO COUNCIL**

(36 e-mail communications were received between May 11th and tonight as of 7PM)

- E-mails (16) – Miracle Field
- E-mail - Town Charter
- E-mail – Birch Grove Project
- E-mail – Birch Grove athletic field condition

- E-mail – Cross Farms fields
- E-mails (4) – budget
- E-mail – DEEP Climate Solutions Newsletter
- E-mails (7) – Town Manager Search
- E-mail – Heat pumps
- E-mail – contaminated wells
- E-mail – food waste
- E-mail – vacancies on boards and commissions

13. **CHAIRPERSON'S REPORT**

- The Council is still in deliberations and negotiations regarding the Town Manager Search. They hope to have an official announcement this week or next. Mr. Jones thanked everyone who attended the Meet & Greet events and sent communication. He thanked Ms. Hancock for all she has done over the past several months. They value how well she has kept the community together.
- Sunday, May 29th, Parade
- Thursday, June 2nd, Chair Hour (tentative date)

14. **COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS**

- Ms. Yudichak asked about the contaminated wells and survey. Ms. Hancock responded that they hope to have information this week from the state regarding the status and testing results of the wells. Regarding the survey, they cannot send a survey to the public until they know the potential cost. They have not yet heard anything from the state regarding the application and may not hear back until later this year or next. The letters she sent to state legislators requested that the town be able to allow for consideration on assessments. It also included a plea for state assistance to fund water projects not only in Tolland but in similar towns. Ms. Hancock also reached out to federal legislators requesting state funding to try to address water concerns. Ms. Yudichak noted that the letter sent by BOE member Mr. Marie to the Council for the May 5th meeting was not from him individually. Mr. Jones noted that they would communicate to Dr. Willett about having a BOE liaison attend Council meetings to improve their partnership.
- Ms. Murray thanked Mr. Jones and Mr. Reagan for the discussions last week regarding the Town Manager Search. A lot of time was put in and she left feeling more positive about the relationships the Councilors have with each other. She thanked leadership for facilitating this and the Councilors for the discussions.

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

Christine Griffin, 80 Doe Run, commented that she is speaking as the Chair of the BOE's Finance and Facilities Committee with an emphasis on facilities. Regarding the May 5th meeting, there was some confusion as to whether Board members could speak. The agenda did not have public participation and she was not aware that she could speak. She agreed with Mr. Jones' suggestion about having a BOE liaison to the Council and will bring this up to the Board Chair. She hopes that anything specific to the BOE that comes up at a later date is shared via Chairperson to Chairperson communication. Ms. Griffin commented that she was disappointed that the e-mail Dr. Willett drafted on behalf of the Board was not discussed. She hopes it will be presented at the Special Meeting next week. They have unresolved issues with the turf field at THS and the BOE would like to see a contract with very specific responsibilities laid out as far as maintenance, repair and replacement with the Miracle Field. They want to ensure they do not saddle future boards with how to repair or replace the field when the time comes. She knows

discussion about the Miracle Field has been emotional and hopes the Council is willing to include the BOE in any discussions if the field is going to be placed on school grounds. Ms. Griffin explained that while it is town property, when students use it the Board is expected to provide some maintenance. Thus, she would like the Council to consider having the Board involved in the contract negotiations.

Mr. Jones noted that the e-mail/document received from Dr. Willett was mentioned and will be included with the minutes.

Ms. Griffin noted that she would have liked to have had it read.

Dana Philbin thanked everyone for the robust conversation. It has been about a year and a half since the Miracle Field was first presented. The BOE held a special meeting last night about the Miracle Field because it would be on school grounds. Ms. Philbin recalls when it was first presented at the Birch Grove Building Committee that it would be a good opportunity during the construction and finishing phases to place it at Birch Grove. She noted that the Miracle Field would be a wonderful asset to the community and town, but they need to approach it appropriately and fiscally responsibly. The BOE would like to be part of the discussion and she likes the idea of having a Board liaison to the Council

Ms. Hancock noted that she will ensure that the BOE is invited to the Special Meeting. Further, as she negotiates the contract, she will share it with Dr. Willett and ask him to share it with the Board for review. Ms. Hancock noted that she has initiated a study through the town's engineering firm to look at all of the other recreational fields in town in regard to ADA accessibility. This will provide an idea of what needs to be done.

16. **ADJOURNMENT**

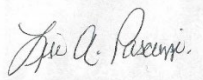
Mr. Luba motioned to adjourn the meeting at 9:26 PM.

Ms. Yudichak seconded the motion.

Discussion: none

A roll call vote was taken. Motion passed unanimously.

Respectfully submitted,



Lisa Pascuzzi
Town Council Clerk

Town Council Chair

From: Willett, Walter <wwillett@tolland.k12.ct.us>
Sent: Tuesday, May 24, 2022 2:50 PM
To: Lisa Hancock <lhancock@Tollandct.gov>
Cc: Steven Jones <sjones@Tollandct.gov>; Lundgren, Ashley <alundgren@tolland.k12.ct.us>; Sophia Shaikh <sshaikh@tolland.k12.ct.us>
Subject: [EXTERNAL]Tolland Board of Education message to Town Council

Good afternoon Lisa. I have been asked to convey this message through you, CC'd to Steve Jones, to the Town Council.

TO: Hardworking members of the Town Council
FROM: Tolland Superintendent of Schools on behalf of the Tolland Board of Education
RE: Miracle Field Proposals/Project
DATE: 5/24/2022

The Tolland Board of Education thanks the Tolland Town Council for its hard work and efforts on behalf of the children and community of Tolland in consideration of the Miracle Field. The TBOE wishes to ensure the sustainability of this meaningful resource should the determination be made to locate it in Tolland. In accordance with that objective, the TBOE respectfully recommends the following:

1. A legal and binding contract be created and agreed upon before the project moves forward, rather than a "memorandum of intent," and that this contract outlines the requirements of all parties as well as the actions to be taken if those requirements are not met. This is not recommended because any party is felt to be unreliable, rather given the variable state of the economy commitments need to be based on guarantees that do not rely on favorable economic conditions and contributions. For example, what specifically will occur if the annual funding to fulfill the following is not able to be actualized, and/or not actualized in perpetuity:

1. *All construction repairs, maintenance, and day to day custodial services for the facility once completed will be the responsibility of and will be funded by the MLNCT for an annually set fee based on the services required as determined by the DPW each year due April 1 of each year with no termination date unless jointly agreed upon by the Tolland Town Council and MLNCT;*
2. *ADA Accessible Sanitary Portable Toilets will be provided and paid for by the MLNCT during the period of time that the field will be used by their organization,*
3. *MLNCT has committed to all Construction and design and related expenses to build a Miracle League Athletic Complex which will be paid for in its entirety by the MLNCT with a contribution of up to \$200,000 from the Town of Tolland towards a portion of the site preparation, site drainage improvements, site parking expansion for Accessible spaces, and ADA compliant sidewalks. The MLNCT agrees to work with the Town and neighborhood to ensure various landscaping buffers around the location of the field,*
3. *MLNCT has committed to establishing a Trust Fund with an initial deposit of \$50,000 prior to the commencement of any construction of the field and agrees to deposit at a minimum of \$15,000 per year for future surface replacement.*

2. A fund set up by the Town of Tolland for the total and complete cost of the project, including some annual amount for upkeep (e.g. in 1.1 above for the drainage, parking, sidewalks, landscaping). This fund shall be specifically designated by the Town of Tolland into which MLNCT funds can be deposited. As deposits are made

by the MLNCT, the allocated funds set aside by the town can be returned to the general fund or other as specified by the Town Manager. This will provide sustainability for this field regardless of how economic conditions impact the fundraising of MLNCT.

3. A process should be developed by the Town of Tolland for the consideration and authorization of synthetic field construction that includes pre-established criterion that must be met prior to execution, including funding requirements, that can be consistently applied to all such projects.

4. A process/protocol should be established for what types of advertising will be allowed and how advertising will be managed for this field (including the financial aspects of where funds are deposited).

The TBOE offers these recommendations respectfully, and in recognition of the hard work being done by the Town Council. It hopes to avoid a time in the future where, if specific and existing funds are not available to support and maintain this wonderful project, that a decision would need to be made about potentially *removing* this resource and thereby taking it away from the children and the community. The Board of Education recognizes the inherent value and beneficial impact this project will have for generations to come. To ensure the success and longevity of this project, an existing source of funding not subject to variable economic conditions, is important to ensure this field continues to play a vital role in the enrichment of our community.

Respectfully,

Superintendent, on behalf of the Tolland Board of Education

--

Walter Willett, Ph.D.
Superintendent
Tolland Public Schools
51 Tolland Green
Tolland, CT 06084
Phone: 860-870-6850 extension 1
Fax: 860-870-7737