

FAIRFIELD BOARD OF EDUCATION  
MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION  
Tuesday, October 9, 2012  
501 Kings Highway East, 2<sup>nd</sup> Floor Board Conference Room

APPROVED

ENCLOSURE NO. 4

NOV 27 2012

1. Chairman Ms. Pamela Iacono called the Regular Meeting of the Board of Education to order at 7:31 pm. Other Board members present were: Mrs. Sue Brand, Mr. Tim Kery (arrived 7:39 pm), Mr. Paul Fattibene (arrived 7:35 pm), Mr. Phil Dwyer, Mrs. Jessica Gerber, Mr. Perry Liu, Mr. John Convertito, and Mrs. Jennifer Maxon-Kennelly. Also in attendance were Superintendent Dr. David Title, members of the administrative staff, and approximately 25 members of the public.
2. Ms. Iacono led the Board and audience in the Pledge of Allegiance.
3. Mrs. Gerber moved, seconded by Mrs. Brand the recommended motion "that the Board of Education approve the minutes of the Regular Meeting of September 11, 2012"

Motion carried: 7:0:0 *Mr. Kery and Mr. Fattibene were not present for this vote.*

4. Student/Committee/Liaison Reports: None
5. Superintendent's Report

A. Quarterly Financial Update

Mrs. Munsell discussed last year's fiscal report and updated the spreadsheet to include the final balance of \$350,000 that was returned to the town.

Mrs. Munsell said this first quarterly report is very preliminary. The percentage used is already at 90%. Osborn Hill expenses which were not budgeted for are included in this report. Other items such as utilities and general maintenance are not yet encumbered. Part time salaries for subs and activities salaries are also not included. Winter and spring sports are not included. The FTE count has already changed. Regarding fixed charges, the health insurance payment in the amount of \$16 million has already been made, and the initial pension payment has also been made. Social Security and Life Insurance are paid as we go along, so those aren't encumbered. Pupil personnel is always volatile. There is a negative balance now because we haven't received any excess cost reimbursement, which is around \$2 million dollars. School expenses are supplies/instructional materials. The \$461,000 for Osborn Hill has been placed in the Maintenance Services category. Regarding student transportation, we haven't yet calculated reimbursement for non-public transportation which will be approximately \$160,000. There is \$308,000 left in the Technology category which is for a K-8 wireless project. This has been put on hold until the Osborn Hill costs are better known.

Mrs. Brand questioned the 11/12 fiscal year report regarding the health insurance balance of zero. Mrs. Munsell explained that this is a general fund account, and the sixteen million gets deposited into the medical trust fund, so the general fund would always zero out. The medical trust fund is not reflected on this spreadsheet because it is not a general fund.

Mrs. Brand asked why personnel services for 2012-2013 showed so many transfers. Mrs. Munsell explained that the wage and benefit reserve is where unsettled contracts are budgeted for. As

salaries become known, or people are replaced, money is transferred to the appropriate account. Mrs. Brand asked for more detailed information on this. Ms. Iacono clarified that the money is kept in one account and transferred to the appropriate account as it is used.

Mr. Dwyer stated that the estimate is over \$ 700,000 for OHS, exclusive of the costs of the gymnasium. Dr. Title responded that the gym cost will likely be a part of Town funding request, as it will be a long term project, and we do not have that estimate yet. Mrs. Munsell stated that the \$700,000 does include the cost of the temporary gym.

Mr. Liu and Mr. Convertito also requested more information regarding the personnel services transfers.

Mr. Convertito asked where additional FTE's would be placed if the school population changed. Mrs. Munsell agreed to provide specifics on this question in an email.

Mr. Kery said he would attempt to elaborate on Mrs. Munsell's explanation of the transfers. The budget must be set before July 1, when contracts might not be finalized. Money is held in the wage and benefit reserve in good faith until pay scales are known. The wage reserve allows us to backfill for new positions, once the Board agrees. Mrs. Munsell agreed that was part of the explanation for the transfers.

Mr. Fattibene said the Osborn Hill figure of \$700,000 has to be addressed. The remediation of the gymnasium will be rolled into a bonding request for the window project, but questioned whether part of the \$700,000 would also be bonded. Dr. Title stated that the \$700,000 is the current year expense. We do not know the final expense.

Ms. Iacono stated that the Board of Education is currently in discussion with the Board of Finance and the Town on how to handle these expenses. Mrs. Brand asked when an estimate might be known. Dr. Title stated an estimate is expected within the next month or two. The Board of Education needs to know whether the Town will entertain this or not, and we will need to know prior to June. We expect to have a firmer figure by the next Board meeting, so that the full Board can make a request to the Town. Ms. Iacono stated that both she and Dr. Title will go before the Board of Finance on October 23 to provide an update.

Mrs. Kennelly asked whether the wireless K-8 will remain on hold, and whether other allocations will also go towards Osborn Hill expenses. Dr. Title stated that the K-8 wireless project will move forward, it was only put on hold as a prudent step. Mr. Convertito questioned how long the K-8 wireless project will be on hold. Dr. Title responded that we have obligations within student IEPs, so this is a project that must be done. It doesn't take a long time to implement, and bids are already in.

## B. October Enrollment

Dr. Title gave an overview of the October 1, 2012 enrollment count. The kindergarten enrollment was below projections, but the first grade increased more than expected. The net effect of K-5 enrollment is that there are 81 fewer students than projected. The single largest class in the district is the 6<sup>th</sup> grade, followed by the 7<sup>th</sup> grade. This enrollment has already been sent to the enrollment projection firm so that we can have our numbers ready for next year's budget.

Mrs. Kennelly stated that Roger Ludlowe Middle School has a higher capacity than Fairfield Woods Middle School, and the trend appears that FWMS will end up with more students. Dr. Title noted that the incoming 5<sup>th</sup> graders will change that, but the numbers will be tight.

C. Update on Teacher and Administrator Evaluation Plans for 2013-2014

Dr. Title stated that the new teacher and administrator evaluation plans for 2013-2014 will have a significant impact on staff and the budget. This stems from a Public Act and the State Board adopting guidelines, which are actually core requirements, or mandates. Every teacher and administrator will be rated and put into categories. These ratings will be audited. Data will have to be uploaded to the state by June 30<sup>th</sup> every year. The evaluations may involve student growth, standardized tests, observations, peer/parent feedback. Some of these are choices, some are non-negotiable. A complicated aggregated formula will provide a category placement for each administrator and teacher, tenured and non-tenured. There will be software and training costs. This is being piloted in 10 districts right now. The training alone for a mid-sized district is at approximately thirty to forty thousand dollars. We are a large district. We will form a committee to be ready to go. Conceptually, making improvements in these evaluations makes sense, but doing it in 6 months is aggressive.

Ms. Iacono asked that Dr. Title track expenditures for this process, so a report to the Board can be given on the overall cost of this unfunded mandate, and also asked what CABE's/CAPPS' position is on this process. Dr. Title responded that CABE/CAPPS were present when the system was being developed, but think perhaps some elements may be pushed back a bit. The problem might be in compliance. Sue Brand asked what the pilot districts are paying for this. Dr. Title responded that we do not know what other districts are paying, but the State is paying for the piloted districts' costs.

Mrs. Kennelly asked if the State was providing free software that we could we make use of. Dr. Title responded that we will have to pay for the software.

Mr. Convertito questioned whether teachers will be required to obtain additional masters degrees to retain certification. Dr. Title stated that certifications can be rolled over. Mr. Convertito questioned whether an exemplary-rated teacher might be on a different pay scale. Dr. Title stated that this is not part of the requirement and would have to be negotiated.

6. Old Business

A. Mrs. Gerber moved, seconded by Mr. Kery the recommended motion "that the Board of Education approve Board Goals for the 2012-2013 school year"

Ms. Iacono read aloud the five Board goals, ranked highest overall by Board members.

Mr. Convertito moved, seconded by Mrs. Kennelly "to divide the question and separate the goals and vote on each individually"

Motion carried: 9:0:0

**Goal 1** Review and revise, if necessary, the Mission statement and Board of Education Educational Goals in the Board of Education Policy Manual.

Board discussion followed.

Mr. Convertito moved to call the question, seconded by Mr. Kery.

Motion carried 9:0:0

Goal Approved: 9:0:0

**Goal 2** Schedule and attend a Board training session that clearly defines Board roles and responsibilities as a governing body. As a Board we will agree to stay within the confines of this role and remind one another when a member's requests exceed the limits of our governance responsibility *Governance* relates to oversight that **defines expectations, grants authority, or verifies performance**. Such session should take place in December.

Mr. Fattibene made a friendly amendment to change this goal to read: "that the Board schedule and attend a Board training session that clearly defines Board roles and responsibilities as a governing body. Such session should take place in December." Ms. Iacono said she would second this friendly amendment.

Board discussion followed.

Goal Approved: 5:4:0 Mrs. Gerber, Ms. Iacono, Mr. Dwyer, Mr. Fattibene, and Mr. Kery in favor; Mrs. Kennelly, Mr. Convertito, Mr. Liu, and Mrs. Brand against

**Goal 3** Work with the Superintendent as to Board input into the annual budget. We will also examine and update the roll-out and schedule of review time for our annual budget in time for planning the Fiscal Year 15 budget.

Board discussion followed.

Mr. Dwyer made a friendly amendment to change the original wording to read, "that the Board work with the Superintendent as to Board input into the annual budget. We will also examine and update the roll-out and schedule of review time no later than for our annual budget planning the Fiscal Year 15 budget"

Goal Approved: 9:0:0

**Goal 4:** Establish an ad hoc committee to develop a communications plan (social media, blog, news media, surveys, focus groups, community conversations, etc.) to be reported to the full Board at the first Board Meeting in June. The goal of such plan will be to enhance communications with parents, staff, community leaders, and the general public, engage in a two-way dialog, and build support for district goals.

Board discussion followed.

Goal Approved: 9:0:0

**Goal 5:** Strive to improve individual knowledge of Robert's Rules and utilize parliamentary procedure to help our meetings run more smoothly.

Board discussion followed.

Goal Approved: 9:0:0

**B. Approval of Policy #6417 Instruction – Student Internet Use**

Mrs. Kennelly moved, seconded by Mrs. Gerber, the recommended motion "that the Board of Education approve Policy #6417 – Student Internet Use"

Mr. Fattibene said the ACLU sent all Board members a letter stating that this policy may violate the Fourth Amendment as it relates to search and seizure. Mr. Fattibene stated that he spoke to Mr. McGuire, an ACLU attorney, who stated the ACLU's concern is that personally owned devices that are considered district devices may risk a violation of one's privacy. Mr. Fattibene recommended that this policy be remanded back to the Policy Committee.

Mrs. Kennelly also spoke to Mr. McGuire for clarification purposes and said the ACLU understands the need for such a policy and recognizes the intent of the Board.

Mrs. Parks stated that our policy was designed to incorporate personally owned devices, and this is an untested policy per CAFE.

Mr. Kery stated that he feels this policy needs more work. Mr. Kery stated that there is a need to have our technology policies up to date, and there must be a balance with privacy and new technology.

Mrs. Parks said the difficulty with personal devices is that many are cellular and not on our network. This means that 3G and 4G devices have access way beyond our filtered internet.

Mr. Convertito spoke to other constitutional (non-ACLU) lawyers who said there may be ways around this, such as waivers. Mr. Convertito stated that 3G and 4G devices would be excluded from this policy, since they would not be accessing our network. Several Board members disagreed with this statement.

Mr. Convertito moved, seconded by Mr. Fattibene to "remand the policy back to the Policy Committee"

Mr. Dwyer stated that administrative regulations governing the process may help. Mrs. Brand agreed that administrative regulations would also be helpful.

Motion carried: 7:2:0 Mr. Convertito, Mr. Liu, Ms. Iacono, Mr. Dwyer, Mr. Fattibene, Mr. Kery, Mrs. Brand in favor; Mrs. Kennelly, Mrs. Gerber against.

Ms. Iacono stated that Item "B" under New Business "First Reading of Policy # 5335 Students – Student Internet Use" will be removed because it goes hand in hand with this policy.

## 7. New Business

### A. Discussion on Proposed Amendments to the Racial Imbalance Plan

Dr. Title said that the enclosed statute states that the racial composition at McKinley of non-white students must be within 25% of the district average at the same grade level. McKinley is currently at just under 27%, so we are fairly close but still out of compliance with the law. The State requested a compliance plan by September, but Dr. Title requested more time in order to obtain Board input.

Dr. Title stated that the 2011 plan was amended to add the Burr Pre-K program and allow Pre-K students to remain at Burr. This is still a work in progress.

Dr. Title stated that he and the Chairman met with the Commissioner and received support on a modest plan to add another pre-school at Dwight. This plan must go the State Board for approval. Dwight has the room for a Pre-K program. In addition to helping the racial imbalance, this program would add educational value. The other piece of the racial imbalance plan is the opt-in and opt-out options. The net effect of the opt-out option is that it has been neutral, offering no value. Opting in, however, has had a positive effect. The final piece is that the mission of the diversity task force has changed and the racial imbalance plan should be a Board decision. This new plan will help us, and should get us in compliance.

Mrs. Kennelly asked whether there might be any costs involved. Dr. Title stated that it would be a one-time modest expense for equipment, such as furniture. Some students may also pay tuition, which could offset some of the costs. The net cost here would be transportation.

Mrs. Kennelly asked if the same rules in place at Burr would apply for the siblings at Dwight. Dr. Title stated that pre-school siblings could all attend Dwight.

Mr. Convertito asked about space required for the program, and what rooms might be displaced. Dr. Title explained that one classroom is needed. Mrs. Cutaia-Leonard explained that there is some flexibility with space. Mr. Convertito asked if the racial imbalance program could be made worse by having only Caucasians apply. Dr. Title said this has not been an issue. Mrs. Cutaia-Leonard stated that there is a balance of applications, based on household income.

Ms. Iacono asked how the Pre-K selection process worked. Mrs. Cutaia-Leonard explained the rolling application process. Most students who have requested placement have been placed, whether they are free, reduced, or full tuition. Some applications came towards the end of August, hence the waitlist. Mr. Fattibene asked whether the application process was open to all Fairfield residents, as the proposal letter to the State indicates it is open to McKinley families. Dr. Title clarified that this program is open to all families.

Mrs. Brand questioned the opt-out to Dwight program. Mrs. Cutaia-Leonard responded that the process was changed so that parents could apply to opt-out of McKinley and request 3 schools, in order of preference. Mrs. Cutaia-Leonard reviewed each application based on June numbers. A student would not be placed in any school that would cause an extra section, hence another FTE. Mrs. Brand stated that she remembers the racial imbalance being an issue as far back as 2005.

Mr. Kery supports the opt-out of McKinley plan.

Mr. Convertito requests a 5 year roll-out plan that shows the impact that 22 extra students would have on the number of sections at Dwight, as it seems this will add roughly 120 students to Dwight. He then asked if Dwight could support this number of students. Dr. Title responded that he expects 5 students per year to remain.

Mr. Liu asked what the numbers must be in order for this program to be successful. Dr. Title explained that we must get under 25%, but we should actually be under 15%. Another factor in this is that we are in year one for Burr, and the Pre-K program won't be fully implemented until next year. We are looking to create a program makes educational sense and is beneficial. Mr. Liu asked whether we should re-evaluate how we plan to accomplish the goal of getting under 25%, if what we have been doing in the past has not completely worked.

Mrs. Brand asked that when this plan is presented for a vote, if the educational rationale can be included because that is what is most important.

B. First Reading of Policy # 5335 Students – Student Internet Use

Ms. Iacono removed this item for discussion due to Policy 6417 being remanded to the Policy Committee.

C. Approval of the Plans and Specifications for the Fairfield Warde High School Roof Replacement Project TMP-051-BWQX

Mrs. Kennelly moved, seconded by Mr. Dwyer, the recommended motion “that the Board of Education approve the Plans and Specifications for the Fairfield Warde High School Roof Replacement Project TMP-051-BWQX”

Ms. Iacono stated the Town Bodies have already gone to the State for reimbursement, and this a procedural vote in order to receive the funding.

Mrs. Brand moved, seconded by Mrs. Kennelly to call the question.

Motion carried: 9:0:0

Motion carried: 9:0:0

8. Public Comments and Petitions

A. Nancy Haberly, Duck Farm Road, stated that she hears that here is a district wide elementary school discipline policy for a take-a-break chair. She is surprised by the policy and is wondering if the Board really endorses this policy and what it entails.

9. Open Board Comment

A. Mrs. Kennelly said she wanted to ensure that Dr. Title was aware of the September/October issue of Fairfield Living magazine highlighting the diverse talents and accomplishments of Fairfield students.

B. Mrs. Brand reminded everyone that it is anti-bullying month, and there is an anti-suicide walk. Mrs. Brand also requested a plan for dealing with the PCB issue in all schools. She requested that EPA

protocols be posted on the website and said she hopes the schools are promoting hand washing. She also requested an AON presentation and a presentation on the CMTs, CAPTs, and SATs.

10. Adjournment

Mr. Convertito moved, seconded by Mr. Liu, the recommended motion “that this meeting of the Board of Education adjourn at 10:04 pm”

Motion carried 9:0:0

Jessica Gerber, Secretary