

NEW MILFORD BOARD OF EDUCATION

**New Milford Public Schools
25 Sunny Valley Road, Suite A
New Milford, Connecticut 06776**

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2025 AUG 28 A 11: 53

NEW MILFORD, CT

**POLICY SUB-COMMITTEE
MEETING NOTICE**

DATE: September 2, 2025

TIME: 6:30 P.M.

PLACE: Sarah Noble Intermediate School – Library Media Center

REVISED AGENDA

New Milford Public Schools Mission Statement

The mission of the New Milford Public Schools, a collaborative partnership of students, educators, family, and community is to prepare each and every student to compete and excel in an ever-changing world, embrace challenges with vigor, respect and appreciate the worth of every human being, and contribute to society by providing effective instruction and dynamic curriculum, offering a wide range of valuable experiences, and inspiring students to pursue their dreams and aspirations.

1. Call to Order

2. Public Comment

An individual may address the Board concerning any item on the agenda for the meeting subject to the following provisions:

- A. A three-minute time limit may be allocated to each speaker with a maximum of twenty minutes being set aside per meeting. The Board may, by a majority vote, cancel or adjust these time limits.
- B. If a member of the public comments about the performance of an employee or a Board member, whether positive, negative, or neutral, and whether named or not, the Board shall not respond to such comments unless the topic is an explicit item on the agenda and the employee or the Board member has been provided with the requisite notice and due process required by law. Similarly, in accordance with federal law pertaining to student confidentiality, the Board shall not respond to or otherwise discuss any comments that might be made pertaining to students.

3. Discussion and Possible Action

- A. Policy for Third Review and Approval:
 - 1. 6200 Adult Education
- B. Policy for Third Review and Approval:
 - 1. 6141 Policy Addressing Enrollment in Advanced Course or Program and Challenging Curriculum
- C. Policy for deletion upon approval of policy 6141:
 - 1. 6141.7 Policy Addressing Enrollment in Advanced Course or Program and Challenging Curriculum
- D. Bylaws Recommended for Third Review and Approval:
 - 1. 9020 Construction and Posting of Agenda
 - 2. 9021 Time, Place and Notice of Meetings
 - 3. 9022 Public Meetings and Executive Session

4. 9023 Meeting Conduct
5. 9024 Quorum and Voting Procedures
6. 9025 Minutes
7. 9026 Transaction of Business
8. 9027 Conflict of Interest
9. 9028 Filling Vacancies on the Board

E. Bylaws Recommended for Deletion Upon Approval of Bylaws in Item 3D:

1. 9320 Meetings of the Board
2. 9321 Time, Place and Notification of Meetings
3. 9322 Public and Executive Session
4. 9323 Construction of the Agenda
5. 9324 Advance Delivery of Meeting Materials
6. 9325 Meeting Conduct
7. 9325.1 Quorum
8. 9325.2 Order of Business
9. 9325.21 Order of Business Consent Agenda
10. 9325.4 Vote Recording
11. 9330 Board/School District Recordings
12. 9332 Electronic Communications
13. 9350 Hearings
14. 9360 Legislative Program
15. 9400 Monitoring Products and Processes
16. 9410 Public Announcement of Accomplishments
17. 9420 Recognition of Public Accomplishments by Citizens, Students, Staff Members, or Members of the Board

4. Items of Information

- A. 6141 R Administrative Regulations Regarding Enrollment in Advance Course or Program and Challenging Curriculum

5. Public Comment

An individual may address the Board concerning any item on the agenda for the meeting subject to the following provisions:

- A. A three-minute time limit may be allocated to each speaker with a maximum of twenty minutes being set aside per meeting. The Board may, by a majority vote, cancel or adjust these time limits.
- B. If a member of the public comments about the performance of an employee or a Board member, whether positive, negative, or neutral, and whether named or not, the Board shall not respond to such comments unless the topic is an explicit item on the agenda and the employee or the Board member has been provided with the requisite notice and due process required by law. Similarly, in accordance with federal law pertaining to student confidentiality, the Board shall not respond to or otherwise discuss any comments that might be made pertaining to students.

6. Adjourn

Sub-Committee Members: Tammy McInerney, Chairperson
Sarah Herring
Dean Barile
Randall Scofield

**Alternates: Wendy Faulenbach
Eric Hansell**

Adult Education

The Board recognizes that education is a lifelong process. Therefore, the Board of Education shall establish and maintain a program of adult education classes. (or shall provide for participation in a program of adult classes for its adult residents through a cooperative arrangement with another school district or with a cooperating eligible entity or with a regional service center.) The adult education program shall be open to all residents over age 17, not attending any public or private elementary, middle or senior high school. A student who is under age 17 and a parent may attend adult education classes if the parent's request is approved by the Board. The program shall offer a variety of subjects to serve civic, cultural, vocational, and avocational needs of the community. Course offerings shall be determined by response to courses previously given and by newly arising needs and interests, subject to limitations of the plant, personnel and equipment. The District, as permitted by statute, shall determine the minimum number of weeks per semester the adult education program will operate. Certified counseling staff shall be provided to assist adult education program students with educational and career counseling.

A student enrolled in a District public school in a full-time program of study may enroll in an adult education activity provided the student receives the approval of the Principal of the school in which he/she is enrolled in a full-time program or such student is enrolled in an adult education activity as part of an alternative educational opportunity during a period of expulsion.

Classes shall be made available at fees to be established by the Board of Education. No tuition shall be charged for residents who enroll in adult classes for elementary (basic skills) and high school completion, Americanization and United States citizenship and English for adults with limited English proficiency. Other courses may be provided in any subject included in District schools, including adult literacy, parenting skills, and vocational education and any other subject or activity only when the number of interested adults is sufficient to form a class of proper size, and when a qualified teacher, adequate facilities and appropriate supervision can be made available. In addition, college preparatory classes may be offered for adults who have earned a high school diploma or its equivalent and require postsecondary developmental education that will enable such adults to enroll directly in a program of higher education, as defined in C.G.S. 10a-34, at an institution of higher education upon completion of such classes. A fee may/shall be charged for these classes.

The District shall grant an adult education diploma to those adult education program participants who have satisfactorily completed a minimum of twenty-six (26) adult education credits, of which not fewer than four shall be in English; not fewer than four in mathematics; not fewer than four in social studies, including one in American History and at least one-half credit course in civics and American government; not fewer than three in science; and not fewer than two in the arts, vocational education, technology, or transitions courses. The remaining nine credits shall be in elective courses.

The District, in determining the satisfactory completion of needed credits for an adult education diploma, shall award, subject to any State Board of Education regulations:

1. Credit for experiential learning, including:
 - a. Not more than two non-required credits for military experience, including training;
 - b. Not more than one vocational education non-required and one required or not more than two non-required credits for occupational experience, including training; and
 - c. Not more than one non-required credit for community service or a vocational skill.
2. Credit for successful completion of courses taken for credit at state-accredited institutions, including public and private community colleges, technical colleges, community-technical colleges, four-year colleges and universities and approved public and private high schools and technical high schools;
3. Up to six credits for satisfactory performance on subject matter tests demonstrating prior learning competencies; and
4. Up to three credits for independent study projects, provided no more than one such credit shall be applied to each required subject area.

Adults in Day Secondary School Programs

Adults who are residents of the school district may enroll in day classes at the high school level on a space available basis. The selection of classes available to adults will be determined by the high school Principal, in consultation with the Superintendent. A registration fee will be charged and applications will be processed through the Assistant Principal or designee and Guidance Offices of the high school. Adults enrolled in day secondary classes will abide by all student rules and regulations established by the high school.

Legal Reference: Connecticut General Statutes

10-67 Adult education-definitions

10-69 Adult education (as amended by PA 03-100 and PA 11-126)

10-71 State grants for adult education programs.

10-73a Adult education

10-73b Grants for adult education services of programs conforming to state plan.

10-73c Basic adult education programs.

10-233d Expulsion of students

P.A. 96-244 An Act Concerning Technical Revision to the Education Statutes

P.A. 97-290 An Act Enhancing Choices and Opportunities

P.A. 03-102 An Act Concerning Adult Education and Workforce Development

P.A. 13-121 An Act Concerning Adult Education and Transition to College

Title II - Workforce Investment Act (WIA), Public Law 105-220

Approved:
SCHOOLS

NEW MILFORD PUBLIC

New Milford, Connecticut

Note from Shipman & Goodwin:

Enrollment in an Advanced Course or Program and Challenging Curriculum
(December 2023 Revision)

The U.S. Department of Education Office for Civil Rights recently released a [fact sheet](#) regarding meaningful participation in advanced coursework and specialized programs for students who are English learners. In light of this fact sheet, we have revised our model policy and administrative regulations to specifically address students who are English learners/multilingual learners and to include additional optional sections related to reducing barriers to opportunities for advanced courses and programs for English learners/multilingual learners.

A new number is assigned to eliminate the decimal point.

Series 6000
Instruction

New # 6141

**POLICY AND ADMINISTRATIVE REGULATIONS ADDRESSING
ENROLLMENT IN AN ADVANCED COURSE OR PROGRAM AND
CHALLENGING CURRICULUM**

The New Milford Board of Education (the “Board”) understands the importance of providing opportunities for students to enroll in an advanced course or program and offering students challenging curriculum in the New Milford Public Schools (the “District”). In accordance with Connecticut law, this policy shall explain the manner in which the District determines eligibility for enrollment in advanced courses or programs and creates academic plans for students in the District.

I. Definitions

For purposes of this policy:

"Advanced course or program" means an honors class, advanced placement class, International Baccalaureate program, Cambridge International program, dual enrollment, dual credit, early college or any other advanced or accelerated course or program offered by the Board in grades nine to twelve, inclusive.

“Advanced placement” program is a program authorized by the College Board that offers college-level courses and exams that students take in high school.

“Cambridge International program” is an internationally recognized academic program for students aged five (5) to nineteen (19). High school level courses, available only through approved Cambridge International Schools, provide students the opportunity to earn postsecondary credit that is accepted by colleges in the United States and abroad.

“Dual credit/Dual enrollment” courses are college courses offered by high schools in partnership with a college or university. Students taking these courses

in high school are simultaneously enrolled with the partner higher education institution. Students who successfully complete a dual credit/dual enrollment course earn credit toward high school graduation as well as college course credit that appears on a student transcript issued by a college or university.

“International Baccalaureate (“IB”) program” is a program that offers international education through four programs for students aged three (3) to nineteen (19). The four programs are: Primary Years, Middle Years, Diploma Program, and Career-related Program. Schools must be authorized to teach IB programs. Every authorized school is known as an IB World School.

"Prior academic performance" means the course or courses that a student has taken, the grades received for such course or courses and a student's grade point average.

II. Eligibility Criteria

Consistent with state law, the District will identify students in grades eight and nine who may be eligible to take or enroll in an advanced course or program. Students will be eligible to enroll in advanced courses or programs throughout their high school career, even if they are not identified as eligible in grades eight or nine.

Eligibility for enrollment in an advanced course or program shall not be based exclusively on a student's prior academic performance. There are multiple methods by which a student may satisfy the eligibility criteria for enrollment in an advanced course or program, including:

- Recommendations from teachers, administrators, school counselors or other school personnel.
- Parent or student requests.

III. Creation of an Academic Plan/Challenging Curriculum

The District will create an academic plan for each student who is identified in grade eight or nine as eligible for enrollment in an advanced course or program. Such plan will be designed to enroll the student in one or more advanced courses or programs and allow the student to earn college credit or result in career readiness. Such academic plan will also be aligned with:

- The courses or programs offered by the Board,
- The student's student success plan, created pursuant to Conn. Gen. Stat. § 10-221a(j),
- High school graduation requirements, and
- Any other policies or standards adopted by the Board relating to the eligibility for student enrollment in advanced courses or programs.

The academic plan may be part of the student's success plan, which plan is required for each student by Conn. Gen. Stat. §10-221a.

A student, or the student's parent or guardian, may decline to implement the provisions of an academic plan created for such student.

IV. Guiding Principles and Implementation

The Board recognizes that course access and academic planning should be guided by considerations beyond traditional course eligibility criteria. Specifically, the Board recognizes that academic achievement and engagement in middle school are strong precursors to high school success. In addition, the Board recognizes the importance of engaging with a student's parents and/or guardians throughout the student's educational experience, reducing barriers to opportunities for advanced courses and programs, and providing a wide range of advanced courses that appeal to students with various interests.

The District will utilize practices designed to ensure that eligibility for enrollment in an advanced course or program, including appropriate evaluation and testing procedures, do not screen out students who are English learners/multilingual learners because of their limited English proficiency unless an advanced or specialized program is demonstrated to require proficiency in English for meaningful participation.

The Superintendent or designee shall be responsible for implementing this policy and developing procedures in furtherance of this policy and in accordance with guidance provided by the Connecticut State Department of Education.

Legal Reference:

Connecticut General Statutes § 10-221a

Connecticut General Statutes § 10-221w

Connecticut General Statutes § 10-221x

Connecticut State Department of Education, *District Guidance for Developing an Advanced Course Participation Policy* (April 2022)

United States Department of Education, Office for Civil Rights, *Ensuring Meaningful Participation in Advanced Coursework and Specialized Programs for Students Who Are English Learners* (June 2023)

Policy Adopted: November 15, 2022
SCHOOLS

Revised:
Connecticut

NEW MILFORD PUBLIC

New Milford,

ADMINISTRATIVE REGULATIONS ADDRESSING ENROLLMENT IN AN ADVANCED COURSE OR PROGRAM AND CHALLENGING CURRICULUM

The New Milford Board of Education (the “Board”) understands the importance of providing opportunities for students to enroll in an advanced course or program and offering students challenging curriculum in the New Milford Public Schools (the “District”). In accordance with the Board’s Policy Addressing Enrollment in an Advanced Course or Program and Challenging Curriculum, the administration adopts the following regulations:

1. The District will identify students in grades eight and nine who may be eligible to take or enroll in an advanced course or program. Students will be eligible to enroll in advanced courses or programs throughout their high school career, even if they are not identified as eligible in grades eight or nine.
2. Eligibility for enrollment in an advanced course or program shall be based on the following:
 - Recommendations from teachers, administrators, school counselors or other school personnel.
 - Parent or student requests.
3. In addition to or as part of student success plans required by Conn. Gen. Stat. § 10-221a(j), the District will create an academic plan for each student who is identified in grade eight or nine as eligible for enrollment in an advanced course or program. A student, or the student’s parent or guardian, may decline to implement the provisions of an academic plan created for such student.
4. Such academic plan will be designed to enroll the student in one or more advanced courses or programs and allow the student to earn college credit or result in career readiness.
5. Middle School Preparation: Academic achievement and engagement are strong precursors to high school success. Therefore, the District strives to:
 - Coordinate standards, instruction, and expectations across middle and high school by fostering regular communication among faculty districtwide, with a focus on vertical articulation of content across the grades rather than offering courses for high school credit in middle school.
 - Offer career awareness, exploration, and immersion activities that directly align with the high school program of studies.

- Encourage high school faculty to familiarize themselves with the Smarter Balanced system of assessments and Next Generation Science Standards assessments, including interim assessment blocks, which can be used to measure student understanding and adjust instruction in Grades 9-12.
 - Remind middle school faculty that their messaging to students regarding high school expectations has an impact on students, and assure students that if they are mastering middle school standards, they are prepared academically.
 - Share students' middle school data with high school faculty to improve the quantity and quality of information available for decision making, reduce unnecessary pre-tests and the administration of screening tools, and maximize instructional time.
6. Partnerships with Families: The District recognizes and values the importance of engaging with a student's family throughout the student's educational experience. Therefore, the District strives to:
- Engage families in the development of student success plans during students' middle school years.
 - Continue and improve upon effective systems of family engagement used in middle school at the high school level.
 - Ensure families are fully aware of the benefits of taking college courses and participating in work-based learning opportunities, if available, during high school.
 - Communicate in a manner that is ongoing and accessible to families (e.g., by providing materials in multiple languages, and having translators available during information sessions, as necessary).
 - Provide families with a variety of options for engaging on the topic of course selection (e.g., large group information sessions, sessions offering more personalized support, and small sessions designed for families that have not experienced college).
 - Invite students and families to express interest in advanced coursework and discuss those choices along with career options with their school counselors, who can answer questions and serve as an advocate for the students.
7. Reducing Barriers: The District recognizes the importance of reducing barriers to opportunities for advanced courses and programs. Therefore, the District strives to:
- Provide school counselors and teachers with lists of students identified by the Connecticut State Department of Education as having potential for success in rigorous courses.
 - Share descriptive statistics with faculty showing advanced course enrollment over time and disaggregated by student group. These data can be used to track progress, discuss effective strategies, identify challenges, and/or generate potential solutions.

- Urge staff to pay special attention to student interests and coursework fit rather than relying solely on past performance when recommending advanced coursework for students.
 - Not exclude students from consideration based on disability status.
 - Ensure that eligibility for advanced courses and programs, including appropriate evaluation and testing procedures, do not screen out students who are English learners/multilingual learners because of their limited English proficiency unless an advanced or specialized program is demonstrated to require proficiency in English for meaningful participation.
 - Ensure that students who are English learners/multilingual learners receive appropriate language assistance services while participating in advanced courses or programs.
 - Communicate directly with students from low-income families that registration fees and exam fees for advanced coursework will be waived.
 - Encourage students to self-advocate based on their individual goals and future plans.
 - Monitor course registrations throughout the enrollment period and encourage students to reconsider selections if they have potential to be successful in more challenging courses.
 - If possible, provide opportunities during the summer for students to prepare for challenging coursework by offering sessions that focus on reviewing study habits, organization, and time management.
 - Provide periodic training for all staff members who identify, assist, facilitate, select, counsel, or teach students in advanced courses or programs to provide strategies to remove barriers for participation and provide high-quality instruction to all students, including students who are English learners.
 - Schedule advanced courses and programs so that students do not face a scheduling barrier for participation (e.g., scheduling the only AP calculus class for the same period as English learner/multilingual learner instruction).
8. Increasing Supply: The District recognizes the importance of providing a wide range of advanced courses that appeal to students with various interests. Therefore, the District strives to:
- Re-evaluate prerequisites so that educators identify what is needed to succeed in the course rather than before the course.
 - Promote enrollment in advanced courses to students in all grades, including for students who may not have taken an advanced course at the beginning of high school.
 - Review the current program of studies to identify courses with the potential to be offered in partnership with a college or university.
 - Consider adding sections of high-interest courses while encouraging teachers of advanced courses to ensure consistency of content and expectations for a diverse set of learners.

- Consider offering or expanding work-based learning opportunities for students.
- Leverage remote options to expand the range of courses available to students.

Legal Reference:

Connecticut General Statutes § 10-221a

Connecticut General Statutes § 10-221w

Connecticut General Statutes § 10-221x

Connecticut State Department of Education, *District Guidance for Developing an Advanced Course Participation Policy* (April 2022)

United States Department of Education, Office for Civil Rights, *Ensuring Meaningful Participation in Advanced Coursework and Specialized Programs for Students Who Are English Learners* (June 2023)

Regulation approved:
SCHOOLS
Revised:
Connecticut

NEW MILFORD PUBLIC

New Milford,

**Note from Shipman & Goodwin as per the Audit of Series 9000:
This Bylaw is recommended to replace 9323, Construction of the Agenda.**

Note: It has a new number.

**Series 9000
Bylaws**

9020

CONSTRUCTION AND POSTING OF AGENDA

I. Construction of Agenda

- A. The Superintendent in cooperation with the Chairperson of the New Milford Board of Education (the “Board”) shall prepare an agenda for each meeting of the Board.
- B. In addition to those items listed by the Chairperson of the Board, any member of the Board may contact the Chairperson or the Superintendent and request that an item be placed on the agenda. This request must be made no later than seventy-two (72) hours prior to the legally required public posting of the agenda.
- C. If at least three Board members request in writing that an additional agenda item be placed on the Board’s agenda, it will either be placed on the agenda or a special meeting of the Board will be scheduled within fourteen (14) days of the written request.

II. Posting of Agenda

- A. At least twenty-four (24) hours prior to the time of the regular or special meeting, an agenda will be constructed and posted by the Superintendent of Schools for the Board.
- B. An agenda will be posted at Town Hall, the Board’s Administrative Offices, and on the Board’s Internet web site. Any associated documents that may be reviewed by members of the Board at such meeting shall be posted on the Board’s Internet web site, provided such documents are not exempt from disclosure under the Freedom of Information Act.
- C. The Board may add items to the agenda of any regular meeting by a two-thirds vote of those Board Members present and voting.
- D. If, in accordance with applicable law, the Board holds a public meeting that is accessible to the public by means of electronic equipment or by means of electronic equipment in conjunction with an in-person meeting, the agenda shall include instructions for the public to attend and provide comment or otherwise

participate in the meeting by means of electronic equipment or in person, as applicable and permitted by law. Any such agenda shall be posted in accordance with the provisions of Connecticut General Statutes Section 1-225.

Legal Reference:

Connecticut General Statutes

Public Act 22-3, "An Act Concerning Remote Meetings Under the Freedom of Information Act."

1-225 Meetings of government agencies to be public. Recording of votes. Schedule and agenda of certain meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions

10-218 Officers. Meetings

Public Act 23-160, "An Act Concerning Education Mandate Relief and Other Technical and Assorted Revisions and Additions to the Education and Early Childhood Education Statutes."

10-220 Duties of boards of education.

Bylaw approved:
SCHOOLS

Bylaw revised:
Connecticut

NEW MILFORD PUBLIC

New Milford,

**Note from Shipman & Goodwin as per the Audit of Series 9000:
This Bylaw is recommended to replace Bylaw 9321, Time, Place and Notification of Meetings.**

Note: This Bylaw has a new number.

**Series 9000
Bylaws**

9021

TIME, PLACE AND NOTICE OF MEETINGS

1. Regular Meetings
 - A. The New Milford Board of Education (the “Board”) shall set a calendar of regular meetings for the ensuing year at the first regular meeting in November.
 - B. In compliance with the Connecticut General Statutes, the Chairperson shall file this calendar with the Town Clerk, and post this calendar on the Board’s Internet web site, if available, before January 31.
 - C. Normally the Board shall schedule regular meetings on the third Tuesday of each month of the year except it falls on a holiday, when the Board shall schedule no regular meetings.
 - D. If at any point in the meeting the Board should not maintain a quorum, then the Chairperson of the Board will adjourn the meeting and declare the time and place of the resumption of the meeting, which shall be reflected in a written order of adjournment. A copy of the written order of adjournment will be posted on or near the door of the place where the meeting was held within twenty-four hours after the time of adjournment.
 - E. If, in accordance with applicable law, the Board conducts a regular meeting by means of electronic equipment, the Board shall provide, at least forty-eight (48) hours before the meeting, direct notification in writing or by electronic transmission to each member of the Board and post a notice that the Board intends to conduct the meeting solely or in part by means of electronic equipment in the Administrative Offices of the Board, in the office of the Town Clerk [Regional School District Option: in the office of the Town Clerk of each municipal member of the school district], and on the Board’s Internet web site. Such notice shall include instructions for the public to attend and provide comment or otherwise participate in the meeting, by means of electronic equipment or in person, as applicable and permitted by law.

2. Special Meetings

Special meetings may be held when determined by the Board, when so called by the Chairperson, or within fourteen (14) days upon written request of three members of the Board.

- A. No special meeting shall be held unless a notice stating the time, place and purpose of the meeting has been given to each member and to the Town Clerk, and has been posted on the Board's Internet web site, if available, twenty-four (24) hours before the time stated for the meeting to convene.
 - 1. If, in accordance with applicable law, the Board holds a special meeting conducted solely or in part by means of electronic equipment, notice of such meeting shall include whether the meeting will be conducted solely or in part by means of electronic equipment. If such meeting is to be conducted by means of electronic equipment, such notice shall include instructions for the public, by means of electronic equipment or in person, to attend and provide comment or otherwise participate in the meeting, as applicable and permitted by law.
- B. When a majority of the members agree that an emergency exists which has made a regular notice impossible, such a meeting may be called at a time or place which may be most convenient. In case of such emergency meeting, a copy of the minutes setting forth the nature of the emergency and the proceedings occurring at such meeting shall be filed with the Town Clerk [Regional School District Option: with the Town Clerk of each municipal member of the school district] no later than seventy-two (72) hours following the holding of such a meeting.

3. Meeting Time and Place

- A. All regular meetings of the Board shall begin at 7:00 PM or as soon thereafter as a quorum is present and shall adjourn no later than 10:00 PM unless extended to a time certain by a two-thirds vote of the Board members present. All regular meetings of the Board shall be held in the Sarah Noble Intermediate School Media Center, unless otherwise ordered by the Board.
- B. Special Meetings (non-emergency) of the Board shall be held at a time and place to be determined and announced in advance of meeting.

Legal References:
Connecticut General Statutes

Public Act 22-3, "An Act Concerning Remote Meetings Under the Freedom of Information Act."

- 1-225 Meetings of government agencies to be public. Recording of votes. Schedule and agenda of certain meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions
- 1-228 Adjournment of meetings. Notice
- 1-229 Continued hearings. Notice
- 1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution
- 7-3 Warning of town and other meetings
- 7-4 Record of warning
- 10-218 Officers. Meetings

Bylaw approved:
SCHOOLS
Bylaw revised:
Connecticut

NEW MILFORD PUBLIC

New Milford,

**Note from Shipman & Goodwin Audit of Series 9000:
This Bylaw is recommended to replace Bylaw 9322, Public and Executive Session.**

Note: This Bylaw has a new number.

**Series 9000
Bylaws**

9022

PUBLIC MEETINGS AND EXECUTIVE SESSION

1. Public Meetings

- A. All meetings of the New Milford Board of Education (the "Board") for the official transaction of business shall be open to the public except that the Board may, by the affirmative vote of two-thirds of the members present and voting, meet in executive session for the purposes specified in Conn. Gen. Stat. §§ 1-225 and 1-200(6).
- B. As defined by statute, the term "meeting" shall not include: any meeting of a personnel search committee for executive level employment candidates; any chance meeting, or a social meeting neither planned nor intended for the purpose of discussing matters relating to official business; strategy or negotiations with respect to collective bargaining; a caucus of members of a single political party notwithstanding that such members also constitute a quorum of a public agency; an administrative or staff meeting of a single-member public agency; and communication limited to notice of meetings of any public agency or the agendas thereof. The term "caucus" means a convening or assembly of the enrolled members of a single political party who are members of a public agency within the state or a political subdivision.

2. Executive Sessions

- A. The public may be excluded from Board meetings that are declared to be executive sessions.
- B. Executive sessions may be held on a two-thirds vote of the members present and voting taken at a public meeting stating the reasons for such executive session. Executive sessions may be held for any reasons permissible under the provisions of the Freedom of Information Act, as it may be amended from time to time, including one or more of the following purposes:
 - (1) Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or

employee, provided that such individual may require that discussion be held at an open (public) meeting.

- (2) Strategy and negotiations with respect to pending claims or pending litigation to which the Board or a member of the Board, because of his or her conduct as a member of the Board, is a party until such claims or litigation have been finally adjudicated or otherwise settled.
- (3) Matters concerning security strategy or the deployment of security personnel, or devices affecting public security.
- (4) Discussion of the selection of a site or the lease, sale or purchase of real estate when publicity regarding such site, lease, sale, purchase or construction would adversely impact the price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.
- (5) Discussion of any matter which would result in the disclosure of public records or the information contained therein described in Conn. Gen. Stat. §1-210(b).

Legal References:

Connecticut General Statutes

- | | |
|-------|---|
| 1-200 | Definitions (Public Agency; Meeting; Caucus; Person; Public Records or Files; Executive Sessions) |
| 1-210 | Access to public records. Exempt records |
| 1-225 | Meetings of government agencies to be public. Recording of votes. Schedule and agenda of certain meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions |
| 1-231 | Executive sessions |

Bylaw approved:
SCHOOLS
Bylaw revised:
Connecticut

NEW MILFORD PUBLIC

New Milford,

**Note from Shipman & Goodwin as per the Audit of Series 9000:
This Bylaw will replace Bylaw 9325, Meeting Conduct.
Note optional language.**

This Bylaw has a new number.

**Series 9000
Bylaws**

9023

MEETING CONDUCT

1. Definitions

For purposes of this policy:

- A. “Electronic equipment” means any technology that facilitates real-time public access to meetings, including, but not limited to, telephonic, video, or other conferencing platforms.
- B. “Electronic transmission” means any form or process of communication not directly involving the physical transfer of paper or another tangible medium, which (A) is capable of being retained, retrieved and reproduced by the recipient, and (B) is retrievable in paper form by the recipient.

2. Meeting Conduct

- A. Meetings of the New Milford Board of Education (the “Board”) shall be conducted by the Chairperson in a manner consistent with the adopted bylaws of the Board and the provisions of law, including the Freedom of Information Act.
- B. All Board meetings shall commence at, or as close as practicable to, the stated time, provided there is a quorum.
- C. All regular and special Board meetings shall be guided by an agenda that will have been prepared and delivered in advance to all Board members and other designated persons and made available to the public in accordance with the Freedom of Information Act.
- D. Robert's Rules of Order shall govern the proceedings of the Board except as otherwise provided by these bylaws.
- E. In the event that a Board meeting is interrupted by any person or group of persons so as to render the orderly conduct of such meeting unfeasible

and order cannot be restored by the removal of individuals who are willfully interrupting the meetings, the Chairperson may order the room cleared and continue in session.

1. Only matters appearing on the agenda may be considered in such a session.
2. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any such session.
3. Nothing in these bylaws shall prohibit the Board from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the meeting.

3. Smoking

- A. Smoking of any kind, including using an electronic nicotine or cannabis delivery system or vapor product, will not be permitted in any room in which a meeting of the Board is being conducted, nor during the time immediately prior to the meeting.
- B. When applicable, a sign notifying the public that no smoking is allowed in the room designated for the meeting will be prominently posted.

4. Procedures for Board Member Participation By Means of Electronic Equipment

- A. The Board shall provide Board members the opportunity to participate in meetings by means of electronic equipment, except that the Board is not required to adjourn or postpone a meeting if a Board member loses the ability to participate because of an interruption, failure, or degradation of that member's connection by electronic equipment, unless the member's participation is necessary to form a quorum. Conditions for participation are as follows:
 1. If a quorum of the Board members attend a meeting, other than an executive session, by means of electronic equipment from the same physical location, members of the public must be permitted to attend such meeting in such physical location.
 2. Any physical or demonstrable material that is used in the course of the proceedings must be present in the physical location, if any, where the public is located.

3. All those in attendance at the meeting, at whatever location, must be able to hear and identify all participants in the proceeding, including their individual remarks and votes.
4. Any vote taken at a meeting during which a Board member participates by means of electronic equipment shall be taken by roll call, unless the vote is unanimous.
5. The minutes of the meeting shall record a list of Board members who attended the meeting in person and a list of Board members who attended the meeting by means of electronic equipment.

Any Board member who participates orally in a meeting conducted by means of electronic equipment shall make a good faith effort to state such member's name and title, if applicable, at the outset of each occasion that such member participates orally during an uninterrupted dialogue or series of questions and answers.

- B. When a Board member is participating in a meeting by means of electronic equipment, the Chairperson shall take the necessary steps to ensure that the conditions enumerated above are met. In addition, the Chairperson shall take the necessary steps to ensure that a Board member participating by means of electronic equipment has adequate opportunity for participation in Board discussion, including the opportunity to take the floor and make motions.

[Note: Boards that do not wish to provide for public participation by means of electronic equipment may elect not to include the following section. However, Boards should be prepared to accommodate any changes necessitated by pandemic-related conditions in the event such conditions warrant a return to fully remote Board meetings.]

5. Procedures for Public Participation By Means of Electronic Equipment

The Board may hold a public meeting that is accessible to the public by means of electronic equipment or by means of electronic equipment in conjunction with an in-person meeting. If the Board allows for the public to participate by means of electronic equipment, it shall do so in accordance with the following procedures:

- A. Not less than forty-eight (48) hours before the Board conducts a regular meeting by means of electronic equipment, the Board shall provide direct notification in writing or by electronic transmission to each member of the Board, and post a notice that the Board intends to conduct the meeting solely or in part by means of electronic equipment, (a) in the Board's

Administrative Offices; (b) in the office of the Town Clerk; and (c) on the Board's Internet web site, if any.

- B. Not less than twenty-four (24) hours prior to any such meeting, the Board shall post the agenda for any such meeting in the same manner as the notice of the meeting as set forth in Section 5.A.
- C. Such notice and agenda shall include instructions for the public to attend and provide comment or otherwise participate in the meeting, by means of electronic equipment or in person, as applicable and permitted by law. Any such notice and agenda shall be posted in accordance with the provisions of Connecticut General Statutes § 1-225.
- D. If the Board holds a meeting, other than an executive session or special meeting, solely by means of electronic equipment:
 - 1. The Board shall provide any member of the public
 - a. upon a written request submitted not less than twenty-four (24) hours prior to such meeting, with a physical location and any electronic equipment necessary to attend such meeting in real-time, and
 - b. the same opportunities to provide comment or testimony and otherwise participate in such meeting that such member of the public would be accorded if such meeting were held in person, except that the Board is not required (i) to adjourn or postpone a meeting if a member of the public loses the ability to participate because of an interruption, failure or degradation of such person's connection to the meeting by electronic equipment, or (ii) to offer members of the public who attend a meeting by means of electronic equipment the opportunity for public comment, testimony, or other participation if the provision of such opportunity is not required by law for members of the public who attend such meeting in person.
 - 2. The Board shall not be required to adjourn or postpone the meeting if a member of the public loses the ability to participate because of an interruption, failure, or degradation of such person's connection to the meeting by means of electronic equipment.
 - 3. The Board shall ensure that such meeting is recorded or transcribed, excluding any portion of the meeting that is conducted in executive session. Such transcription or recording shall be posted on the Board's Internet web site and made available to the public to view,

listen to, and copy in the Board's Administrative Offices not later than seven (7) days after the meeting and for not less than forty-five (45) days thereafter.

4. If a quorum of Board members attend a meeting by means of electronic equipment from the same physical location, the Board shall permit members of the public to attend such meeting in such physical location.
- E. If the Board holds a special meeting and any portion of such meeting is to be conducted by means of electronic equipment, it must include in the notice of such meeting if the meeting will be conducted solely or in part by means of electronic equipment.
1. Not less than twenty-four (24) hours prior to such meeting, the Board shall post such notice and an agenda of the meeting in accordance with applicable law.
 2. If such meeting is to be conducted by means of electronic equipment, such notice and agenda shall include instructions for the public, by means of electronic equipment or in person, to attend and provide comment or otherwise participate in the meeting, as applicable and permitted by law.
- F. Any member of the public who participates orally in a meeting conducted by means of electronic equipment shall make a good faith effort to state such member's name and title, if applicable, at the outset of each occasion that such member participates orally during an uninterrupted dialogue or series of questions and answers.
- G. Whenever a meeting being conducted by means of electronic equipment is interrupted by the failure, disconnection or, in the Chairperson's determination, unacceptable degradation of the electronic means of conducting a meeting, or if a Board member necessary to form a quorum loses the ability to participate because of the interruption, failure or degradation of such member's connection by electronic equipment, the Board may, not less than thirty (30) minutes and not more than two (2) hours from the time of the interruption or the Chairperson's determination, resume the meeting (1) in person, if a quorum is present in person, or (2) if a quorum is restored by means of electronic equipment, solely or in part by such electronic equipment.
1. In each case of resumption of such meeting, electronic access shall be restored to the public if such capability has been restored.

2. The Board shall, if practicable, post a notification on its Internet web site and inform attendees by electronic transmission of the expected time of resumption or of the adjournment or postponement of the meeting, as applicable, and may announce at the beginning of any meeting what preplanned procedures are in place for resumption of a meeting in the event of an interruption.
- H. In the event that a Board meeting is interrupted by any person or group of persons so as to render the orderly conduct of such meeting unfeasible, and if such person or group of persons is attending such meeting by means of electronic equipment, the Chairperson may terminate such person's or group of persons' attendance by electronic equipment until such time as such person or group of persons conforms to order or, if need be, until such meeting is closed.

[Note: The following section is optional:]

6. Public Address

A. The Board may permit any individual or group to address the Board concerning any subject that lies within its jurisdiction during a portion of the Board's regular [or special] meetings so designated for such purpose.

(1) _____ minutes may be allotted to each speaker and a maximum of _____ minutes to each subject matter. The Board may modify these limitations at the beginning of a meeting if the number of persons wishing to speak makes it advisable to do so.

(2) A Board member shall be appointed by the Chairperson prior to the meeting to act as timekeeper for the meeting, if deemed necessary by the Chairperson.

(3) No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

(4) All speakers must identify themselves by name and address.]

Legal References:

Connecticut General Statutes

Public Act 22-3, “An Act Concerning Remote Meetings Under the Freedom of Information Act.”

1-200	Definitions
1-206	Denial of access to public records or meetings. Appeals. Notice. Orders. Civil penalty. Petition for relief from vexatious requester. Service of process upon commission. Frivolous appeals. Appeal re state hazardous waste program records
1-225	Meetings of government agencies to be public. Recording of votes. Schedule and agenda of certain meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions
1-232	Conduct of meetings
19a-342	Smoking prohibited. Exceptions. Signs required. Penalties

Freedom of Information Commission Advisory Opinion #41 (April 9, 1980)

Bylaw approved:
SCHOOLS

NEW MILFORD PUBLIC

Bylaw revised:
Connecticut

New Milford,

**Note from Shipman & Goodwin as per the Audit of Series 9000:
This Bylaw will replace Bylaw 9325.1, Quorum.**

Note: This Bylaw has a new number.

**Series 9000
9024
Bylaws**

QUORUM AND VOTING PROCEDURES

1. Quorum:
 - A. The majority of all members of the New Milford Board (the “Board”) shall be necessary to constitute a quorum for the transaction of business.
 - B. If, in accordance with applicable law, the Board provides Board members the opportunity to participate in meetings by means of electronic equipment, the Board is not required to adjourn or postpone a meeting if a Board member loses the ability to participate because of an interruption, failure, or degradation of that member’s connection by electronic equipment, unless the member’s participation is necessary to form a quorum. If a quorum of the Board members attend a meeting, other than an executive session, by means of electronic equipment from the same physical location, members of the public must be permitted to attend such meeting in such physical location.
 - C. If, in accordance with applicable law, the Board holds a meeting solely by means of electronic equipment, and if a quorum of Board members attend a meeting by means of electronic equipment from the same physical location, the Board shall permit members of the public to attend such meeting in such physical location.
2. Voting Procedures:
 - A. No member can vote on a question in which the Board member has a direct personal or pecuniary interest.
 - B. Members may vote for themselves for any office or other position.
 - C. While it is the duty of every member who has an opinion on a question to express it by vote, a Board member cannot be compelled to do so.
 - D. A member may abstain from voting (with the knowledge that the effect is the same as if the Board member had voted on the prevailing side).

- E. The votes of each member of the Board upon any issue before the Board shall be recorded in the minutes of the session at which taken.
- F. Board members shall have the opportunity to explain their votes, with the explanation to be recorded in the minutes.
- G. Any vote taken at a meeting during which a Board member participates by means of electronic equipment shall be taken by roll call, unless the vote is unanimous.

Legal References:

Public Act 22-3, "An Act Concerning Remote Meetings Under the Freedom of Information Act."

Bylaw approved:
SCHOOLS
Bylaw revised:
Connecticut

NEW MILFORD PUBLIC

New Milford,

**Note from Shipman & Goodwin as per the Audit of Series 9000:
This Bylaw will replace Bylaw 9325.4, Vote Recording.**

Note: This Bylaw has a new number.

**Series 9000
Bylaws**

9025

MINUTES

1. In compliance with legal requirements, a complete and accurate set of minutes of each meeting shall be kept.
2. Minutes shall be maintained at the Administrative Offices of the school district in an official record book designated for said purpose.
3. The minutes shall constitute the official records of proceedings of the New Milford Board of Education (the "Board") and shall be open to public inspection at all reasonable times.
4. The minutes shall include the following:
 - A. The time, place and date of each meeting.
 - B. The names of those members in attendance.
 - C. The disposition of all matters on which action was recommended.
 - D. All motions and resolutions and their disposition, listing all votes, abstentions and absentees.
 - E. All decisions concerning future meetings and agendas.
 - F. By request, a brief statement of a Board member may be included.
5. A record of votes taken at each meeting shall be reduced to writing and made available for public inspection within forty-eight hours of the conclusion of the meeting at which the votes were taken. Votes taken shall also be reflected in the minutes of each meeting, and the minutes shall be made available for public inspection and posted on the Board's Internet web site, if available, not later than seven days of the date of the meeting to which they refer, however, the Board shall not be required by law to post such minutes on an Internet web site. Should the Board decide to make minutes available on the Board's Internet web site, it shall do so at the sole discretion of the Board.

[Note: The posting of minutes to a website is optional and at the discretion of the Board.]
6. If, in accordance with applicable law, the Board conducts a meeting in which one or more Board members attend by means of electronic equipment, the minutes of the meeting shall record a list of Board members that attended the

meeting in person and a list of members that attended the meeting by means of electronic equipment.

Legal Reference:

Connecticut General Statutes

Public Act 22-3, "An Act Concerning Remote Meetings Under the Freedom of Information Act."

1-225 Meetings of government agencies to be public. Recording of votes. Schedule and agenda of certain meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions

Bylaw approved:

SCHOOLS

Bylaw revised:

Connecticut

NEW MILFORD PUBLIC

New Milford,

**Note from Shipman & Goodwin as part of the Audit of Series 9000:
This Bylaw is recommended for approval. It is a new Bylaw for the Board.**

**Series 9000
Bylaws**

9026

TRANSACTION OF BUSINESS

- A. The New Milford Board of Education (the “Board”) shall transact all business at a legal meeting of the Board.
- B. The Board shall act as a whole entity, except that a committee created in accordance with these bylaws may act on matters before it in conformity with the committee’s purpose or charge.
- C. Individual members shall make no commitments for the Board or issue orders for the Board, except when executing an assignment delegated by the Board.
- D. The Board shall concern itself with questions of educational policy, and not with administrative details concerning the New Milford Public Schools’ operations.

Bylaw approved:
SCHOOLS
Bylaw revised:
Connecticut

NEW MILFORD PUBLIC
New Milford,

Note from Shipman & Goodwin as part of the Series 9000 Audit:
Recommend the Board maintain this bylaw. While there is a Model Bylaw on this topic, the Board's current bylaw is more robust. However, we recommend review to ensure this bylaw is consistent with Policy 4112.8, Nepotism, and Policy 3313, Relations with Vendors.

Note: Policies 4112.8, Nepotism, and 3313, Relations with Vendors, were reviewed and are not in conflict with this policy. Also, this is a new number for this Bylaw.

Series 9000
Bylaws of the Board

9027

Conflict of Interest

The Board desires its members not only to adhere to all laws regarding conflict of interest, but to be continually aware of situations which have the appearance of conflict of interest and to avoid actions that might embarrass themselves or the Board.

Two areas of Board operations must be guarded with particular care in order that there be no real or seeming conflict of interest. These are purchasing and hiring of new personnel. Therefore:

1. Board members are strictly prohibited from being financially interested, or having any personal beneficial interest, either directly or indirectly, in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or used by the Board of Education. It is not the intent of this bylaw to prevent the district from contracting with corporations or businesses because a Board member is an employee of the firm. However, in such instances the member may be expected to declare his/her association with the firm and will refrain from debating or voting on the question.
2. If a member of the immediate family of a Board member--specifically parent/guardian, spouse, child or grandchild or any person who resides with the Board member -- is being considered for employment, that member shall disqualify him/herself from participation in discussion or vote.
3. The Board shall not give preferential treatment to companies in which town officials or paid town employees, have a major financial interest or to companies by which they are employed.
4. No Board member shall use his or her position to influence an employment or contractual decision other than those routinely made by the Board itself.
5. No member of the Board may be employed for compensation in any position in the school system. If a Board member is employed by the school district, the office to which he/she was elected or appointed shall become vacant.
6. Board members are strictly prohibited from accepting or receiving, directly or indirectly, from any person, firm or corporation to which any contract or purchase order may be awarded by the Board of Education, by rebate, gifts or otherwise, any money, or anything of value whatsoever, or any promise, obligation or contract for future reward or

compensation.

Legal Reference: Connecticut General Statutes
7479 Conflicts of Interest.
10156e Employees of boards of education permitted to serve as elected
officials; exception.
10232 Restrictions on employment of members of the board of education.

Bylaw approved:	January 9, 2001	NEW MILFORD PUBLIC SCHOOLS
Bylaw revised:	October 9, 2012	New Milford, Connecticut
Bylaw reviewed:	February 4, 2020	
Bylaw reviewed:		

The Shipman & Goodwin Audit of Series 9000 recommended deletion of this policy and adoption of their model policy. However, the model policy from S & G does not conform with the Town Charter. Therefore, this policy should be retained.

Note: The policy has a new number.

**Series 9000
Bylaws of the Board**

9028

Filling Vacancies on the Board

The Board of Education shall notify the New Milford Town Council whenever a vacancy shall occur on the Board through the death, resignation or departure from Town of one of its members.

The Town Council shall appoint a successor to fill the vacancy on the Board. The successor shall hold office until the next Town election.

Legal Reference: Connecticut General Statutes

7-107 Vacancy appointments by selectmen.

9204 Minority representation on boards of education.

10219 Procedure for filling vacancy on board of education.

10156e Employees of boards of education permitted to serve as elected officials; exception.

10232 Restriction on employment of members of the board of education.

Bylaw adopted by the Board: January 9, 2001

Bylaw reviewed by the Board:

NEW MILFORD PUBLIC SCHOOLS

New Milford, Connecticut