

Board of Education
New Milford Public Schools
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PLEASE POST

July 28, 2022

PRESENT:

Board Members: Wendy A. Faulenbach, Pete Helmus, Tammy McInerney and Leslie Sarich

Others Present for All or Part of the Meeting: Ms. Holly Hollander, Assistant Superintendent of Schools; Attorney Daniel P. Murphy, representing the Administration, Attorney Zachary Schurin, procedural advisor to the Board, Cheryl D'Amato, Court Reporter, Schaghticoke Middle School Assistant Principal Michael Boucher, the student who was the subject of the hearing, the parent and grandparent of the student who was the subject of the hearing and pediatrician Roman Alder.

At the July 25, 2022 special meeting that was called for the purpose of holding a student expulsion hearing, a panel of the New Milford Board of Education took the following actions:

Ms. Faulenbach called both the special meeting and the hearing to order at 5:28 p.m., and at 5:30 p.m., Mr. Helmus moved that the Board enter into executive session as personally identifiable information relating to the student who was the subject of the hearing was likely to be discussed, and further moved to invite into executive session all of the named individuals listed above as well as the parent and grandparent of the student who was the subject of the hearing. Ms. Sarich seconded the motion. The motion passed unanimously.

At 7:43 p.m., the Board returned to public session, and made the following motions:

1. Mr. Helmus moved that the Board of Education adopt the findings of fact and recommendation discussed in executive session regarding the student who was the subject of the expulsion hearing. Ms. Sarich seconded the motion. The motion passed unanimously.
2. Mr. Helmus moved that that as a consequence of the factual findings adopted by the Board of Education, that the student who was the subject of the expulsion hearing be expelled from the New Milford Public Schools and from all school-sponsored activities, either curricular or extra-curricular, either on school grounds or at another location for a period of one calendar year effective July 25, 2022, and that the student shall be offered an alternative educational opportunity determined by the Superintendent of Schools during the period of expulsion.

Notwithstanding the foregoing, the student may apply for readmission to school on the first day of the second marking period of the 2022-23 school year, if the student satisfies the following conditions:

1. Full and adequate participation in any offered alternative educational opportunity, including but not limited to no unexcused absences;

2. No violations of the law or conduct that would constitute grounds for suspension or expulsion under publicized Board policies;
3. Satisfactory participation in a program designed to address appropriate on-line activity as determined by the Superintendent, and;
4. Participation in counseling in a form and frequency as approved by the Superintendent and at parent expense, if any.

The determination as to whether the student has met these conditions shall be at the sole discretion of the Superintendent of Schools with the stipulation that if the student is readmitted early, the student must continue to meet condition 2 as set forth above, and if the student fails to meet this condition upon readmission – and the student's PPT determines that such new conduct does not constitute a manifestation of his disability – the Superintendent may reinstate any unserved period of expulsion without a hearing or otherwise commence new disciplinary proceedings.

Ms. McInerney seconded the motion. The motion passed unanimously.

3. Mr. Helmus moved that the Board of Education authorize its procedural advisor to send the parties a letter setting forth the Board's decision as discussed in executive session. Ms. Sarich seconded the motion. The motion passed unanimously.

At 7:46 p.m., Ms. Faulenbach moved to adjourn the hearing and the special meeting. The motion passed unanimously.

Respectfully submitted,



Wendy Faulenbach
Chairperson
New Milford Board of Education