

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

Minutes of the joint meeting of the Board of Education, the Legislative Council and the Board of Finance held on September 20, 2023 at 7:30 p.m. in the Council Chambers, 3 Primrose Street, Newtown, CT.

D. Zukowski, Chair	C. Melillo
J. Vouros, Vice Chair (absent)	T. Vadas
D. Ramsey, Secretary	
D. Cruson	
A. Plante	
T. Higgins	
S. Tomai	

Legislative Council: Jeffery Capeci, Lisa Kessler, Michelle Embree Ku, Charles Gardner, Matthew Mihalcik, Tom Long, Chris Gardner, Phil Carrol, Dan Honnan, remotely attended Derek Pisani and William Derosa

Board of Finance: John Madzula, Sandy Roussas, Steven Goodrich, Stephen Csordas, remotely attended Laura Miller

Mr. Capeci called the meeting to order at 7:30 p.m.

Item 1 – Board of Education Fund Balance Policy

Ms. Zukowski reported that in November of 2021 the BOE approved the policy as provided by legal counsel. Currently there are edits from the Board of Finance that the BOE has yet to approve. Sandy Roussas explained that during COVID they wanted a working document that would guide the decision regarding the unexpended BOE budget into the non-lapsing fund. The policy was approved by the BOE and LC but not the BOF. The BOF edits made nominal and the purpose was to reflect proper accounting terminology.

BOE MOTION: Ms. Tomai moved that the BOE approve the tri-board Non-lapsing Education Fund Balance Policy. Ms. Plante seconded, all in favor.

BOF MOTION: Mr. Madzula moved to approve the revised Non-lapsing Education Fund Policy. Ms. Roussas seconded, all in favor.

LC MOTION: Mr. Gardener moved to approve the BOE Non-lapsing Education Fund policy between the BOE, BOF and LC. Mr. Mihalcik seconded. Tom Long made the correction that in Section 4, it should be shall only be used for educational purposes, not may, which is how the state statute is written.

LC MOTION: Mr. Long moved to amend the motion to eliminate one edit in section 4 reversing it from may back to shall. Mrs. Ku seconded, all in favor. Original motion with amendment unanimously approved by roll call vote.

BOE MOTION: Ms. Plante moved to reconsider the original motion approving the changes to the BOE Non-lapsing Fund Policy. Mr. Higgins seconded. Ms. Tomai moved that the BOE approve the tri-board Non-lapsing Education Fund Policy. Mr. Cruson seconded. Mr. Cruson moved to amend the motion to accept the changes approved by the LC. Ms. Plante seconded, amendment passes unanimously. Original motion as amended, all in favor.

BOF MOTION: Mr. Madzula moved that the Board of Finance approve the amendment to the BOE Non-lapsing Fund Policy changing may to shall in section 4. Ms. Roussas seconded, all in favor

BOE MOTION: Having no further business, Mr. Higgins moved to adjourn the BOE meeting at 8:07 p.m. Mr. Cruson seconded, all in favor.

Respectfully submitted:

Donald Ramsey
Secretary

Non-Lapsing Education Fund
A Policy Agreement between:
Board of Education, Board of Finance & Legislative Council

Section 1. Deposits Transfers into Non-Lapsing Education Fund.

The Board of Education may, subject to the approval of the Legislative Council, deposittransfer into the Non-Lapsing Education Fund all or a portion of any unexpended funds from the prior fiscal year from the budgeted appropriation for education for the Town, provided that the amount depositedtransferred into the Non-Lapsing Education Fund shall not exceed the amount set forth in Section 10-248a of the Connecticut General Statutes. The Legislative Council shall consider the recommendation of the Board of Finance, if any, prior to approving the deposittransfer of funds into the Non-Lapsing Education Fund. ~~The Legislative Council may authorize deposits into the Non-Lapsing Education Fund in each fiscal year such that the total amount in the Non-Lapsing Education Fund may accumulate over time if not expended.~~

Section 2. Timeline for Consideration of Deposits Transfers into Non-Lapsing Education Fund.

No later than the first week of September, the Board of Education shall send notice to the Legislative Council and the Board of Finance of its request to deposittransfer ("request") all or a portion of any unexpended funds from the prior fiscal year from the budgeted appropriation for education ~~for the Town~~ into the Non-Lapsing Education Fund.

The Board of Finance and the Legislative Council ~~shall~~may hold a joint meeting to discuss the Board of Education request to deposittransfer funds into the Non-Lapsing Education Fund. In the event that the Board of Finance receives the request prior to the joint meeting and makes a recommendation upon a majority vote, the Board of Finance may elect to submit a written letter of recommendation, in lieu of a joint meeting, to the Legislative Council on the Board of Education request.

Section 3. Expenditure of Funds from Non-Lapsing Education Fund.

The Board of Education may, subject to the approval of the Legislative Council, authorize expenditures from the Non-Lapsing Education Fund for any expenses that the Board of Education determines are necessary to support students or that are in the best interests of the Newtown Public Schools. The Legislative Council shall consider the recommendation of the Board of Finance, if any, prior to authorizing the expenditure of funds from the Non-Lapsing Education Fund.

If the Board of Education requests an expenditure from the Non-Lapsing Education Fund to pay for all or part of the costs of an approved Capital Improvement Plan ("CIP") project, then such request shall be deemed approved when the Legislative Council approves the CIP as part of the annual review process.

Section 4. Educational Purposes.

The Non-Lapsing Education Fund ~~shall~~may only be used for educational purposes as required by Section 10-248a of the Connecticut General Statutes.

Section 5. Annual Reporting Requirement.

The Board of Education shall review the fund balance and revenues and expenditures of the Non-Lapsing Education Fund on an annual basis and provide a written ~~report~~report accounting to the Legislative Council and the Board of Finance at the time a request for ~~deposit~~deposit transfer is made.

Section 6. Review

This policy shall be reviewed by the Board of Finance, at minimum, on a biennial basis during the month of January in each odd numbered year. Recommendations for change, if any will be presented first to the Board of Education for adoption and then to the Legislative Council for approval.

Approved by Board of Education: 11/3/21

Approved by Legislative Council: 11/17/21

Discussed by Board of Finance: 3/23/23 Edited from 3/13/23