

Board of Education
Newtown, Connecticut

Minutes of the Board of Education meeting on Tuesday, June 7, 2011 at 7:30 p.m. in the board room at 3 Primrose Street.

W. Hart, Chair	J. Robinson
D. Leidlein, Vice Chair	L. Gejda
A. Buzzi, Secretary	R. Bienkowski
D. Nanavaty (8:50 p.m.)	16 Staff
L. Bittman (absent)	20 Public
R. Gaines	3 Press
K. Alexander	

Mr. Hart called the meeting to order at 7:37p.m.

Item 1 – Retiring Teachers

Dr. Robinson introduced the teachers retiring at the end of this year. Those present were Jeanetta Miller and Linda Buonagurio from Newtown High School, Judy Beers from Middle Gate School, and Julie Birch from Head O'Meadow School. Joan Cunningham from Reed Intermediate School and Nicole Morris from Newtown Middle School were unable to attend. She thanks them for their service to the students of Newtown.

Item 3 Public Participation

Lerreine Frampton, 6 Pebble Road, spoke as registrar of voters. The Presidential primary will be April 24 which is also the date for the referendum. This presents problems for the polling places. She requested holding off the calendar vote until the next meeting until she has definite information on that date. She asked if possibly the 8th grade trip could start on April 24 instead of the 25th so there wouldn't be as many students in the middle school if they need two voting locations there.

Mr. Hart said we will have to delay budget vote until after June 15 and suggested moving our Board meeting to June 15 instead of the 21st.

Herb Rosenthal, 70 Main Street, read his letter to the Board stating his support for the owner/operator transportation system.

Marabeth Pereira, 33 Pocono Road, was concerned about having full days the last two days of school this year. She asked the Board to contemplate alternatives instead of decreasing educational assistant hours.

Susan McGuinness Getzinger, 31 Littlebrook Lane, agreed with Mr. Rosenthal. Regarding the early release days having them on Friday is a good idea. She read the questions she submitted on citizen's request for information form.

Jill Bontatibus Beaudry, 36 Queen Street, urged the Board to not eliminate the social worker at Reed and the middle schools. That position is vital. Mr. Gaines noted that position was added back into the budget.

Joe Borst, 10 Beechwood Drive endorsed Mr. Rosenthal's letter. We should not look to change this again. The bid specs define owner/operator as a sub contractor of the Town of Newtown.

Kate Mayer, 5 Hyvue Drive, was frustrated with the high school and wrote a letter May 19 stating she did not support the additional assistant principal at the high school but we should add a counselor and social worker or more psychologists. The middle school was going to 95 degrees but students are being called to the office because shorts are too short.

Larry Garner, 6 Forest View Drive, asked for an explanation of what the Chair's job was outside the Board of Education meetings. Who authorized the spending for the attorney hired for the FOIA complaint and the state representative's inquiry.

Mr. Hart stated that no money has been spent. Legal opinions are brought in by the Superintendent and there is money in the budget for that.

Cindy Carlson, 6 Ironwood Road, vice president of the Sandy Hook PTA and a current educational assistant, spoke about the reduction of EAs in the district. Work not done by the EAs will not be picked up by parent volunteers because many parents are now working. Certified staff will have to pick up additional work.

Sue Zimmerman, 20 Pine Tree Hill Road, is an EA at Middle Gate School. They are very instrumental to the educational process. It will be hard for teachers to fill obligations for the students who need extra help. The students should be addressed first over the owner/operators and an assistant principal could be added another year.

Lauren Samson, 4 Kelly Court, is also an EA at Middle Gate School. Additional work will fall to the teachers. It is important to keep the EA positions.

Item 4 – Reports

Correspondence: Mr. Buzzi said there was correspondence received from Betsy Ricker, Chris Lyddy, Christine Freda, two from Fran Maturo, Jill Bontatibus Beaudry, Kathy Meyer, Keith and Laura Baron, Laura Main, Laura Roche, Pam Kohn, and Robin Fitzgerald.

Chair Report: Mr. Hart attended award ceremonies as well as the junior/senior project presentations which were very impressive.

Superintendent's Report:

Dr. Robinson also commented on the junior/senior project presentations and the Newtown Board of Realtors meeting held at the high school. Parents expressed concerns about the heat this week. We are modifying planned activities to keep the children from overheating. We have had discussions with the Asia Society and applied for a grant for an additional Mandarin teacher for Reed and the middle school. We will be including studies of Japan in our Asian Studies program.

Facilities Committee:

Mrs. Leidlein said the ad hoc committee met and discussed options for a possible school closing and used Head O'Meadow as an example for the estimation of possible savings.

Policy Committee: Mr. Buzzi said they will meet when Mrs. Bittman returns.

Director of Business Report on Transportation:

Mr. Bienkowski said there was a bus contract pre-bid meeting this morning to share our concerns and answer any questions to potential bidders. The current owner/operator contract exceeds over \$13.7M on a 5-year basis. Transportation also represents the third largest single line item in our budget only preceded by salaries and benefits. We need to find structural changes to find cost savings over a number of years. We can save money on transportation, especially for special education. These are reputable companies that keep drivers on the same routes. Many of our owner/operators could work for the successful bidder because they know the routes and the children. Last year we saved in benefit costs by becoming self-insured. We have to take a hard look at the services we provide to try to reduce costs. Six or seven companies expressed interest and the bid opening is set for June 23. We are doing this a year prior to the current contract's expiration to give everyone involved time to consider decisions for them. This would give us next year to refine the contracts. We could possibly be able to reduce the number of vehicles. MTM routes are not in this bid.

Mr. Buzzi said our policy states that if we are in excess of \$30,000 we have to go out to bid. We are trying to give all the information to the citizens of Newtown so they can interact with the Board on how they feel about this. He doesn't believe any other towns in Connecticut have owner/operators.

Mrs. Leidlein asked about the performance bond.

Mr. Bienkowski said the performance bond is used in large bidding situations for contracts of this size or greater. It guarantees the performance of the contractor that is bidding the service. An independent review by an insurance company looks at the viability of the company putting the bid together and accepts their plan knowing they have the resources to perform what they say they need to do. If they go bankrupt the performance bonding company will guarantee that the services will continue on behalf of the insured. We don't have to take the performance bond but it is important if you don't know much about the company.

Mrs. Leidlein asked why an owner/operator would have to have a performance bond.

Mr. Bienkowski said the goal is to have a single vendor. It is incumbent upon them to submit a collaborative bid and get the performance bond.

Mrs. Leidlein has a problem with not giving owner/operators a chance to bid. Could we not require a performance bond for them?

Mr. Bienkowski said we can't prejudge what the bids will come in at. For the last bid for special education services we were down to two companies which were All Star and MTM. MTM was not the cheapest one but agreed to pay part of their performance bond because it was more important to have the assurance of having transportation for the year. We want to make the routes more efficient but it is hard to do that because they are not being dispatched from a central location. We have to make structural changes and this is the only big change that won't affect people in the classrooms.

Mrs. Leidlein feels this is set up to make our system fail. She asked for copies of the bid specs.

Mr. Hart said they would be voted on at the July 12 meeting.

Mr. Nanavaty arrived at 8:50 p.m.

Item 6 – New Business

Approval of Two Reading Books:

Dr. Gejda spoke about the summer reading books.

MOTION: Mrs. Leidlein moved that the Board of Education approve the following books:

- SCAT by Carl Hiaasen, Alfred A. Knopf publisher, 2009
- Inventing Elliott by Graham Gardner, Orion Children's Book publisher, 2003

Vote: 6 ayes

Mr. Nanavaty reported on the Board of Finance meeting regarding the Middle School roof. The bids came in higher at \$2.9M.

John Kortze wants Mr. Faiella and Kaestle Boos to look at alternates in the CIP putting A/C in the cafeteria, auditorium, principal's and guidance offices, and replacement in the library and computer room. Kaestle Boos recommended doing the alternates now.

Item 2 – Consent Agenda

MOTION: Mr. Alexander moved that the Board of Education approve the consent agenda which included the minutes of May 17, 2011, the resignations for retirement for Nicole Morris, teacher at Newtown Middle School and Joan Cunningham, teacher at Reed Intermediate School, the extension of the medical leave of absence for Stephanie Adam through the end of this school year, and the resignation of Maura Mancini, teacher at Newtown High School. Mr. Buzzi seconded.

Mrs. Leidlein asked to amend the minutes on the top of page 3 to add the following:

"Mrs. Leidlein pointed out that we transferred \$35,000 out of that account to meet deficits in other accounts." Mr. Alexander accepted the modification.

Vote: 4 ayes, Mr. Buzzi and Mr. Gaines abstained.

Discussion of 2011-2012 Budget:

It was decided there would be not vote until June 21st.

The Board discussed the list of budget adjustments.

Discussion of 2012-2013 calendar:

Dr. Robinson compared our's to Danbury's calendar. She listed our April break two weeks before the referendum.

Mrs. Leidlein didn't want to vote on the 2010-2011 calendar because she has some changes and we need to discuss the early release days.

Mr. Nanavaty said we adopted the 2011-2012 calendar and were only revisiting the early release days. Regarding the Danbury calendar, he asked how moving our April vacation up a week would impact sports athletic events. He asked for an answer at the next meeting.

Mr. Alexander asked if the other regions agreed with the Danbury schedule.

Dr. Robinson said they would mostly match. The reason she brought the 2011-2012 calendar is to show a proposal for the early release days having cut down the number.

The transfer policy discussion will be held at the next meeting.

Mrs. Leidlein did research on other district transfer policy as she feels we need to have a resolution. She prepared a version.

Mr. Buzzi said the Board should review this and have an opportunity to discuss it.

Section 504 Due Process Policy:

Dr. Gejda said this reflects changes in legislation.

MOTION: Mr. Nanavaty moved that the Board of Education approve the revisions to Policy 8-602.1 Section 504 Due Process. Mr. Buzzi seconded.

Mrs. Leidlein asked if the administrative procedures are given to parent at a 504 meeting.

Dr. Gejda said they are given a copy of their rights.

Mrs. Leidein asked that they be put on the special education website.

Vote: 6 ayes.

Healthy Food Act:

MOTION: Mr. Nanavaty moved that on behalf of the Newtown Board of Education pursuant to section 10-215f of the Connecticut General Statutes, I hereby certify that all food items offered for sale to students in the school (s) under our jurisdiction, and not exempted from the Connecticut Nutrition Standards published by the Connecticut State Department of Education will not meet said standards during the period of July 1, 2011 through June 30, 2012. Such certification shall include all food offered for sale to students separately from reimbursable meals at all times and from all sources, including but not limited to, school stores, vending machines, school cafeterias, and any fundraising activities on school premises, whether or not school sponsored. Mr. Buzzi seconded. Vote: 6 ayes

Hovey/Lyddy Letter to the State Department of Education:

Dr. Robinson stated that last year she began attending meetings with a group of special education parents regarding things that needed to be improved in the PPT process. She worked with parents who formed an advisory board to find ways to inform parents of the process. In March a meeting was set up with Pat Llodra, Bob Tait, Ron Bienkowski, Rep. Hovey and Rep. Lyddy regarding special education legislation. Rep. Lyddy did not attend and Rep. Hovey dismissed the business managers. She said a number of things were brought to her attention. She also had a meeting with the parent group and Mr. Hart. Following that meeting, Rep. Hovey and Lyddy asked for an investigation of our special education department because the parents were dissatisfied. Normally a complaint to the state dept is initiated by a parent. To date, she and Dr. Regan have not received any information regarding an investigation. We are waiting to hear about any specific issues.

Mr. Hart said he had received a series of emails from Rep Hovey's assistant and was invited to a meeting on May 16. They expressed that they heard concerns from a number of parents. Rep. Hovey said we didn't accept the decision on a case. A letter was sent to the State Department of Education which was released to the press before given to us. He and Dr. Robinson met with the advisory board on June 1. The Board of Education by law is not involved in any decision for children and does not have any access to information on any child or case. A recommendation was to provide a copy of

the request prior to the PPT. Also, we have not hired a consultant regarding this situation.

Mr. Buzzi said Dr. Regan had tremendous qualifications and brought innovative programs to the district and Jan Calabro has worked to save the district money. We have to be sure these services are being provided. It gives him pause that there has been no parent complaint. We need to know what exactly is wrong.

Mrs. Leidlein said the pac group gave specific complaints to Dr. Robinson which need to be addressed. Mr. Buzzi asked for the complaint in writing.

Mr. Nanavaty cautioned the Board members to not act as an advocate for a particular group. You would have to recuse yourself in case there was a suit. Mrs. Leidlein is walking a fine line if she is receiving information from state representatives as a Board of Education member. They should be referred to Dr. Robinson, Dr. Gejda or Dr. Regan.

Mrs. Leidlein stated that she recused herself from conversations with a neighbor because she is on the Board. She is advocating for the special education students in this town and for the parents if they don't feel their needs are being met. What is not working and how can we address those issues?

Mr. Nanavaty said that is the Superintendent's job.

Mr. Hart asked Attorney Laubin if we know what the state was going to do.

Attorney Laubin said a parent will make a complaint to the state regarding a student. The Superintendent would get a letter from the state to correct that complaint. A consultant was needed to request specific information from the district. The state hears systemic complaints with specific information. We haven't heard from the state yet.

Dr. Robinson said we need more specific information because we don't know what to look for. She doesn't have specifics either and has been meeting with this group. One important thing is to help the parents feel comfortable.

Mr. Hart asked if it would be appropriate to ask Dr. Robinson to give example of doing a review of our program.

Mr. Nanavaty feels we need to be more specific. We need to know the problem. The state needs to make a determination and the specifics need to be given to the Superintendent.

Attorney Laubin stated we are asking for the parents to come forward to share their concerns.

Mr. Hart suggested that Dr. Regan prepare a report on what has been done in his department.

Motion: Mrs. Leidlein moved to go into executive session and invited Dr. Robinson, Mr. Bienkowski and Attorney Michelle Laubin to discuss personnel, negotiations and litigation. Mr. Buzzi seconded. Vote: 6 ayes

Item 7 – Executive Session

Item 8 – Executive Session Votes

Mrs. Leidlein moved that the Board of Education approve the child-rearing leave of absence for Kristina Pierce for the 2011-2012 school year. Mr. Nanavaty seconded. Vote: 6 ayes

Mrs. Leidlein moved that the Board of Education approve the settlement agreement with the Newtown Public School Nurses for the period of July 1, 2011 to June 30, 2014 as presented. Mr. Alexander seconded. Vote: 6 ayes

MOTION: Mrs. Leidlein moved to adjourn. Mr. Nanavaty seconded. Vote: 6 ayes

Item 9 – Adjournment

The meeting adjourned at 11:50 p.m.

Respectfully submitted:

Andrew Buzzi, Jr.
Secretary