

The Regional School District 13 Board of Education met in special session on Wednesday, September 6, 2017 at 6:00 PM in the Library at Frank Ward Strong Middle School, 191 Main Street, Durham, Connecticut.

Board members present: Mr. Moore, Mr. Hicks, Mrs. Boyle, Dr. Friedrich, Dr. Taylor, Mr. Augur, Mrs. Petrella, Mrs. Geraci, Mr. Roraback and Mr. Yamartino
Administration present: Dr. Veronesi, Superintendent of Schools
Others present: Attorney Anne Littlefield, Shipman and Goodwin LLP

The meeting was called to order at 6:05 PM

Pledge of Allegiance

The Pledge of Allegiance was recited.

Public Comment

None.

Next Board Meeting – September 13, 2017 at 7:00 PM in the Library at Coginchaug Regional High School

Approval of Agenda

Mr. Hicks made a motion, seconded by Dr. Friedrich, to approve the agenda, as presented.

In favor of approving the agenda as presented: Mr. Moore, Mr. Hicks, Mrs. Boyle, Dr. Friedrich, Dr. Taylor, Mr. Augur, Mrs. Petrella, Mrs. Geraci, Mr. Roraback and Mr. Yamartino. Motion passed.

Board of Education Roles and Responsibilities

Attorney Littlefield discussed the following topics: responsibilities of the board of education, rights of board of education members, duties of board of education members, freedom of information, board deliberations and board meeting procedures.

Board members are considered one member of an elected body; formal decision making by law is by the board of education as a total entity not by individual members. Board members must comport themselves in a manner that aligns with state statute.

As a school district, because we receive federal funds, we must operate as such and thus cannot operate in a manner that is less than the expectation as stated in a federal regulation but can exceed it. An example of this could be the expectations set forth in the bullying laws and expectations of school districts. School districts could go beyond the expectations for such things as time frame and type and expanse of the response.

Board members have discretion and the discretion has boundaries, however, there are many ways to positively impact the successful outcome of our students.

Budgetary decisions are made to positively impact the vision and mission and outcomes of the school district. It is important to pay attention to the parameters within which the board can operate.

The Board is sometimes called upon to operate as an impartial hearing panel or judge and thus it is important to not get involved in matters that would compromise that impartiality. In cases a board member's knowledge of a student or personnel member compromises their ability to remain impartial, such as an expulsion or termination hearing; the board member is advised to recuse themselves. Board members are encouraged to encourage members of the public to speak directly to the superintendent or other school staff members rather than sharing specific information with board members. It is helpful for board members to let parents and other community members know this. It is important for board members to be visible within the public and to listen, but they only have the authority to respond within the context of the board of education meetings. Information that is brought to the board level by the superintendent prior to any type of formal hearing should be at a broad and general level rather than an individual level.

If a board member receives confidential information from a parent, they must maintain this information and not share it with other members. If board members talk about a student or a staff member this is an illegal, unnoticed meeting. This is true whether the conversation is in person, by phone or electronic communication.

Executive session can be held to discuss personnel, real estate, exempt documents or litigation strategies. When in executive session the information should not be shared outside of executive session in most cases unless you are coming out of executive session to take a vote for example if the board came out of executive session and authorized someone to execute the decision regarding a legal matter that was discussed in executive session. It is improper to review content of meeting, but would need to discuss action in open session. There could be a legal violation if content is discussed outside of executive session.

Connecticut appellate court case says: A political caucus can occur and it is not called a meeting. There is a "non-meeting" exception for negotiations. Registering with the Secretary of State is necessary if one of the board of education members decided to meet as a group.

All business of the board of education should be conducted in a public meeting. Basic communication can be had via email as long as there is no substantive discussion. Board members are encouraged to consider every written communication as a potentially public document and thus should have a tenor of a polite and courteous communication.

In public meetings it is suggested that conducted business in a respectful manner so that the focus is on the substance of the communication not the interaction of the board.

Regarding the question of whether a message board could be used for communication between board members and the public, this format could not be used as a way to respond to the public as an agent of the board.

Public comment is not a forum for public discussion thus the board can set time, place and manner restrictions, but not content restrictions. There is no legal requirement to have a public comment section. It is not recommended that the board engage in dialogue during public comment. If something is brought up in public comment at the beginning of the meeting that bares discussion it can be added to the agenda. Cannot have a solely electronic exchange. Voting doesn't make a meeting, discussion makes a meeting. Time limits in the by-laws should be adhered to.

If a small group of board of education members talk about board of education business it is an illegal meeting. The public often thinks that board of education members are privy to all confidential district business. People will infer that board of education members know more than other members of the public. As a board member who is a mother and PTO member, you can bring an issue to the board of education, but not make any promises or commitments on behalf of the board of education.

It is important for the superintendent to maintain confidentiality in staff matters. Generally, contacting legal counsel is done by the superintendent and board chair. If a board member writes notes during a meeting they can keep them as long as they are not sharing them with other board members. In the situation of evaluating the superintendent it should be done in executive session rather than writing to each other. Preliminary notes or drafts are ok and “preliminary notes” or “draft” should be noted in the heading.

If board members want to meet in a public setting e.g., Perk On Main to talk with the public, they must notice the meeting, take minutes and make the minutes available to the public. Board of education members may want to consider having a “workshop” as an alternative to coffee house meetings.

Committee and board of education minutes can be very sparse, extensive minutes are not required.

Characteristics of Highly Effective Boards

The board of education has power in all areas that are not assigned to the superintendent, such as passing a budget, expelling students or other decisions as noted in policy. In order to effectively carry out the business of the board and long-term and vision and mission of the decision, the board should not be involved in the day-to-day operations of the district. High functioning boards are focused on the big picture; dysfunctional boards get involved in small details and argue publicly and through social media. A high level of social dialogue is characteristic of high functioning boards. Disagreements are part of healthy dialogue.

Public Comment

None.

Adjournment

Dr. Friedrich made a motion, seconded by Mrs. Boyle, to adjourn the special meeting of the board of education.

In favor of adjourning the meeting: Mr. Moore, Mr. Hicks, Mrs. Boyle, Dr. Friedrich, Dr. Taylor, Mr. Augur, Mrs. Petrella, Mrs. Geraci, Mr. Roraback and Mr. Yamartino. Motion passed.

Meeting was adjourned at 8:10 PM.