



**Mr. Thomas W. Giard III**  
*Superintendent of Schools*

**Mr. Craig C. Powers**  
*Assistant Superintendent*

February 28, 2019

The Honorable Robert Sanchez, and  
The Honorable Douglas McCrory  
Co-Chairpersons, Education Committee

RE: Proposed Bills:

- 1) Proposed Bill No. 454, An Act Concerning the Creation of Regional School Districts;
- 2) Proposed Bill No. 457, An Act Concerning the Size of School Districts;
- 3) Proposed Bill No. 458, An Act Concerning Boards of Education Membership
- 4) Proposed Bill No. 738, An Act Concerning the Creation of Regional School Districts;
- 5) Proposed Bill No. 588, An Act Permitting Municipal Financial Decision-Making for Certain School-Related Expenses; and
- 6) Proposed Bill No. 6355, An Act Concerning Non-educational Expenditures in Local Board of Education Budgets.

Dear Chairpersons Sanchez, McCrory and Members of the Education Committee:

The Waterford Board of Education is composed of members of the Democratic, Green, and Republican parties. On its behalf I write to voice its unanimous opposition to the above listed proposed bills. The essential basis for the Board's unanimous bipartisan objection to each of the above bills is the firm belief that they are contrary to the best interests of the Town and students of Waterford.

A local Board of Education is an agent of the State Board of Education. As in any principal/agent relationship, the agent is obligated to follow the instructions of its principal. The same relationship does not exist between the State Board of Education and a local Board of Finance. Historically this is why a local Board of Education's budget has been exempted from line item cuts by local Boards of Finance and municipalities.

A Board of Education's budget is a creature of its statutory obligations (see C.G.S. Sec. 10-220<sup>1</sup>). Once a municipality approves its budget, left to the Board is how to equitably distribute those funds so as to meet its obligations under law. The litany of obligations imposed by C.G.S. Sec. 10-220 begs the question of what portions of a Board of Education's expenses could be considered a "non-educational expenditure". Perhaps attorney fee expenditures would qualify – as nowhere in the statute is it required for a Board of Education to have legal counsel. Respectfully, we would argue that such expenditures, indeed all Board of Education expenditures, are necessary and proper for the discharge of its duties under law. Proposed Bill Nos. 6355 (An Act Concerning Non-Education Expenditures in local Board of Education Budgets) and No. 5888 (An Act Permitting Municipal Financial Decision-Making For Certain School-Related Expenses) would make expenditure distinctions where none exist. In doing so it would disrupt the ability of a local Board of Education to make decisions as to the

equitable allocation of its resources. A local Board of Finance or municipal legislative body is not answerable to the State Board of Education, accordingly they should not have decision making power with respect to how a local Board of Education as an agent of the State Board of Education allocates its resources.

The Chairperson of a local Board of Education must be a spokesperson for the whole Board, and the Board must have confidence that its Chair will be such. The Chairperson is the public face of Board. The Chairperson must be capable of running a respectful and efficient public meeting. The members of a local Board of Education are in a far better position to ascertain who amongst them best has the skillset required for the position of Chairperson. Those necessary skills are independent and unrelated to what percentage of a municipality's budget the Board of Education's budget represents. We firmly believe that the selection of the Chairperson should remain with the Board and not placed in the hands of the chief elected official of a municipality. Accordingly we urge you not to recommend Proposed Bill No. 458 (An Act Concerning Boards of Education Membership).

At the heart of the American experiment is local control. The belief that individual freedoms and the pursuit of liberty are best protected by small governmental units as opposed to an over-riding central government. Our Federal system is a direct result of this underlying American philosophy. At the State level, the grants of municipal charters and the constitutional provision for home rule all flow from this core belief. The setting of statewide common minimum standards for education is appropriate. The delegation of authority for the implementation of those standards has heretofore wisely been left to local boards of education. Local Boards of Education are directly answerable to the population they serve. It is no exaggeration to say that local Boards of Education have their ears to the ground and are sensitive to the needs and wants of their respective districts, and therefore best able to understand and advance them. This is an advantage that should be strengthened, not diluted.

Ignoring the many legal (collective bargaining agreements, allocating fiscal responsibilities between the municipalities) and practical complications (for example, busing distances) which would present themselves if proposed bills numbers 454 and 457 were approved, forced regionalization will vitiate local control of education. We strongly recommend their defeat.

At the same time we wish to make your committee aware that Waterford and other school districts are already working together collaboratively where it makes educational and economic sense to do so (see attached Exhibit 1, "Waterford Public Schools Regional Collaboration and Shared Services"). We and other districts will continue to do so where appropriate.

Thank you for your consideration and confidence.

Sincerely,



Gregory A. Benoit  
Chairperson, Waterford Board of Education

GAB: cw

Encl.

**1Sec. 10-220. Duties of boards of education.** (a) Each local or regional board of education shall maintain good public elementary and secondary schools, implement the educational interests of the state, as defined in section 10-4a, and provide such other educational activities as in its judgment will best serve the interests of the school district; provided any board of education may secure such opportunities in another school district in accordance with provisions of the general statutes and shall give all the children of the school district, including children receiving alternative education, as defined in section 10-74j, as nearly equal advantages as may be practicable; shall provide an appropriate learning environment for all its students which includes (1) adequate instructional books, supplies, materials, equipment, staffing, facilities and technology, (2) equitable allocation of resources among its schools, (3) proper maintenance of facilities, and (4) a safe school setting; shall, in accordance with the provisions of subsection (f) of this section, maintain records of allegations, investigations and reports that a child has been abused or neglected by a school employee, as defined in section 53a-65, employed by the local or regional board of education; shall have charge of the schools of its respective school district; shall make a continuing study of the need for school facilities and of a long-term school building program and from time to time make recommendations based on such study to the town; shall adopt and implement an indoor air quality program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality of its facilities; shall adopt and implement a green cleaning program, pursuant to section 10-231g, that provides for the procurement and use of environmentally preferable cleaning products in school buildings and facilities; on and after July 1, 2021, and every five years thereafter, shall report to the Commissioner of Administrative Services on the condition of its facilities and the action taken to implement its long-term school building program, indoor air quality program and green cleaning program, which report the Commissioner of Administrative Services shall use to prepare a report every five years that said commissioner shall submit in accordance with section 11-4a to the joint standing committee of the General Assembly having cognizance of matters relating to education; shall advise the Commissioner of Administrative Services of the relationship between any individual school building project pursuant to chapter 173 and such long-term school building program; shall have the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes and at all times shall insure all such buildings and all capital equipment contained therein against loss in an amount not less than eighty per cent of replacement cost; shall determine the number, age and qualifications of the pupils to be admitted into each school; shall develop and implement a written plan for minority educator recruitment for purposes of subdivision (3) of section 10-4a; shall employ and dismiss the teachers of the schools of such district subject to the provisions of sections 10-151 and 10-158a; shall designate the schools which shall be attended by the various children within the school district; shall make such provisions as will enable each child of school age residing in the district to attend some public day school for the period required by law and provide for the transportation of children wherever transportation is reasonable and desirable, and for such purpose may make contracts covering periods of not more than five years; may provide alternative education, in accordance with the provisions of section 10-74j, or place in another suitable educational program a pupil enrolling in school who is nineteen years of age or older and cannot acquire a sufficient number of credits for graduation by age twenty-one; may arrange with the board of education of an adjacent town for the instruction therein of such children as can attend school in such adjacent town more conveniently; shall cause each child five years of age and over and under eighteen years of age who is not a high school graduate and is living in the school district to attend school in accordance with the provisions of section 10-184, and shall perform all acts required of it by the town or necessary to carry into effect the powers and duties imposed by law.

(b) The board of education of each local or regional school district shall, with the participation of parents, students, school administrators, teachers, citizens, local elected officials and any other individuals or groups such board shall deem appropriate, prepare a statement of educational goals for such local or regional school district. The statement of goals shall be consistent with state-wide goals pursuant to subsection (c) of section 10-4. Each local or regional board of education shall annually establish student objectives for the school year which relate directly to the statement of educational goals prepared pursuant to this subsection and which identify specific expectations for students in terms of skills, knowledge and competence.

(c) Annually, each local and regional board of education shall submit to the Commissioner of Education a strategic school profile report for each school and school or program of alternative education, as defined in section 10-74j, under its jurisdiction and for the school district as a whole. The superintendent of each local and regional school district shall present the profile report at the next regularly scheduled public meeting of the board of education after each November first. The profile report shall provide information on measures of (1) student needs, (2) school resources, including technological resources and utilization of such resources and infrastructure, (3) student and school performance, including in-school suspensions, out-of-school suspensions and expulsions, the number of truants, as defined in section 10-198a, and chronically absent children, as defined in section 10-198c, (4) the number of students enrolled in an adult high school credit diploma program, pursuant to section 10-69, operated by a local or regional board of education or a regional educational service center, (5) equitable allocation of resources among its schools, (6) reduction of racial, ethnic and economic isolation, (7) special education, and (8) school-based arrests, as defined in section 10-233n. For purposes of this subsection, measures of special education include (A) special education identification rates by disability, (B) rates at which special education students are exempted from mastery testing pursuant to section 10-14q, (C) expenditures for special education, including such expenditures as a percentage of total expenditures, (D) achievement data for special education students, (E) rates at which students identified as requiring special education are no longer identified as requiring special education, (F) the availability of supplemental educational services for students lacking basic educational skills, (G) the amount of special education student instructional time with nondisabled peers, (H) the number of students placed out-of-district, and (I) the actions taken by the school district to improve special education programs, as indicated by analyses of the local data provided in subparagraphs (A) to (H), inclusive, of this subdivision. The superintendent shall include in the narrative portion of the report information about parental involvement and any measures the district has taken to improve parental involvement,

including, but not limited to, employment of methods to engage parents in the planning and improvement of school programs and methods to increase support to parents working at home with their children on learning activities. For purposes of this subsection, measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the local or regional board of education to reduce truancy in the school district. Such truancy data shall be considered a public record, as defined in section 1-200.

(d) Prior to January 1, 2008, and every five years thereafter, for every school building that is or has been constructed, extended, renovated or replaced on or after January 1, 2003, a local or regional board of education shall provide for a uniform inspection and evaluation program of the indoor air quality within such buildings, such as the Environmental Protection Agency's Indoor Air Quality Tools for Schools Program. The inspection and evaluation program shall include, but not be limited to, a review, inspection or evaluation of the following: (1) The heating, ventilation and air conditioning systems; (2) radon levels in the air; (3) potential for exposure to microbiological airborne particles, including, but not limited to, fungi, mold and bacteria; (4) chemical compounds of concern to indoor air quality including, but not limited to, volatile organic compounds; (5) the degree of pest infestation, including, but not limited to, insects and rodents; (6) the degree of pesticide usage; (7) the presence of and the plans for removal of any hazardous substances that are contained on the list prepared pursuant to Section 302 of the federal Emergency Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (8) ventilation systems; (9) plumbing, including water distribution systems, drainage systems and fixtures; (10) moisture incursion; (11) the overall cleanliness of the facilities; (12) building structural elements, including, but not limited to, roofing, basements or slabs; (13) the use of space, particularly areas that were designed to be unoccupied; and (14) the provision of indoor air quality maintenance training for building staff. Local and regional boards of education conducting evaluations pursuant to this subsection shall make available for public inspection the results of the inspection and evaluation at a regularly scheduled board of education meeting and on the board's or each individual school's web site.

(e) Each local and regional board of education shall establish a school district curriculum committee. The committee shall recommend, develop, review and approve all curriculum for the local or regional school district.

(f) Each local and regional board of education shall maintain in a central location all records of allegations, investigations and reports that a child has been abused or neglected by a school employee, as defined in section 53a-65, employed by the local or regional board of education, conducted pursuant to sections 17a-101a to 17a-101d, inclusive, and section 17a-103. Such records shall include any reports made to the Department of Children and Families. The Department of Education shall have access to such records.

**Exhibit 1**  
**Waterford Public Schools**  
**REGIONAL COLLABORATION AND SHARED SERVICES**

<b>Area</b>	<b>Describe the Services or Programs that are Shared</b>	<b>With Whom</b>
Staff	Share Teacher of the Blind	Groton Schools
Transportation	Share Special Education Transportation when appropriate	East Lyme, Groton, and others
Education	Expulsion Program – We take an East Lyme student into our program.	East Lyme
Professional Learning	Regional Professional Development	LEARN REGION districts - serving 463 educators
Grants	Inter-district Cooperative Grant from CSDE (District)	LEARN Districts - Coordinated by LEARN
Curriculum	Sharing of Curricular and Instructional Resources and Documents	Many districts across the state
Professional Learning	ELL Training	Our ELL Teachers (2) from time to time will work with New London's ELL Department
Staff/Department	Human Resources	Shared Service with Town of Waterford
Staff/Department	Facilities Management	Shared Service with Town of Waterford
Staff/Department	Grounds Management	Shared Service with Town of Waterford
Staff/Department	Information Technology	Shared Service with Town of Waterford
Staff	School Resources Officers (Split Cost)	Shared Service with Town of Waterford
Budget	Joint Bids/Purchasing	Town of Waterford
Health Insurance	Pool Health Insurance with Town	Town of Waterford