

**Regular Meeting Minutes
Fairfield BoE, November 25, 2014**

NOTICE: A full meeting recording can be obtained from Fairfield Public Schools. Please call 203-255-8371 for more information and/or see the FPS website (under Board Meeting Minutes) for a link to FAIRTV.

Call to Order of the Regular Meeting of the Board of Education and Roll Call

Acting Chairwoman Jessica Gerber called the Regular meeting to order at 8:05PM. Present were members Eileen Liu-McCormack (left the meeting at 10:25PM), Jessica Gerber, Philip Dwyer, Paul Fattibene, Jennifer Maxon-Kennelly, John Llewellyn and Marc Patten. Mr. Convertito and Ms. Karnal were not present. Others present were Superintendent David Title, members of the Central Office Leadership Team, student representatives Tyler Shuster (FWHS) and Suzanne Finnerty (FLHS) as well as approximately 40 members of the public.

Student Reports

Mr. Shuster reported for FWHS: Girls Soccer Team is a FCIAC co-champ, the Thanksgiving Ludlowe vs. Warde Football game will take place at FWHS; over 200 colleges and universities participated in visits; students are looking forward to alumni day; charity fundraising is underway; choir students will be performing at the tree lighting, drama shows were sold out, and the Freshman Forum was a big success.

Ms. Finnerty reported for FLHS: The Boys Soccer Team won FCIAC, Freshman Sarah Grinalds is the Class LL State Swimming Champion, the Girls Volleyball Team made the FCIAC semi-finals; Division 1 athletes signed letters of intent; and FLHS expects victory in the Town Crown.

Mr. Fattibene asked the students, in general, how they felt about coursework and college. Mr. Shuster responded that it all depends on the student and the course; students feel they took the courses they wanted; the Guidance Office is supportive. Ms. Finnerty said a heavy course load is difficult to manage while applying to college; it might be helpful to start preparations earlier.

No one came forward for Public Comment.

Old Business

Mrs. Maxon-Kennelly moved, Mr. Patten seconded the recommended motion: "that the Board of Education approve Policy #5516-Students-Students with Health Care Needs – Life Threatening Allergies and Glycogen Storage Disease Management Policy.

Mr. Fattibene clarified that the policy under consideration was received in Friday Packet; he felt the changes are too substantial for a first reading; the approval should be postponed to the next meeting.

Mr. Fattibene moved, Mr. Dwyer seconded to postpone a vote on the policy until the next Regular Board meeting.

Mrs. Maxon-Kenelly mentioned that postponing would preclude public comment on the policy, and said it would be helpful to get some feedback from Board members before postponement.

Mr. Fattibene withdrew the motion to allow for public comment.

Mr. Patten asked, as a point of order, for clarification regarding the process of when and how substantive changes are made to a policy.

Mr. Dwyer offered that Roberts Rules says that committee changes can be brought forward, but any member can postpone.

Mr. Llewellyn spoke to the new language regarding prevention, saying he cannot support the policy with the last two sentences that were added, as he believes there's no oversight as a result of the wording.

Mr. Patten moved, Mrs. Maxon-Kennelly seconded to remove language from Section V.C.2: -- Final two sentences in their entirety: "Notwithstanding the above, it shall not be the responsibility of the faculty or staff of any elementary school to read student provided food labels or to ascertain whether or not student provided food items contain tree nuts and peanuts. It is the obligation of each parent to determine the content of the food items they provide to their

child.”

And insert language in the same place: “Faculty and staff shall use their best efforts to ensure that no food items containing tree nuts and peanuts are present in elementary classrooms. The District, in partnership with school staff, shall counsel all parents against providing children with food items containing tree nuts and peanuts to consume as classroom snacks; all parents share in the responsibility of keeping children safe in the classroom by complying with this policy. The District shall indemnify and hold harmless any faculty or staff member from any claim for personal injuries in accordance with CT Gen. Statute 10-235.”

Mrs. Maxon-Kenelly said the point is not to create an ineffective policy. The wording came from the previous policy meeting; examples of active roles by staff in other policies were given (bullying, drug use, etc.); and she also mentioned that teachers do have a legal obligation.

Mr. Dwyer supported the concept but struggled with the language that puts more liability on the backs of teachers. He suggested the Town attorney write language that would protect the staff and support the concept; he supported the motion to postpone.

Mr. Llewellyn requested a definition of CT Statute 10-235 and Mrs. Maxon-Kennelly responded that, in essence, in a situation where personal injury occurs, a teacher may not be held liable unless the action is wanton or reckless. Mr. Llewellyn felt that the bottom paragraph was unnecessary and redundant, as it is already included in state statute.

Mrs. Maxon-Kennelly agreed with Mr. Llewellyn, but supported the inclusion of that language as a compromise.

Mrs. Gerber asked why the language was changed and whether a lawyer had reviewed the ‘notwithstanding the above’ language in the policy; Mrs. Parks responded that per the Policy Committee’s request, she obtained legal counsel and the entire paragraph under #2 was drafted by the Board’s attorney.

Mr. Fattibene asked why the policy is limited to peanut and tree-nut allergies; Mrs. Maxon-Kennelly referred him to the epi-pen chart for life-threatening allergies and explained that, per state statute, life threatening allergies have to be addressed. He requested additional attorney information regarding the amendment that includes personal injury; it may be more specific than general liability.

Mr. Llewellyn asked whether parents may request a 504 referral and was told yes.

Mr. Patten asked if Dr. Title had any concerns about the policy language and he responded that it may need more review by the Board’s attorney.

Mr. Fattibene suggested that the proposer withdraw the proposed amendment until the next regular meeting; Mr. Patten declined.

Mr. Llewellyn made a friendly amendment to withdraw the final line of the amendment; the Board accepted.

Mrs. Gerber read the revised amendment as follows:

Remove language from Section V.C.2: -- Final two sentences in their entirety: “Notwithstanding the above, it shall not be the responsibility of the faculty or staff of any elementary school to read student provided food labels or to ascertain whether or not student provided food items contain tree nuts and peanuts. It is the obligation of each parent to determine the content of the food items they provide to their child.”

And insert language in the same place: “Faculty and staff shall use their best efforts to ensure that no food items containing tree nuts and peanuts are present in elementary classrooms. The District, in partnership with school staff, shall counsel all parents against providing children with food items containing tree nuts and peanuts to consume as classroom snacks; all parents share in the responsibility of keeping children safe in the classroom by complying with this policy.

Public Comment

Bob Smoler, FEA President: Does not support policy amendment.

Trisha Pytko, Castle Avenue and Region 9 Teacher: Policy language.

Trish Donovan, Fairfield Resident: Support of policy.

Jessica Curran, Fairfield Resident: Policy language.

Annie Crino, Fairfield Resident: Support of policy.

Mr. Patten asked if any section in the policy requires teachers to read labels and was told no.

Mr. Dwyer felt the vote should be postponed due to the need for a legal review and missing policy committee members' review.

Mrs. Maxon-Kennelly agreed, as she felt that the Board was not united on approval of the policy.

Mr. Llewellyn requested a vote on the amendment prior to legal review.

Amendment to Policy Passed: 6-1

Favor: Mrs. Liu-McCormack, Mrs. Gerber, Mr. Fattibene, Mrs. Maxon-Kennelly, Mr. Llewellyn, Mr. Patten

Oppose: Mr. Dwyer

Mr. Fattibene moved, Mr. Dwyer seconded to postpone the vote on the policy to the next regular Board of Education meeting on Tuesday, December 9.

Mrs. Maxon-Kennelly stressed that this policy also addresses non-ingested allergic reactions.

Mrs. Liu-McCormack asked what policy will be used until a new policy is in place; Mrs. Maxon-Kennelly said the current policy is still in place.

Mr. Llewellyn asked whether the current policy complies with state statutes, Mrs. Maxon-Kennelly said it did not, but the administrative regulations did.

Public Comment on Motion to Postpone

Monique Sudikoff, Lockwood Road: Policy discussion opportunities.

Kristen Tharrington, Walbin Court: Support of revised policy.

Trish Donovan, Fairfield Resident: Policy postponement.

Mr. Llewellyn asked of the possibility of drafting administrative regulations before policy approval; Dr. Title said given the short time frame until the next meeting, it would be impractical.

Mr. Patten confirmed that the policy will go into effect immediately once approved.

Mrs. Gerber supports the postponement for legal review as well as missing policy committee members' review.

Mr. Llewellyn and Mrs. Gerber discussed whether this policy could be sent back to committee; Mr. Dwyer said the Board owns the policy.

Motion to Postpone Policy 5516 Passed 7-0

New Business

School Calendar

Dr. Title presented the Draft 2015-2016 Student Calendar and reminded the Board of the Regional Calendar requirement in 2016-2017.

Mr. Fattibene asked whether the current calendar would comply with the regional calendar. Dr. Title said that it complies with the exception of the start date; some programs begin a day earlier.

Mr. Patten noticed that school still ends mid-June and was reminded that the start date is later for 15-16 because Labor Day is later.

World Language Options

Dr. Title said the district is looking to reinstate and improve the World Language (WL) program. Because it is a budget impact item, he would appreciate the Board's direction even though this is not a voting item.

Dr. Boice thanked the teachers for the work in developing the program options for students to learn and become fluent in a different language. The recommendation is to expand the 6th grade offerings to include Spanish and French and to offer Spanish starting in Kindergarten. She explained that in 6th grade, if a full period were to be used for WL, additional reading support would be required for some students, resulting in additional FTE requirements. Dr. Title added, however, that middle school enrollment numbers may result in savings at one middle school. It would be wise to remember the fiscal realities and to expand the program beginning in 6th grade and moving backwards as the budget allows.

Mrs. Maxon-Kennelly asked about administrative budget implications and 6th grade language instruction levels, given the revised elementary WL program. Dr. Title said there is a possibility that a curriculum leader might be needed later on, and mentioned that this model could be enhanced, but there are tradeoffs with instructional time; Mr. Rafferty explained that the focus on instruction in 6-1 would change if the elementary program were to be enhanced.

Mrs. Liu-McCormack was excited to see the program enhancements, questioned the sequence of instruction, and asked what 5th graders are expected to have achieved. Dr. Boice said there is a clear sequence from middle school into high school. Ms. Leffert explained that the FEA contract contains language that WL class periods cannot be less than 25 minutes. Ms. Cowenhoven mentioned that a thematic approach will be used at the elementary level; and there will be more depth and higher rigor at the upper levels.

Dr. Title said Board guidance is needed as program enhancements will directly affect the budget.

Mrs. Maxon-Kennelly asked how to provide input; Dr. Title mentioned that it is not a voting item; Board members may choose to provide input in various ways.

Mr. Fattibene likes the proposal, but it is a question of budget trade-off. It is hard to justify additional funds without program achievement expectations.

Mr. Dwyer said this is a good proposal and a good example of the Board and the Superintendent working together. In order for this to work, the Board should be supportive of the budget and attend BOS, BOF and RTM meetings.

Mr. Patten mentioned that this is a great start but is not comfortable with 2 periods in a 6 day rotation which is less than what is currently offered. Dr. Title said as of now we're not sure what type of rotation will be used next year; he and Mr. Rafferty noted that the complicated schedule matrix has not been finalized.

Mrs. Liu-McCormack is supportive of WL and felt the budget should be prioritized to include it. She thinks this a great start, she would like to hear more and wants to make sure we are spending effectively.

Mr. Llewellyn felt that starting WL earlier is preferred, but has concerns about cost and what it gets us, and said he did not receive a copy of the teacher contract that would have enabled him to review the 25 minute language. He said he requested the differences between the old and new contract but didn't get it.

Mr. Dwyer said the contract is a public document available upon request. The 25 minute language was in the previous contract and therefore was not listed as a contract change.

Dr. Title said there are provisions for contract side-letters and amendments but no guarantee of success in negotiating a change.

Mrs. Gerber mentioned that she believed the contract was previously provided; and confirmed that Dr. Boice and Mr. Rafferty should be contacted with additional questions.

<i>Approval of Minutes</i>

Approval of Minutes of October 21, 2014 Special Meeting

Mrs. Maxon-Kennelly moved, Mr. Dwyer seconded the recommended motion that the Board of Education approve the Minutes of the **Special Meeting** of October 21, 2014.

Motion Passed 6-0

Favor: Mrs. Gerber, Mr. Dwyer, Mr. Fattibene, Mrs. Maxon-Kennelly, Mr. Llewellyn

(Mrs. Liu-McCormack was not present for this vote.)

Approval of Minutes of October 21, 2014 Regular Meeting

Mrs. Maxon-Kennelly moved, Mr. Dwyer seconded the recommended motion that the Board of Education approve the Minutes of the **Regular Meeting** of October 21, 2014.

Motion Passed 6-0

Favor: Mrs. Gerber, Mr. Dwyer, Mr. Fattibene, Mrs. Maxon-Kennelly, Mr. Llewellyn

(Mrs. Liu-McCormack was not present for this vote.)

Approval of Minutes of the November 12, 2014 Special Meeting

Mrs. Maxon-Kennelly moved, Mr. Dwyer seconded the recommended motion that the Board of Education approve the Minutes of the **Special Meeting** of November 12, 2014.

Motion Passed 6-0

Favor: Mrs. Gerber, Mr. Dwyer, Mr. Fattibene, Mrs. Maxon-Kennelly, Mr. Llewellyn

(Mrs. Liu-McCormack was not present for this vote.)

Mrs. Maxon-Kennelly moved, Mr. Llewellyn seconded to suspend the rules and extend the meeting to 11:15PM.

Motion Passed 4-2

Favor: Mrs. Gerber, Mrs. Maxon-Kennelly, Mr. Llewellyn, Mr. Patten

Oppose: Mr. Dwyer, Mr. Fattibene

(Mrs. Liu-McCormack was not present for this vote.)

<i>Superintendent's Report</i>

New High School Schedule

Dr. Title introduced the high school schedule topic by referring to the memo and powerpoint enclosures. The district has been trying to change the high school schedule, and this was also adopted as a Board Goal. While the new schedule is still being finalized, it provides a substantial increase in instructional time with a regular lunch; all at essentially no cost.

Mr. Llewellyn commented that the Board would appreciate getting documents before the Town and the public. He asked about the difference in cost from the last time this was discussed. Dr. Title was not sure why the cost was so high during the last attempt to change the high school schedule. He said the district hired an expert this time around; the group also used the same guiding principles from the previous attempt.

Mrs. Maxon-Kennelly said the cost in the previous attempt was attributed to the cafeteria expansion and not the schedule itself.

Mr. Llewellyn questioned the instructional time and Mrs. Gerber referred him to the enclosed chart. Dr. Title also explained that teachers will be spending more time teaching.

Mr. Llewellyn asked whether a delay in construction will have any impact. Dr. Title and Mr. Hatzis said that work is expected to begin on December 24 and should be on track; it is possible to use a company on the state bid list without going out to RFP.

Mr. Fattibene asked why this particular schedule was chosen above the others. Mr. Hatzis responded that the group started from scratch and looked closely at the guiding principles that applied then and still apply.

Mrs. Maxon-Kennelly thanked the staff that ran the very informative high school meetings.

Mr. Patten echoed Mrs. Maxon-Kennelly's comments and confirmed that exams would not be 85 minutes in length; extra time after an exam would be devoted to instruction. He also asked about homework assignments and requested more information on the impact on special education.

Mrs. Parks expects instruction to be a little different but there won't be twice as much homework.

Dr. Title and Dr. Boice offered that the new schedule provides options that are currently not available and there will be extensive PD for teachers. The schedule allows for the 85 minute block to be halved for supports.

Mrs. Maxon-Kennelly moved, Mr. Llewellyn seconded to suspend the rules and extend the meeting to 11:15PM.

Motion Passed 4-2

Favor: Mrs. Gerber, Mrs. Maxon-Kennelly, Mr. Llewellyn, Mr. Patten

Oppose: Mr. Dwyer, Mr. Fattibene

(Mrs. Liu-McCormack was not present for this vote.)

Mrs. Gerber asked when a more information will be available; Mrs. Parks said the next meeting is on December 10; subcommittees will work on a plan and possible timeline.

<i>Committee/Liaison Reports</i>

Mr. Dwyer reported that the RTM voted overwhelmingly to approve the FEA contract 37-7-1.

Open Board Comment

Mr. Patten attended the Riverfield Groundbreaking Ceremony and the students were excited about the changes. He also commended Mrs. Gerber on her job as acting Chairman.

Mr. Fattibene also commended Mrs. Gerber in her role as acting Chairman. He also commented on the Fairfield Ludlowe High School First Place in Textiles and Design, as awarded by the CT Career and Technical Educational Assessment, and mentioned that it is an excellent program.

Adjournment

Mrs. Maxon-Kennelly moved, Mr. Llewellyn seconded the recommended motion that this Regular Meeting of the Board of Education adjourn.

Motion Passed 6-0

Meeting adjourned at 11:00PM.

Respectfully Submitted
Jessica Gerber
Fairfield Public Schools
Board of Education Secretary