

Policy Committee Meeting  
Tuesday, January 18, 2022 6:30 PM

Polson Library Media Center / Zoom  
302 Green Hill Road  
Madison, CT 06443

## **Agenda**

- I. Discussion of Bylaws
  - A. #9600 - Formulation, Adoption, Amendment or Deletion of Bylaws and Policies
  - B. #9640 - Formulation, Adoption, Admendment or Deletion of Administrative Regulations  
(formerly Board Review of Regulations)
  - C. #9660 - Suspension of Policies, Bylaws or Administrative Regulations  
(formerly Suspension/Repeal of Policy)
- II. Discussion of Policies Recommended to be Rescinded by Shipman & Goodwin
  - A. #3440 - Inventories
  - B. #3543 - Employees Self-Funding Health Insurance Plan
  - C. #4112.6 - Personnel Records
  - D. #4114 - Transfer/Reassignment
  - E. #4115.1 - Evaluation of Certified Staff
  - F. #4117.1 - Retirement
  - G. #4117.3 - Personnel Reduction
  - H. #4117.4 - Dismissal/Suspension
  - I. #4118 - Tenure
- III. Public Comment
- IV. *The Town of Madison does not discriminate on the basis of disability, and the meeting facilities are ADA accessible. Individuals who need assistance are invited to make their needs known by contacting Paula Carabetta at 203-245-5644 or by email at carabettap@madisonct.org at least five (5) business days prior to the meeting.*

**Formulation, Adoption, Amendment  
Or Deletion of Bylaws and Policies**

**Process**

It is the intent of the Board to develop policies and put them in writing so that they may serve as guidelines for the discretionary action of those to whom it delegates authority and for the successful and efficient functioning of the public schools.

The Board considers policy development one of its chief responsibilities. Proposals regarding policies may originate with a member of the Board, the Superintendent, a staff member, a parent, student, consultant, civic group, or any resident of the district. A careful and orderly process will be used in examining such proposals prior to action upon them by the Board. Development and revision of policies and bylaws shall be directed through the Policy committee of the Board of Education. The Board will take action after hearing the recommendations of the Superintendent and the viewpoints of persons and groups affected by the policy.

The policies of the Board are framed and meant to be interpreted in terms of state laws and regulations and other regulatory agencies within our state and federal levels of government.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of the present and future Boards. The Board will welcome suggestions for ongoing policy development.

**Bylaws**

Bylaw proposals and suggested amendments to, revisions of, or deletions of existing bylaws shall normally be submitted to all members of the Madison Board of Education (the "Board") by the Superintendent from the Policy Committee in writing prior to a regular Board meeting in which such proposed bylaws, amendments, revisions or deletions thereof shall be read and discussed.

37 Except for emergency situations, bylaws will be adopted, amended, or deleted after  
38 consideration at two regular meetings of the Board. The agenda shall be marked to  
39 indicate such matters.

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41 When a bylaw is placed on the agenda for the second consecutive meeting, a motion  
42 either to adopt or not to adopt the bylaw or the proposed bylaw changes is necessary for  
43 discussion. If the discussion results in a suggestion for change, such changes will be  
44 included in the second reading of the bylaw prior to adoption.

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46 Any bylaw of the Board may be adopted, amended or deleted at any regular meeting by a  
47 majority vote of all members of the Board, provided that such proposal shall have been  
48 given to the Board at the previous regular meeting.

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50 **Policies**

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52 1. In the absence of any written policy, administrative regulations will be used to  
53 guide and administer the effective operation of the Madison Public Schools.

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55 2. Suggestions for either new policies or policy changes normally come to the  
56 Madison Board of Education (the “Board”) from any of the following:

57  
58 A. Board members

59 B. Superintendent

60 C. Statute

61 D. Matters of law

62 E. Citizens, and/or

63 F. Students.

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65 3. The Superintendent will prepare a draft policy statement for consideration and  
66 development by the Board.

- 68 34. Policy proposals and suggested amendments to, revisions of, or deletions of  
69 existing policies shall normally be submitted to all members of the Board by the  
70 Policy Committee by the Superintendent in writing prior to a regular Board  
71 meeting in which such proposed policies, amendments, revisions or deletions  
72 thereof shall be read and discussed.
- 73
- 74 45. Policies that deal with matters of an emergency nature may be introduced at any  
75 regular or special Board meeting.
- 76
- 77 56. Policies that affect students shall become effective at the beginning of the next  
78 school year following adoption unless the policy provides otherwise.
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- 80 67. ~~Except for emergency situations,~~ Generally, ~~policies~~ policies will be adopted,  
81 amended, or deleted after consideration at two regular meetings of the Board. The  
82 agenda shall be marked to indicate such policy matters. At its discretion, the  
83 Board may dispense with the two reading adoption sequence and move directly  
84 from the first read to the vote with a two-thirds affirmative vote of the quorum of  
85 the Board.
- 86
- 87 8. When a policy is placed on the agenda for the second consecutive meeting, a  
88 motion either to adopt or not to adopt the policy or the proposed policy changes is  
89 necessary for discussion. If the discussion results in a suggestion for change, such  
90 changes will be included in the second reading of the policy prior to adoption.
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- 92 9. The formal adoption or deletion of policies and the adoption of policy changes  
93 shall be by majority vote of all members of the Board, and the action shall be  
94 recorded in the minutes of the Board.
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- 96 10. Only those written statements so adopted as policy and so recorded shall be  
97 regarded as official policy of the Board.
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100  
101 First Reading:

#9640

**Formulation, Adoption, Amendment  
Or Deletion of Administrative Regulations  
(formerly Board Review of Regulations)**

The Superintendent is responsible for the formulation, adoption, amendment, and deletion of administrative regulations to implement the policies of the Madison Board of Education (the "Board") and/or as necessary to promote the orderly operation of the Madison Public Schools in compliance with applicable law.

The Superintendent shall bring to the attention of the Board all new, revised or deleted administrative regulations.

~~The Board of Education does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Superintendent. Adoption and amendment of such Board of Education adopted regulations shall be by the same procedure as that specified for policies in Bylaw 9620.~~

The Board of Education reserves the right to review and direct revisions or deletions/ ~~additions~~ of administrative regulations should they, in the Board of Education's judgment, be inconsistent with the policies adopted by the Board. If the Board directs the Superintendent to adopt, amend, or delete administrative regulations, it shall do so upon majority vote of all members in attendance at the meeting, provided that prior notification of such proposed revision has been described in writing in the call of the meeting, or upon majority vote of all members of the Board when no such written notice has been given. ~~Any Board action directing such revisions shall require a two-thirds (2/3) vote of the entire Board.~~

Date of Adoption: 6/19/90  
1st Revision: 1/3/95  
First Reading:

#9660

Suspension of Policies, Bylaws  
Or Administrative Regulations  
(formerly Suspension / Repeal of Policy)

~~Policies, bylaws and Board adopted regulations, except those resulting from negotiations with employee organizations, shall be subject to suspension for a specified purpose and limited time by a two-thirds (2/3) vote of all members of the Board at a legally called Board meeting.~~

1. Policies and bylaws of the Madison Board of Education (the "Board") shall be subject to suspension for a specified purpose and limited time by:

A. A majority vote of all members of the Board in attendance at a meeting, and

B. Provided that prior notification of such a proposed suspension has been described in writing in the call of the meeting.

2. Policies of the Board shall be subject to suspension for a specified purpose and limited time upon a majority vote of all members of the Board when no such written notice has been given.

3. Bylaws of the Board shall be subject to suspension for a specified purpose and limited time upon a two-thirds votes of all members of the Board when no such written notice has been given.

4. Administrative regulations of the Board may be suspended for a specified purpose and limited time:

A By the Superintendent, who shall give notice to the Board of the reason for the suspension and the time period of the suspension.

B. The Board may direct the Superintendent to suspend administrative regulations for a specified purpose and limited time upon majority vote of all members in attendance at a meeting, provided that prior notification of such proposed suspension has been described in writing in the call of the meeting, or upon majority vote of all members of the Board when no such written notice has been given.

Date of Adoption: 1/17/72  
1st Revision: 3/21/89  
2nd Revision: 1/3/95

First Reading:

**#3440**

**Inventories: Control of Equipment and Materials  
and Equipment Repair**

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**A. DISTRICT INVENTORY**

The business office shall maintain a current inventory of school system equipment and materials.

All school equipment of an assessed value of \$250.00, or more, shall be included on inventory lists.

The building principal shall establish the procedure for inventory control of all materials and equipment assigned to his/her building, in conjunction with the Business Office.

**B. CONTROL OF EQUIPMENT AND MATERIALS**

The Board of Education shall permit school equipment/materials to be loaned to staff members when such use is directly or indirectly related to their employment. Equipment/materials may be loaned to students when it is to be used in connection with their studies or co-curricular activities.

The following guidelines shall be followed:

- All requests to use school equipment outside of the school setting by staff or students shall be submitted in writing, approved by the appropriate supervisory administrator, and kept on file in the building.
- A receipt of the approval shall be given to the employee/student.
- Building principals shall develop a procedure for monitoring the use of school materials, such as computer software and audio-visual materials, outside of the school setting by staff and students.
- The appropriate supervisory administrator shall be responsible for assessing the merit of all requests.
- The return of equipment/materials in a timely manner, as specified by the supervisory administrator, is expected so that the educational use of the equipment/materials by others is not obstructed. Permission of the building principal shall be required, should the use of school equipment/materials outside of the school setting need to be extended beyond the original date for return.
- The use of equipment/materials outside of the school during summer vacation shall require the approval of the Superintendent or Assistant Superintendent.

**#3440** (cont.)

- The borrower shall be responsible for replacement of the school equipment/materials in case of loss or damage. In the case of a student borrower, under the age of 18, the parent/guardian shall assume this responsibility in writing.
- The Superintendent shall develop a request form to be used in the implementation of this policy.
- Failure to adhere to these guidelines may result in personnel/legal action.

### C. REPAIR OF EQUIPMENT

The building principal or his/her designee shall authorize requests for equipment repair.

Should equipment repair be required by a repair service, the building principal or his/her designee, under the direction of the Assistant Superintendent, shall use appropriately recognized services.

Should a staff member possess the recognized skill and talent to repair school equipment, such repair shall require the approval of the appropriate supervisory administrator. Return of the equipment shall be in a timely manner as designated by the appropriate administrator.

The Superintendent shall develop a repair form to be used in the implementation of this policy.

Should it be determined by the appropriate supervisory administrator that the equipment cannot be repaired, Policy #3260, SALES AND DISPOSAL OF BOOKS, EQUIPMENT, AND SUPPLIES shall be implemented through building/district approved procedures.

Adopted: February 19, 1991

**#3543**

**Employees Self-Funding Health Insurance Plan**

The Town of Madison and the Board of Education of Madison shall continue to jointly establish a self-insurance plan for health care for its employees. The Town and the Board of Education's self-insurance plan shall be known as the Madison Employees' Health Benefits Internal Service Plan. The fund shall be considered a "pass through" account and not included in the Board of Education's annual base operational budget, but is reflected in the Board of Education comprehensive budget.

The Town of Madison and the Board of Education of Madison shall also continue to jointly establish and fund a bank account exclusively for maintaining funds for claims payments and reserves for the Madison Employees Health Benefits Internal Service Plan. providing agreed upon administrative procedures are in place and sanctioned by the Board of Education, the Board of Selectmen and the Board of Finance.

The Superintendent and members of the Policy Committee shall work jointly with Town of Madison officials to develop procedures and regulations for the implementation of this policy.

Date of Adoption: June 23, 1994

Date of Revision: November 8, 2007

The Madison Public Schools shall maintain personnel records on all employees for a period of 55 years beyond termination, as prescribed by State law. Such records shall include information necessary for effective personnel administration. Access to such records shall be limited, as prescribed by law and under the direct supervision of the Superintendent. Confidential documents shall not be released without the written consent of the employee.

The Superintendent, on behalf of the Madison Board of Education, shall notify the employee and a collective bargaining representative, if any, by certified mail when a request is made for disclosure of the employee's personnel, medical or similar files, (1) in the case of confidential records protected by law, or (2) if the Superintendent reasonably believes disclosure would invade the employee's privacy.

Any records not of a confidential nature will be disclosed unless written objection is received from the employee or his/her collective bargaining representative, within seven (7) business days of receipt of said individual's receipt of notification from the Superintendent.

Records of a teacher's performance and evaluation shall not be released without the written consent of the teacher.

Records maintained or kept on file by the Board, which are records of a teacher's personal misconduct shall be deemed to be public records, and subject to disclosure under the Freedom of Information Act. Disclosure of such records of a teacher's personal misconduct shall not require the consent of the teacher.

All materials within personnel records shall be made available for inspection by the employee and a collective bargaining representative, if any, at a mutually agreeable off-duty time, in the presence of an appropriate administrator or his/her designee. Upon request, an employee will be provided a copy of supervisory records and reports

### #4112.6 (cont.)

maintained in said employee's personnel records, as a guide to evaluation of his/her performance.

In accordance with federal law, the District shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents / guardians upon request for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their child at that school.

Files containing medical information regarding an employee will be kept separate from other personnel files.

The Board of Education directs the Superintendent or his/her designee to take the necessary steps to ensure compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Compliance activities shall include conducting an audit to determine applicability of HIPAA to District operations, recommending policies to the Board, implementation of administrative regulations, including record keeping procedures, preparation of necessary documents, employee training and all other activities necessary to ensure compliance.

Legal Reference:           42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)  
65 Fed. Reg. 50312-50372  
65 Fed. Reg. 92462-82829  
63 Fed. Reg. 43242-43280  
67 Fed. Reg. 53182-53273  
Connecticut General Statutes:  
1-206 Denial of access to public records or meetings.  
1-213 Agency administration. Disclosure of personnel, birth and tax records.  
1-214 Objection to disclosure of personnel or medical files  
1-215 Record of arrest as public record  
10-151a Access of teacher to supervisory records and reports in personnel file.  
10-151c Records of teacher performance and evaluation not public records. (as amended by PA 02-138)  
PL 107-110, No Child Left Behind Act, Sec. 1119.  
The Americans with Disabilities Act

Date of Adoption:    May 1, 1972  
Date of Revision:    April 7, 1992  
Date of Revision:    May 2, 2006

**Transfer / Reassignment**

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All transfers and reassignments of staff shall be the responsibility of the Superintendent and will be made in a fair manner, preserving the best interests of the school system. These actions are subject to the provisions of the current contract agreements and policies of the Madison Board of Education.

Date Adopted: April 17, 1972 as Policy #4215  
Date Revised: November 7, 1991

**#4115.1**

**Evaluation of Certified Staff**

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The Board of Education affirms that monitoring and developing the educational techniques and effectiveness of classroom teachers is essential for successful learning by students. Therefore, principals will consider instructional supervision of teachers as the highest priority of their responsibility. At a minimum, elements of effective supervision consist of the following:

- formal and informal classroom visitations by principals and other supervisory staff;
- monitoring of teaching to ensure that the core elements and proficiencies of instruction are a part of the teaching process;
- setting reasonable instructional objectives;
- ensuring that a variety of instructional materials are used in assisting students to reach expected academic standards;
- providing staff development opportunities for all staff;
- reviewing the job description critically with each teacher; and
- writing, implementing and monitoring action plans for the improvement of instruction by each teacher.

Although the supervision of teaching effectiveness is a continuous process, an official attestation as required by policy will occur at least once each year per the guidelines set forth in the district-approved performance evaluation plan.

Legal Reference: Connecticut General Statutes

10-145b Teaching certificates

10-151a Access of teacher to supervisory records and reports in personnel file

10-151b Evaluation by superintendent of certain educational personnel.  
(amended by PA 04-137, An Act Concerning Teachers' Evaluations)

10-151c Records of teacher performance and evaluation not public records

10-220a(b) In-service training. Professional development. Institutes for educators. Cooperative and beginning teacher programs, regulations.

20 U.S.C. Section 1119 No Child Left Behind Act

34 C.F.R. 200.55 Federal Regulations

Circular Letter C-6, Series 2004-2005, Determining "Highly Qualified" Teachers

Circular Letter C-9, Series 2004-2005, "No Child Left Behind" and Districts'

**H**igh **O**bjective **U**niform **S**tate **S**tandard of **E**valuation (HOUSSE) Plans.

Date of Adoption: June 23, 1998

Technical Revision: April 4, 2006

**#4117.1**  
**Retirement**

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Any certified employee of the Madison Board of Education may retire under provisions of any retirement plan of the Connecticut Teachers' Retirement Board, at the option of the employee and in accordance with State law.

A former certified employee receiving retirement benefits from the Connecticut teachers' retirement system may be reemployed as a certified employee by the Madison Board of Education if so authorized by the Teachers' Retirement Board. Such authorization is contingent upon certification to the teachers' retirement board by the Madison Board of Education that such reemployment is in the best interests of the school system.

Legal Reference: Connecticut General Statutes Section 10-183

Date Adopted: December 3, 1991

The Madison Board of Education may find it necessary upon occasion to reduce the number of certified personnel it employs, due to reduced enrollment; lack of funds; elimination or reduction of a particular program; or other appropriate reasons.

Prior to commencing action to terminate the contract of a certified employee, the Board of Education will abide by procedures currently existing in the employee contractual agreement. In addition, the Board will give due consideration to its ability to reduce staff through voluntary retirement; voluntary resignation; transfer of existing staff; and voluntary leaves of absence.

The Superintendent is directed to use just and reasonable procedures for releasing staff members in accordance with the current contractual agreement and State Statute, and with consideration of tenure; the needs of the schools and students; and the qualifications and job performance of the personnel.

Prior to terminating a contract, the Board shall vote to give the certified employee written notice that termination of his/her contract is under consideration. The notification and subsequent procedures related to termination shall be in accordance with State Statute.

Personnel who are terminated because of the elimination of a position shall be considered for reemployment in accordance with the layoff procedure contained in the employee contractual agreement.

Legal Reference:                      Connecticut General Statutes  
   10-4a Educational interests of the state identified  
   Section 10-151(d) Employment of teachers. Notice and hearing on  
   termination of contract  
   10-220 Duties of boards of education

Date of Adoption:    December 3, 1991  
Date of Revision:    January 5, 2006

**Dismissal / Suspension**

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The Madison Board of Education shall comply with Connecticut law in matters respecting the termination and / or suspension of tenured and non-tenured certified personnel.

Legal Reference: Connecticut General Statutes

10-151(c) Employment of teachers.

PA 95-58 An Act Concerning Teacher Evaluations, Tenure and Dismissal.

PA 97-247 An Act Concerning Revisions to the Education Statutes.

*Shanbrom v. Orange Board of Education*, 2 Conn. L. Rpts. 396, 398 (1990)

Date of Adoption: May 5, 1992

Technical Revision: April 4, 2006

The intention of the board is to maintain a competent staff whose objective is the continued improvement of the quality of education provided students in the Madison Public Schools.

Achievement of tenure shall be in compliance with the state statutes and regulations.

**Legal Reference: Connecticut General Statutes**

#10-151 Employment of teachers. Notice and hearing on termination of or failure to renew contract. Appeals as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, and P.A. 12-116, An Act Concerning Educational Reform.

10-158a Cooperative arrangements among towns. School building projects. Student transportation.

P.A. 11-135 an Act Concerning Implementation Dates for Secondary School Reform.

Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012.

Connecticut's System for Educator Evaluation and Development (SEED)

Date of Adoption: 9/73

Date of Revision: May 3, 2016