

Board of Education Minutes
June 5, 2021
Special Meeting

DRAFT

A special meeting of the North Stonington Board of Education was held on Saturday, June 5, 2021, at 8:00 a.m. via ZOOM meeting platform meeting ID 861 9241 2585. Present were Mrs. Wagner, Mr. Karpinski, Ms. Welborn, Mr. McCord, Mrs. Mastroianni, Dr. Potemri, and Mr. Mendolia. Also present were Mr. Nero and Attorney Littlefield. Chairperson Wagner called the meeting to order at 8:02 a.m.

2. Pledge of Allegiance – The Pledge of Allegiance was recited.
3. Proposed for Executive Session – On a motion by Mr. Karpinski, seconded by Mr. McCord, the Board voted unanimously to adjourn to Executive Session at 8:07 a.m. for the Purpose of Discussion concerning confidential attorney client privileged memorandum pertaining to Board’s legal obligations as regards to non-discrimination, including but not limited to revision of policies and procedures pertaining to non-discrimination, including but not limited to new policies, existing polices, and policies in the 5131 Series and to invite Mr. Nero and Attorney Littlefield into such session.

The Board came out of Executive Session at 8:39 a.m. Mrs. Wagner explained that policy work is nothing new to the Board. Mrs. Wagner elaborated and said we did a full policy audit through CABE (Connecticut Association of Boards of Education) about four years ago. The Board also subscribes to a policy service through CABE and receives quarterly updates. She had further comment.

4. Policy Review – New Policies, existing polices, and policies in the 5131 series will be reviewed. (The 5131 series is available on our web site.) Mrs. Wagner had comment on the policies and explained she has been working with Attorney Littlefield on some of these. Attorney Littlefield suggested Policy 5131 be deleted because it is a duplication of Policy 5114. There was discussion. Attorney Littlefield had clarification and explanation on Policy 5131 and was comfortable recommending the deletion of that policy. She had further comment. She had further explanation and said you don’t need both Policy 5131 and Policy 5114. She had further comment. Attorney Littlefield will review Policy 5114 and update any needed items. Questions were asked and answered. Attorney Littlefield had further comment. Board members had comment. There was discussion. Mr. Nero had comment on the student handbook contents. Attorney Littlefield said Board policy, regulations, and the handbook are the three levels that need to comply with each other according. Mrs. Wagner had further comment. Attorney Littlefield said it is a daunting task to keep policies updated and had further comment. Dr. Potemri had comment on reviewing all our policies and requested this be on the agenda for the June 9th meeting. Attorney Littlefield had further comment. She explained how they do a full policy review and what policies are looked at first during that process. Mrs. Wagner had further comment. Board members had further comment. There was discussion. Attorney Littlefield commented on having a bullying prevention and intervention policy and a safe school climate plan and that you do need to have both according to existing laws. She had comment on the bullying and intervention policies and

regulations we currently have in place. She reviewed some of the items in the policies. She reviewed the language going into effect on July 1st. There are big changes in the language. She had further comment. She read the language needed to be posted on the district's web site and said the State has not sent it to school districts yet. She had further comment. Mrs. Wagner asked if Attorney Littlefield could review the safe school climate plan policies and make recommendations. Attorney Littlefield will make those recommendations. Mr. Nero had comment and explained Attorney Littlefield has come in to talk to the administrators in the past and he will have her come to talk to them again. Mrs. Wagner said these policies will be addressed on Wednesday. Mrs. Wagner asked to review Regulation 6145. Attorney Littlefield said that regulation follows the equal access law and she had explanation and gave history of the equal access law. She said if we got rid of it, the administration would be required under law to follow the equal access law. She gave an example. Attorney Littlefield said you can decide to eliminate all non-curricular clubs but understand under the equal access act, the definition of what is curricular and non-curricular is very expansive. She gave further examples. Most of the clubs in typical high schools are usually non-curricular. Mr. Nero asked about school time versus non-school time. Attorney Littlefield said clubs are allowed to meet during non-instructional time. She gave examples of non-instructional time. Board members had further comment and questions. Mrs. Wagner asked questions about different aspects of clubs being promoted. Ms. Welborn asked if you can have a regulation without a policy. Attorney Littlefield said this regulation implies how the law will be followed. She said basically the policy is the law and the regulation is implementing it. She explained how a regulation usually is drafted by administration without needing Board approval. She had further comment and explanation. She reviewed how a school district is governed and went through the various governmental agencies' chain-of-command. In addition to the equal access act, the constitutional rights apply here as well. She gave examples of clubs distributing information about their events. She said you cannot allow one club to distribute their information and not allow other clubs to distribute theirs. She had further explanation. Mrs. Wagner had comment and asked can you say we would equally not allow any of that during the school day but allow it outside of the school day or is that too extreme. Attorney said from a first amendment standpoint, any changes usually happen at the beginning of the school year. She had further comment. She will check other legal requirements. There was discussion. Mr. Nero said the flyers hanging in the schools are at the discretion of the administration and anything districtwide goes to him. Attorney Littlefield said that is a good practice and explained. She said administration has to be careful about viewpoint issues. She gave examples. Mrs. Wagner had comment. Attorney Littlefield will look at that regulation as well. Mr. Karpinski commented on the name of the regulation and asked how that may apply to athletics and gave examples. Attorney Littlefield said when she read it, it was clear it pertained to the equal access law and she had further comment; she wasn't worried about the application of that to sports. Ms. Welborn is concerned about the tone. Teachers take the time to offer items to students and she elaborated. She wants to be sure teachers have the opportunities to offer enrichment opportunities to students. She had further comment. Ms. Welborn asked regulations. Attorney Littlefield said regulations are passed in support of policies but can stand alone in accordance with law. She said in most cases, the administration comes up with the regulations and keeps them up-to-date. She had explanation and had further comment. Regulations are supposed to

be more flexible. She had further explanation. She said there are things more formal than a regulation and gave examples; many items don't come to a policy. Attorney Littlefield said it is important to remember the history of the equal access law and gave the specific concerns relating to the law. She had further explanation. She doesn't believe that restriction applies to other clubs and gave examples. She is going to double-check our regulation to make sure it is not overly broad. Mrs. Wagner wants to look at that regulation. She said this work in ongoing and there is a lot of work we can do during the summer. She is hoping people are not expecting reactionary policies. She said the instructional day needs to be about instruction. Mr. Karpinski said the first couple of policies on the list were the original focus and asked where we go from here. Mrs. Wagner had comment.

5. Public Comment – Bernard Bartick, citizen, 379 Wyassup Rd., gave his background and said he is a retired teacher. He said academics don't occur just in the classroom. He thought there could be a hidden agenda here that there are some clubs that the Board doesn't like so they will get rid of all the clubs and have them meet after school. He said it should be about all children. Children don't have to join a club and he elaborated. He had further comment. He hopes the Board does what is in the best interest of the children and not what someone thinks about a particular club. Lisa Mazzella, parent, has a huge concern about policy 6145 and moving clubs after school. They are very important to students. She had further comment. She felt there is a climate going on with regards to an objection to a cultural club or a GSA Club. She elaborated. She read a statement regarding curriculum. Mrs. Mazzella quoted Mrs. Wagner about schools providing a safe environment. She asked if part of education is how the rest of the world lives. She had further comment. She spoke of the period of time the students were at home. Mrs. Wagner had further comment and said we are looking at policy to make sure we are doing things correctly. She said we want to make sure all our policies that are currently in place are being followed as well as our regulations. She had further comment and there was further discussion. Anthony Mazzella, parent, agreed with everything Lisa Mazzella said. He had comment on the reason for the meeting today. The Board needs to consider the real reason they are doing this. He had further comment. Jen Petersen, parent, agreed with everything Lisa Mazzella said. She said different clubs and resources happen in the school. She had further comment. Faith Thompson, student, asked if Attorney Littlefield could clarify how clubs could advertise. Attorney Littlefield said she will be looking at the regulation before responding. Dr. Potemri said we are really talking about enrichment. She asked about non-instructional time and even if we hypothetically move them outside the school day, there is not equal access. She had further comment and said even if it is during the lunch, there may still not be equal access. She had further comment and asked all Board members to think about this so it really is an equal opportunity. Mr. Mendolia agreed with Dr. Potemri and elaborated. Dr. Potemri had further comment and gave clarification. She said the attorney can give them information on this and she had further comment. Their job as a Board is to give clear definition and she elaborated. Ms. Welborn had further comment. Attorney Littlefield had further comment. Mrs. Wagner had further comment. Marybeth Tavares, 13 Anna Farm Rd. West, parent, taxpayer, and teacher, explained when clubs take place and asked why they would want to change that. She can understand some of the suspicion of some parents as to why the meeting is being called now. She had further comment. Mrs. Wagner clarified as to when the meeting was called and had further comment.

Mrs. Wagner said the revisions will be received from Attorney Littlefield and she had further comment. She was concerned about the chat feature and some of the comments in the chat and wondered if it could be turned off. That feature will be turned off in the future. Mr. Bartick had further comment. Mrs. Wagner thanked Attorney Littlefield for attending the meeting.

On a motion by Mr. Karpinski, seconded by Ms. Welborn, the Board voted unanimously to adjourn the meeting at 10:14 a.m.

Respectfully submitted,

Roberta T. McCarthy, Secretary to
The Board of Education