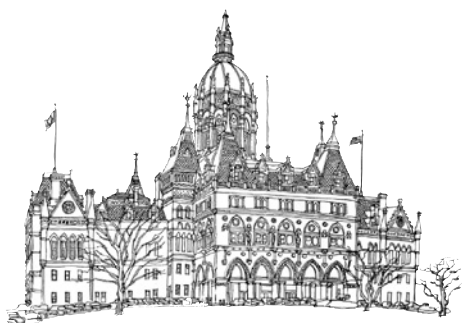


## View from the Capitol

**Sheila McKay**  
 SR. STAFF ASSOCIATE FOR  
 GOVERNMENT RELATIONS, CABE



Recent passage by the legislature of funding for free school meals for the rest of this academic year and a fix to the special education excess cost reimbursement grant disbursement are two early victories!

School meals going forward from this year and into the future is being considered in SB 929. Contact your legislators AND the Governor with your support.

The **Education Committee** will hold public hearings and vote bills out of committee before their deadline of March 27. Please keep an eye out for our Advocacy Highlights to keep you informed on public hearing dates. The committees must give the public five days of notice of a public hearing.



## Celebrating and Supporting Teaching Excellence

**David Bosso**  
 PRESIDENT, CONNECTICUT TEACHER OF THE YEAR COUNCIL; 2012 CONNECTICUT TEACHER OF THE YEAR; SOCIAL STUDIES TEACHER

With the recognition of the **2023 Connecticut Teacher of the Year, Carolyn Kielma**, as a **National Teacher of the Year Finalist**, now is as good a time as ever to reach out to our state's Boards of Education and educational leaders to let you know more about Connecticut's outstanding Teacher of the Year program. Carolyn is the tenth finalist from Connecticut since the national program's inception in 1952, and the third since 2009. Four of our state's teachers have been selected as National Teacher of the Year, most recently when 2016 Connecticut Teacher of the Year, **Jahana Hayes**, who now represents the 5th Congressional District of Connecticut in the U.S. House

of Representatives, was named the 2016 National Teacher of the Year.

The Connecticut Teacher of the Year Program, coordinated by the **Connecticut Teacher of the Year Council** and the **Connecticut State Department of Education (CSDE)**, is our state's premier teacher recognition program. School districts throughout Connecticut participate in this prestigious program, nominating local teachers who have the opportunity to participate in a rigorous selection process with the hopes of becoming Connecticut's Teacher of the Year.

The Connecticut Teacher of the Year Council, in partnership with our sponsors and CSDE, develops programming aimed at engaging Teachers of the Year in activities and roles that allow them to share, learn, and advocate for best practices and policies in public education. In an effort to preserve, improve, and expand the Connecticut Teacher of the Year Program, the Council works with corporate and

## March is Board of Education Member Appreciation Month!

**Lisa Steimer**  
 SR. STAFF ASSOCIATE FOR PROFESSIONAL DEVELOPMENT AND COMMUNICATIONS, CABE

Thank you, Board of Education members!

The month of March is Connecticut Board of Education Member Appreciation month. This is the perfect opportunity to say "thank you" to the hard-working and dedicated board members across Connecticut. We encourage you to recognize the time and effort they devote to board business during the course of the year. Use #BoardAppreciationMonth and #THANKYOU when thanking your Board members on social media.

CABE will be sharing Board of Education Appreciation videos during March. We encourage you to share these at a Board of Education meeting in March.

The Connecticut Board of Education Member Appreciation online toolkit includes facts about Connecticut's Board of Education members and quotes you can use in recognizing Board members. You can also access customizable materials such as editorials, new releases, suggestions for saluting school board members, and more in the Members Only section of the CABE website: <https://www.cabe.org/members/board-of-ed-appreciation-toolkit>. You may also purchase Thank You Hershey bars, "Out of the public schools grows the

See **TEACHING EXCELLENCE** page 8

See **MEMBER APPRECIATION** page 2

inside	<b>2</b>	<b>8</b>	<b>14</b>
	<b>New Round of School Security Grants</b>	<b>Digital Equity Defined and Why It Matters</b>	<b>Lawmakers Address NSBA's Advocacy Institute</b>



## PRESIDENT COMMENTARY

## AI: The Future is Here

**Elizabeth Brown**  
PRESIDENT, CABE

It's a bird, it's a plane, no it's Superman! (note, my era super hero!) A new super power arrived stealthily on the education scene in the phenomenon of AI, artificial intelligence. Globally, AI in education will grow to a \$3.68-billion-dollar industry in 2023. Consider the implications for education.

AI in education will call for developing a market ready, skilled work force and establishes a need for innovative ventures in the Ed-tech space like **Dcode AI**, **Open AI** and their newly released **Chatbot GPT-3.5**. Are you still with me? I confess the world of AI is still challenging to ascertain the true impact on education but, impact it definitely will! Is your Board exploring AI, talking about it, using it, ignoring it?

**Chat GPT** has become a global phenomenon. (See *The Policy Corner* on page 11) At a recent **State Department of Education Educator Evaluation Advisory Committee** meeting, I was given a glimpse into the world of Chat GPT. The Chatbot provides the person (me) with answers to an array of questions. "Write an essay on George Washington and his role in the American Revolution", click, done! A very well written answer appears on the screen - Wow makes me look so smart! "Compare poets Robert Frost to Langston Hughes", click, done! Now I am really smart! What are the implications for teaching and learning?

Do students really learn from getting answers with an AI partner thinking for them, writing essays for them?

Are classrooms the new dystopian world? Imagine no more agonizing over writing essays, critical thinking, organizing thoughts into coherent sentences? It's all available at the click of a computer key. In the empirical world we live in AI is all around. Look up in the sky, "It's a bird, it's a plane, no it's WHAT- AI in a Chinese spy balloon!" *The New York Times* described the spy balloon as, "wafting over America: flights of fancy, fear and fascination." U.S. military missed it down over the South Carolina Atlantic ocean. What is going on?

Look up, look down, it is all around. AI lives in smart tvs and phones, computers, AI powered ovens, refrigerators, surveillance cameras, watches, flashy gaming Sync Box Kit (I have no clue what that is, better ask a student!) bird friendly feeders, and what really boggles the mind self-driving strollers, who buys that? Parentless children perhaps!

AI is in the news. The release of ChatGPT recently kicked off an AI arms race (headline in the NY Times.) Since its debut, ChatGPT millions of people have used it to write essays, build apps, and even conduct make-shift therapy sessions.

As ChatGPT captures our imagination, it is critical to "imagine" what the implications are for education. Since the education system nationally



and globally yields significant purchasing power for AI, the education community needs to be involved in the development of AI's powerful teaching tool. Already political controversy boils. Does Chatbot "indoctrinate" students with left/right answers? Does AI replace traditional education tools?

The AI frenzy in the world of investment is shockingly competitive, million dollar investments are rapidly growing into billion dollar investments in AI companies. As districts struggle with decreasing budgets and loss of ESSER dollars, the world of AI investment will have to be considered in the context of shrinking dollars. Let's pay the electric and heating bills first!

Boards lead in re-imagining education and will need to make smart investments in technology in the post-pandemic culture.

By March when this article appears, the General Assembly will be in heated debate over many educational issues, including the ECS formula. C.A.B.E. appreciates your advocacy on behalf of education and urges all members to contact legislators and support full funding of the ECS formula and special education excess cost sharing grant. I hope to see you March 8 for C.A.B.E.'s Day on the Hill.

Happy almost spring!

## MEMBER APPRECIATION

(continued from page 1)

greatness of a nation" note pads, and Thank You tumblers at <https://www.cabe.org/page.cfm?p=1281>.

On behalf of all of us at C.A.B.E., we thank Connecticut's Board of Education members for the dedication they show not only to each child in their districts, but also to each child in Connecticut! You are making a difference!

Please contact Lisa Steimer ([lsteimer@cabe.org](mailto:lsteimer@cabe.org)) if you have any questions about the Board of Education Appreciation Month program.



**Mission:** To assist local and regional boards of education in providing high quality education for all Connecticut children through effective leadership.

**Vision:** C.A.B.E. is passionate about strengthening public education through high-performing, transformative local school board/superintendent leadership teams that inspire success for each child.

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## New Round of School Security Grants

**Patrice McCarthy**  
EXECUTIVE DIRECTOR & GENERAL COUNSEL, C.A.B.E.

Connecticut is now accepting applications for new rounds of funding under two competitive state grant programs. The grants help with the costs of implementing needed security infrastructure improvements and upgrades to emergency communication systems at K-12 schools.

The State has made an additional \$15 million available for the School Security Competitive Grant Program and the Multi-Media Interoperable Communications System Program. They are jointly administered by the **Connecticut Department of Emergency Services and Public Protection's Division of Emergency Management and Homeland Security** and the **Connecticut State Department of Education**.

Grants are available for public and nonpublic K-12 schools and eligible childcare centers or preschools that can demonstrate that they have received threats. Since 2013, more than \$88 million has been allocated to these programs.

Funding made available through these programs can be used for security infrastructure improvements or security improvements that include the capability of transmitting communications directly to law enforcement. Eligible applicants include public schools (K-12), Regional Education Services Centers (RESC), the governing authority for a state charter school, state technical high schools, incorporated endowed high schools or academy, nonpublic and private schools, and licensed childcare centers or preschools.

Additional information and instructions on how to apply can be found online on the *School Security Grant Program* website.



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Odyssey Community School, Inc.  
Relay CT  
The Bridge Academy

## EXECUTIVE DIRECTOR COMMENTARY

# Board Appreciation Month

### Patrice McCarthy

EXECUTIVE DIRECTOR & GENERAL COUNSEL, CABE

As we celebrate School Board Appreciation Month in March, it is important to reflect on the important role our volunteer board members play in our communities.

The 1,400 school board members in Connecticut represent the largest group of elected officials in the state. Statutes require that they implement the educational interests of the state, and enumerate many specific responsibilities, from adopting policies to hiring the superintendent.

Boards of education maximize their effectiveness when they focus on the following priorities:

- **Establishing a vision for the district.** As George Harrison wrote “If you don’t know where you’re going any road will take you there”, which applies to school boards. Understanding the needs of the students and developing a plan to support student achievement is imperative.
- **Setting goals.** Boards of education set goals for the district and the board. Goals provide focus for the board and staff. Regular reports on progress toward the goals gives structure to board agendas.
- **Modeling civility.** Civility is a key element of a positive district climate and culture. Modeling civil discourse in board

deliberations allows for the thoughtful, productive exchange of ideas and perspectives.

- **Establishing policy.** In addition to the policies required by statute, the annual budget sets policy priorities for the district.
- **Advocating at the local, state and national levels.** Advocacy is critical to obtaining resources as well as addressing legislative proposal that might support or hinder local initiatives.

In addition to the responsibilities all board members fulfill at the local level, members of the CABE Board of Directors take on additional roles at the state and national levels. They represent CABE on numerous task forces and committees, including the School Indoor Air Quality Working Group, The Educator Evaluation and Support Council, and the Advisory Commission on Intergovernmental Relations.

Area directors help organize and facilitate legislative breakfasts. Members of the Board of Directors attend meetings with CABE staff and legislative leaders and provide testimony on CABE’s behalf.

A group of CABE leaders also travel to Washington D.C. each year to advocate for our schools, and attend the National School Boards Association Annual Conference to present workshops, network and engage in professional development.

School board members throughout Connecticut are making a differ-



ence for all our students. I applaud your service and urge you to continue your good work.

The CABE staff is here to support your efforts!

## CABE Diversity, Equity and Inclusion Committee

### Leonard Lockhart

FIRST VICE PRESIDENT, CABE

The CABE Board of Directors’ Ad Hoc Committee on Diversity, Equity, and Inclusion (DEI) under the leadership of First Vice President **Leonard Lockhart** has wrestled with the issue of how best to meet its charge:

- a. Work to ensure that there is diversity (in particular, people of color) and sensitivity to diversity in all CABE’s work.
- b. Encourage boards of education, school, and district leaders, as well as the State Government to continue to consider the importance of diversity and multiculturalism in public education.

As part of its work, the Committee has discussed issues such as institutional racism, barriers to educational success faced by some students of color and the lack of diversity on boards of education.

The latter is particularly concerning because studies show that almost half of our students are children representing diverse cultural groups. Research shows that when board members represent all segments of their communities, they are more likely to adopt policies more sensitive to all students’ needs.

February was geared towards children’s books and how to engage librarians in the state to stock books highlighting the diversity of children within all our public school systems.

We will begin posting updates and resources on the CABE website with announcements when appropriate.

If you wish to join the DEI Committee, please contact Leonard Lockhart for more details.

Save  
the  
Date

## 2023 CABE/CAPSS Convention Dates Announced!

**Friday, November 17**  
**Saturday, November 18**  
Mystic Marriott Hotel, Groton

*Join us as we learn together!*  
INNOVATION · CREATIVITY · SOLUTIONS  
DEMOCRACY · EQUITY · OPPORTUNITY  
CELEBRATING LIFE AND LEARNING  
WHAT’S YOUR WHY?



See You in Court – The Nutmeg Board of Education

Personal Conflict and a Grievance Hearing

Thomas B. Mooney, Esq.  
SHIPMAN & GOODWIN

The Nutmeg Board of Education makes many mistakes. The latest imbroglio created by the board will be reported here each issue, followed by an explanation of what the board should have done. Though not intended as legal advice, these situations may help board members avoid common problems.

Bob Bombast, veteran member of the Nutmeg Board of Education, serves as Chairperson of the Policy Committee of the Nutmeg Board of Education. Ms. Superintendent called Bob last month and asked him where things stand on the required revisions to the Board’s policy on truancy, as required by Public Act 22-47.

Bob was annoyed that he was only now finding out about a need to amend the truancy policy. Bob Googled Public Act 22-47, and he found that boards of education must amend truancy policies in three respects:

(1) the policy must now provide for giving a parent or guardian of a child who is truant information concerning the existence and availability of the 2-1-1 Infoline program and other information

(2) on and after July 1, 2023, the policy must require that each child who is a truant be evaluated to determine if additional behavioral health interventions are necessary for the well-being of the child, and

(3) on or before September 1, 2023, the policy must include a truancy intervention model to be developed by the CSDE that will account for mental and behavioral health, or a similar truancy intervention plan.

Bob promptly emailed the entire Board to convey these new requirements, and he convened a meeting of the Policy Committee to review and amend the policy. Bob was surprised when several Board members who are not serving on the Committee showed up for the meeting so that a quorum of the Board was present. However, appreciative of the attention his committee was receiving, Bob welcomed the other Board members to the meeting.

As the Committee reviewed the Board’s current truancy policy, Bob was surprised to read that it includes a requirement that, if a student in grades K-8 “fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the child’s parent or other person having control of the child is aware of the pupil’s absence,” school personnel or volunteers must make “a reasonable effort” to notify the student’s parents or guardian of the absence “by telephone and by mail.”

“That sounds like trouble,” Bob told the Committee. “Let’s get rid of that provision so that we don’t get sued because someone didn’t call a parent about an absence.” Even though he is

not on the Policy Committee, Board member Mal Content spoke up in support of Bob’s suggestion. The Committee agreed to delete that sentence, and it discussed the new requirements. Committee member Penny Pincher expressed concern about the new requirement that truant students be evaluated. “How much is that going to cost?” she wondered aloud, but Bob brushed her concerns aside, stating that the law is the law.

The Committee came up with recommended changes to the truancy policy, and Bob sent the draft revised policy to the entire Board for a first reading. When Nancy Newshound, ace reporter for the Nutmeg Bugle, saw that discussion of the truancy policy was on the agenda, she asked Bob for a copy of the draft policy for a story she was writing. Bob told her she could read the policy when the Board discusses it, but for now, he wouldn’t be sending her the Committee’s recommended policy, because it is a preliminary draft.

Nancy was not persuaded. Besides, Nancy told Bob, the Policy Committee meeting was illegal because a quorum of the full Board was in attendance. Nancy ended the conversation by telling Bob that she expected him to send her the draft policy by midnight or she would be filing a complaint with the Freedom of Information Commission.

Should Bob and the Board be worried about Nancy’s threat?

Adopting policies and keeping them current is one of the basic responsibilities of boards of education. The need this year to revise truancy policies is but one example of the many policy mandates imposed by the General Assembly. CAFE has an extensive policy service to assist boards of education in fulfilling this important duty, described online at bit.ly/4DPTRdq.

As Bob considered changes to the truancy policy in Nutmeg, he was appropriately concerned that the Board not impose obligations on itself that, if unfulfilled, could result in a legal claim. Happily, Bob’s concern here is addressed right in the truancy statute (Conn. Gen. Stat. § 10-198a) itself, which provides that “[a]ny person who, in good faith, gives or fails to give [the required] notice [that a student did not arrive at school] shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed . . . .” However, board members must be careful more generally not to overpromise in writing policies.

Liability for negligence may be imposed when (1) school officials have a duty of care, (2) they breach that duty, (3) the breach causes an injury, and (4) the injury was foreseeable. Making promises in policy can establish a standard of care, and if those promises are not kept and an injury results, liability may follow. When adopting policies, boards of education must be realistic

and take care not to impose unrealistic obligations on staff.

This situation also raises a number of FOIA issues. First, Bob sent an email to all the Board members notifying them of the new requirements. That was fine, because Bob’s providing this information to the Board members would not be a “discussion” of Board business among a quorum unless Board members “reply all” with related emails.

Second, a quorum of the Nutmeg Board of Education attended the meeting of the Policy Committee, even though some members were not on the Committee. That may also have been fine. In defining a “meeting” for FOIA purposes, Conn. Gen. Stat. § 1-200(2) includes the following clarification: “A quorum of the members of a public agency who are present at any event which has been noticed and conducted as a meeting of another public agency under the provisions of the Freedom of Information Act shall not be deemed to be holding a meeting of the public agency of which they are members as a result of their presence at such event.”

While all Board members were thus free to attend the Policy Committee meeting, the question here is whether Board members were given special treatment (such as Mal’s being permitted to comment). If other Board members are treated like members of the public, their attendance is irrelevant for FOIA purposes. However, giving other Board members special privileges

at a committee meeting can cause it to morph into an illegal, unposted meeting of the full Board.

Finally, Bob denied Nancy Newshound access to the revised policy proposed by the Policy Committee, claiming that it was a draft not subject to disclosure. To be sure, Conn. General Statutes § 1-210(b)(1) provides that disclosure is not required of “[p]reliminary drafts or notes provided the public agency has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure.”

The Policy Committee here may prefer to delay disclosure of its draft policy until the full Board has an opportunity to discuss the draft. However, that is not an option. Section 1-210(e)(1) goes on to limit the preliminary draft exemption by providing that the exemption is not available when a record is “part of the process by which governmental decisions and policies are formulated.” The draft revised policy was certainly part of the governmental decision-making process, and, as such, it was a public record subject to disclosure in response to Nancy’s request.

Attorney Thomas B. Mooney is a partner in the Hartford law firm of Shipman & Goodwin who works frequently with boards of education. Mooney is a regular contributor to the CAFE Journal. Shipman & Goodwin is a CAFE Business Affiliate.

The Ninth Edition – Now Available!

A Practical Guide to Connecticut School Law by Thomas B. Mooney, Esq. Shipman & Goodwin

CAFE is delighted to announce that the Ninth Edition of Tom Mooney’s Practical Guide to Connecticut School Law is now available.

PRICING: CAFE Members: \$54.99; CAFE Non-Members: \$79.99; Students: \$44.99

There have been many changes in school law in the last few years, and the Ninth Edition has been extensively revised to provide updated guidance on the legal issues that govern our schools. Changes include descriptions and commentary on:

- Changes in teacher evaluation and teacher tenure.
- New rules regarding employee background checks.
- New requirements concerning student data privacy.
- New rules for suspension, expulsion and alternative educational opportunities.
- Revised requirements governing seclusion and restraint.
- The new “Every Student Succeeds Act” and how it has changed “No Child Left Behind Act” requirements.
- The CCJEF case and ongoing litigation over equal educational opportunities.
- The Minimum Budget Requirement and new duties to collaborate with town officials.
- A host of other changes in the rules that boards of education and school administrators must follow.



# It's Personal

Relationships fuel success.  
We earn your trust by taking  
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## SHIPMAN

Shipman's school law lawyers have over 50 years of experience, and represent over 100 public school districts, as well as public school member organizations and associations, on the broad range of legal issues that school districts confront. We call on lawyers experienced in school law, special education, employment law, labor relations, intellectual property, data privacy, construction and environmental issues, and business contracts to provide effective and efficient legal assistance for our clients.

*It all adds up to a relationship that delivers added value for each of our school district clients.*

Our Practice Group Co-Chair, Tom Mooney, has written *A Practical Guide to Connecticut School Law*, a comprehensive treatise on Connecticut school law, published by CABE and used by teachers, administrators and board of education members throughout the state.

**Education** is a core focus of our law firm.

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Contact: Thomas B. Mooney, Jessica L. Ritter or Julie C. Fay | 860.251.5000



# CABE: Working for YOU

*Individualized Workshops | Professional Development Opportunities  
Legal Services | Policy Services | Representing You Statewide and Nationally*

Below are the highlights of activities that the CABE staff has undertaken on your behalf over the last month. We did this:

## ■ By providing opportunities for members to learn how to better govern their districts:

- Responded to 57 requests for policy information from 32 districts, providing sample materials on policy topics. Further, districts continue to access CABE's online *Core Policy Reference Manual* and/or online manuals posted by CABE for policy samples. The topics of greatest interest were those pertaining to Controversial Issues, Use of Social Media, and Remote Learning.
- Provided support to board members and central office administrators regarding policy matters.
- Provided workshop on board roles and responsibilities for the **Scotland** Board of Education.

## ■ By helping school boards to increase student achievement:

- Sent three issues of "Policy Highlights" via e-mail list serve covering topics that affect student achievement. Topics pertained to FAFSA Completion, Related

Resources and a Policy Mandate, District Philosophies of STEM and STEAM and CSDE Releases Model Enrollment Policy.

## ■ By providing services to meet member needs:

- Provided legislative update for **Madison** Board of Education.
- Participated in CABE Area Legislative Breakfasts.
- Revised policies, as part of the Custom Update Policy Service, for **Gilbert School, East Hampton, Marlborough, New Fairfield, New Hartford, Sterling, and Westbrook** Public Schools.
- Prepared materials, as part of the Custom Policy Service, for **Brookfield** Public Schools.
- Currently assisting **East Hartford** Board of Education with their superintendent search.
- Facilitated a board retreat for the combined **Region #4, Chester, Deep River** and **Essex** Boards of Education.
- Provided numerous phone responses to board chairs, board members and superintendents.
- Responded to a variety of legal inquiries from members.
- Staffed CABE/CAPSS Convention

Committee meeting.

- Provided *The Board's Role in Communications* webinar.

## ■ By attending Professional Development to strengthen staff knowledge and skills:

- Attended **CT School Attorneys Council** meeting.
- Conducted a special meeting of the **Connecticut School Attorneys Council**.
- Participated in **New England School Public Relations Association (NESPRIA)** Check-In and Idea Exchange.

## ■ By representing Connecticut school boards on the state or national level:

- Met with **Education Committee Co-Chairs**.
- Participated in virtual meeting of **NSBA State Executive Directors** and **State Association Counsel**.
- Attended **NSBA Equity Symposium** and **Advocacy Institute**.
- Participated in **Aspiring Special Education Leaders** meeting.
- Participated in **Social Emotional Learning Collaborative** meeting.
- Provided legislative update at **CREC**

**Council** and **CAS Board** meetings.

- Attended meeting on purposeful play legislation.
- Attended **CT Family School Partnership Council** meeting.
- Attended meetings of the Executive Committee, Education Committee, Ship Committee and Board of Directors for **Discovering Amistad**.
- Chaired **Digital Learning Advisory Board** for the **Connecticut Commission for Educational Technology**.
- Met with **Franklin Covey** to discuss working together.
- Participated in meeting of **State Association Convention Managers**.
- Participated in **New England School Public Relations Association (NESPRIA)** Board meeting.

## ■ By helping districts operate efficiently and conserve resources:

- Facilitated Board Chair Check-In meetings.
- Posted policies online, as part of the C.O.P.S. Program for **Avon, Bethel, Bolton, Derby, East Hampton, Gilbert School, Griswold, New Fairfield, New Hartford, Sterling, and West Haven** Public Schools.

## CABE AREA LEGISLATIVE BREAKFASTS



CABE Area 7 Co-Directors **Bob Guthrie (West Haven)** and **George Kurtyka (Derby)** hosted a legislative breakfast on February 7.



CABE Area 9 Co-Directors **Carol Burgess (Montville)** and **Bryan Doughty (New London)** hosted a legislative breakfast on February 3.



The CABE Area 3 legislative breakfast was held on January 20.





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School Grant Alert | **2023**



## Grant Opportunity:

Connecticut Department of Emergency Management & Homeland Security

### Multi-Media School Security Grant Program (MMSSGP)

**Eligibility:** Connecticut Public & Non-public Schools

**Public Schools:** This grant application is for all public schools including (LEAs, RESCs, publicly endowed schools and charter schools

- ✓ **Budget/Award Cap:** There is no cap for public schools
- ✓ **Match:** Public schools have a match percentage determined by the wealth index of the town in which they are located. State Technical Schools do not have a match requirement.

**Non-public Schools:** This grant application can also be used for eligible licensed Child Care Centers and Pre-Schools that have received threats.

- ✓ **Funding:** The match requirement (applicant share) for non-public schools is 50%. The maximum state share award per applicant is \$50,000. Please note that this maximum is in effect for each school/location. If applying for both R6 SSGP and Multi-Media SSGP - the overall award to a non-public applicant cannot exceed \$50,000.
- ✓ **Match:** Non-public schools have an automatic match requirement of 50% (50% state share plus 50% school match).

**Program Amount:** \$15,000,000 inclusive of Multimedia, up to \$5,000,000 for Multimedia

**Deadline:** March 31, 2023

**Applications:** Public and Private have separate grant applications, different requirements

**Part 1** - Includes completing the PDF Grant Application.

[Public Schools Multi-Media School Security Grant Program \(MMSSGP\) Application Part I](#)

[Non-public Schools Multi-Media School Security Grant Program \(MMSSGP\) Application Part I](#)

**Part 2** - Includes completing the Safe Schools checklist in Survey Monkey. Please note the Safe Schools checklist can be completed in advance of Part I, as an assessment of a school's security, and may assist schools in selecting projects that help address gaps.

[Public Schools Safe Schools Checklist Survey Application Part II](#)

[Non-public Schools Safe Schools Checklist Survey Application Part II](#)

**Notice:** This information is provided by a private state contractor entity for informational purposes only. It is not an official communication of the State of Connecticut, nor has the content been reviewed or endorsed by the State. Please refer to the Program link for all official information.



# “Digital Equity” Defined – and Why It Matters

**Doug Casey**

EXECUTIVE DIRECTOR, CONNECTICUT  
COMMISSION FOR EDUCATIONAL TECHNOLOGY

When schools closed in the spring of 2020 to contain the pandemic, learning went online. Most of us lived through this overnight shift, doing what we could to provide the devices, connections, software, and — most importantly — teacher and student support to make the transition as smooth as possible.

“Smooth” it was not, but the State, its philanthropic partners, and local districts did invest heavily in technology to help ensure all students had an equal opportunity to keep learning. For example, **Governor Lamont’s “Everybody Learns”** initiative provided 40,000 home internet connections, 13,000 mobile hotspots, and 80,000 computers. And the use of software for learning increased by 50 percent, according to some measures.

Devices, fast Internet connections, and software constitute important components of what we call “digital equity.” State statute (PA 21-159) defines it as “a condition in which all individuals and communities have the information technology capacity needed for participation in society, democ-

racy and the economy of the state.” That “participation” includes learning, and not just having a computer, a connection, and software but also the skills needed for higher education and careers. For example, one recent study suggests that, even for entry-level jobs, 95 percent of positions require proficiency in digital skills. (See <https://nationalskillscoalition.org/resource/publications/closing-the-digital-skill-divide/> for the study.)

Taking a wider view beyond the confines of our schools, access to the Internet, devices, and the skills and support to use them remain essential for any member of our communities to engage in today’s digital society. Residents without these tools and know-how — as we saw during the COVID-19 pandemic — cannot take advantage of the countless work, training, education, healthcare, civic, and social benefits that being online provides. For those reasons, Connecticut is engaging in a bold, year-long planning process to identify and address the barriers to technology adoption in our state.

## A Plan for Connecticut

With funding from the 2022

Bipartisan Infrastructure Law, Governor Lamont tapped **the Connecticut Commission for Educational Technology** to lead the development of a data- and community-driven plan that makes it easy and affordable to get online and engage in the digital world.

This work is underway, with efforts to identify the barriers to technology access as well as the resources in place that our state can scale and replicate to close the digital divide. The Commission expects to complete and submit the **State Digital Equity Plan** this fall to the **U.S. Department of Commerce**. If approved, Connecticut will receive additional funds to connect, train, and provide technical support to our residents.

## Priorities

The development of broadband maps called for and funded through Governor Lamont’s 2021 legislation (see [www.CT.gov/BroadbandMaps](http://www.CT.gov/BroadbandMaps)) helps define the digital divide in Connecticut. In short, in almost every location, residents can get online, but only 86 percent of households have a home Internet subscription. Of those who do, nearly 10 percent have slow, antiquated service that makes it hard

to learn, work, or do much else online. Connecticut has more of a technology adoption issue than one of availability.

With this as background to inform our work, the Commission will work over the next year to identify the barriers to technology adoption by engaging residents as well as state and local leaders.

The planning process also includes asset mapping to identify those programs and policies that lift technology adoption and equip residents — including students, teachers, and administrators — with the skills to use it effectively. While the state Digital Equity Plan addresses the needs of all residents, the federal program ([www.internetforall.gov/program/digital-equity-act-programs](http://www.internetforall.gov/program/digital-equity-act-programs)) calls on states to place special attention to the needs of these groups:

- Those living in households at or below 150 percent of the poverty level
- Aging individuals
- People incarcerated in state correctional institutions
- Veterans
- Individuals with disabilities

See **DIGITAL EQUITY** page 10

## TEACHING EXCELLENCE

(continued from page 1)

organizational sponsors to provide funding and resources for Connecticut’s Teachers of the Year. **CABE** has been a long-time supporter of the Council’s work, and we are sincerely appreciative of this partnership.

With the 2024 selection cycle beginning soon, we invite you to select a Teacher of the Year for your district to be considered as a candidate for Connecticut Teacher of the Year. Through a locally designed process, each participating district names an exemplary teacher as their Teacher of the Year, who is then eligible to submit an application for consideration as Connecticut Teacher of the Year.

The review of applications identifies semifinalists who are invited to an interview with our selection committee, after which four finalists are selected. The finalists are visited at their schools, where selection committee members observe the teachers’ classes and interview students, teachers, and other school and community stakeholders. At the conclusion of the site visits, the selection committee meets and selects the Connecticut Teacher of

the Year.

All District Teachers of the Year, Semifinalists, Finalists, and the newly selected Connecticut Teacher of the Year are recognized at our Annual Ceremony, an event which draws hundreds of attendees. Many of you have attended over the years, and we hope you have been impressed and inspired by our honorees.

District Teachers of the Year also are invited to attend the Empowered to Lead Symposium and other unique professional development opportunities facilitated by the Connecticut Teacher of the Year Council. These professional growth activities, focused on the areas of policy, advocacy, and practice, are designed to enhance teachers’ leadership capacity in order to improve our school communities and outcomes for students. As one program participant stated “I want to thank the Connecticut Teacher of the Year Council for a wonderful year of honor and professional learning. This was the best year of growth I have had professionally in my 28-year career!”

Largely due to what we are able to offer our recognized teachers, the Connecticut Teacher of the Year Program stands out among our peer



programs throughout the country. We are proud of our robust slate of events and activities for educators, and remain grateful for our strong partnerships with various entities throughout our state. After her year of honor, a District Teacher of the Year remarked, “These 12 months have been incredible for so many reasons.

The friendships, the knowledge, the memories, and the connections will remain with me for the remainder of my career. I wish every Connecticut educator could have these experiences.” We on the Connecticut Teacher of the Year Council concur. We hope you

will consider this exciting opportunity to become a participating district in the Connecticut Teacher of the Year program if you are not already.

Please reach out to **David Bosso** ([davidbosso@gmail.com](mailto:davidbosso@gmail.com)), President of the Connecticut Teacher of the Year Council, or **Mary Glassman** ([Mary.A.Glassman@ct.gov](mailto:Mary.A.Glassman@ct.gov)), CSDE Teacher of the Year Coordinator, for more information or with any questions you may have about the Connecticut Teacher of the Year selection process, professional development programming, or other aspects of the Connecticut Teacher of the Year Program.



# CABE ADVOCATING FOR PUBLIC EDUCATION IN HARTFORD



CABE Area 6 Co-Director **Janice Cupee (Stratford)** testified before the Education and Appropriations Committees on education funding.



CABE First VP **Leonard Lockhart (Windsor)** testified before the Education and Appropriations Committees on education funding.



CABE VP for Government Relations **Meg Scata (Portland)** testified before the Education and Appropriations Committees on school meal programs.



CABE Executive Committee Member-at-Large **Tony Perugini (Cheshire)** testified before the Education and Appropriations Committees on education funding.

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# The Freshmen Are Coming – Are You Ready?

**John Prins**

VP FOR PROFESSIONAL DEVELOPMENT, CABE

Boards of Education across the state are preparing for the biennial influx of new members in the November 2023 election cycle. CABE prepares for this “freshman” class by providing workshops and resources for those hopeful board members even before they’ve finally decided that they want to run for a seat on their board.

Here are a few simple steps that sitting board members can take to add to the toolkit you may already employ. They can only improve the odds that aspiring candidates will get a better understanding of what’s at stake and what the expectations are. And no, it’s not too early in the process!

1. **Send a brief note (email is easy) to your town committee chairs** – yes *both* of them! (Or all three, if you’re from East Hampton.) If you know the nominating committee Chairs, copy them on the letter as well. I didn’t know both in my town so I asked the Chairs to please share the following with the nominating committee [Chair] with this request:

*“When the time comes to interview people who express an interest in running for the Board of Education, could you please include a question along the lines of:*

*‘To demonstrate your commitment to becoming an effective Board of Education member, will you commit to attending CABE Professional Development workshops that are specifically created for that purpose?’*

*I’m interested in your thoughts and am happy to discuss this further.”*

I believe this is a relatively simple and painless way to increase the likelihood of positive outcomes in the following ways.

a) While becoming a Board of Education candidate typically

starts out in the realm of politics, we demonstrate a **candidate quality-centered focus** as opposed to one that is party politics-centered.

b) We help nominating committees understand that the **expectations for a Board of Education member** are distinct from those of other municipal officials’ roles and responsibilities.

c) From the outset, we highlight the importance of Board members’ **modeling professional growth and development** to fellow Board members, professional educators and other district staff.

d) We emphasize in a positive way the importance of a **shared understanding** of what an effective Board member looks like and how they conduct themselves.

2. **Deliver the CABE pamphlet, “So You Might Want To Be A School Board Member” to prospective candidates you know or may have personally recruited.**

a) Suggest that after they check it out, you’ll make yourself available to go over it with them to answer any questions that may come up.

b) You might offer to follow up with them (over coffee, tea or other beverage) to talk about specific areas that are especially challenging for your Board and how their informed perspective could make a positive difference.

c) Deliver the CABE pamphlet to Town Committee leaders to help prepare them for future Board of Education campaigns and for conversations with people they think might fit the bill for Board of Education candidacy.

3. Plan ahead with your Board Chair and Superintendent to spend dedicated time to **provide a detailed New Board Member orientation.**

Check for CABE’s orientation conference, as well.

Best wishes for the upcoming election season. ‘Proacting’ in this area

## DIGITAL EQUITY

(continued from page 8)

- Residents with a language barrier, including English learners and those with low literacy levels
- Members of a racial or ethnic minority group
- Those who primarily reside in a rural area

The Digital Equity Plan will also address ways that digital access influences and depends on state plans for economic and workforce development, education, health, civic engagement, and the delivery of essential services.

## Get Involved

While Connecticut will not receive capacity funding to expand digital equity efforts, the Commission encourages local school boards to consider these next steps:

- **Internet Subsidy: The Affordable Connectivity Program**, separate and complementary to the Digital Equity Program, provides eligible households with up to \$30 off monthly Internet bills. All major carriers in Connecticut participate in the program, which can effectively make home access free for tens of thousands of families. For family outreach materials in multiple languages, visit [AffordableConnectivity.gov](https://AffordableConnectivity.gov) and choose “Community Resources.”

- **Share Resources:** Use the form at [www.CT.gov/DigitalEquity](https://www.CT.gov/DigitalEquity) to share details of digital equity efforts underway through your

should generate a positive return on your investment of time and non-partisan good will.

school or community. Examples include device loan programs or digital literacy programs at your library, public wireless, and hotspots that students can take home. Your submissions will become part of the Commission’s statewide “asset map” of digital equity programs that may be eligible for funding to scale up or replicate in 2024.

- **Identify Barriers:** We know that although Internet service is available throughout the state, many families still do not subscribe. And even those with high-speed connections lack the skills and technical support to make safe, effective use of technology. For those reasons, we welcome feedback on the barriers to technology use — including language, trust, and other factors — that will help us frame the Digital Equity Plan.

Contact **Doug Casey** at [doug.casey@ct.gov](mailto:doug.casey@ct.gov) to access the Commission’s digital equity survey, designed to collect your community’s insights around technology barriers so that we can address them head-on.

Connecticut has a solid technology infrastructure to support learning, work, healthcare, and civic life, anytime and anywhere. We look forward to hearing from you on how we can develop a digital equity plan that leverages this foundation to ensure all residents — especially our students — have an equal opportunity to benefit from the digital world of today and tomorrow.

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# THE POLICY CORNER

## Artificial Intelligence and Policy

**Jody Goeler**

Sr. Staff Associate for Policy Service, CABE

Today most of us are aware of the various ways artificial intelligence impacts our lives, from the ads generated for us to view online, the facial recognition that opens our accounts and the many tools we use for research and online shopping. However, it may surprise you that the marketing content you've reviewed recently may have been created by more advanced "language learning model" forms of artificial intelligence. The same also may be true for a piece of artwork and other creative media you may have seen online.

Most recently ChatGPT has been gaining much attention in the news for its ability to produce developed and nuanced responses to questions and prompts inputted. With the rapid advancement of this technology, K-12 districts and institutions for higher learning are struggling to determine how to best approach this technology – from trying to ban it to embracing it.

To test ChatGPT, I prompted it to write a 500-word article about ChatGPT for school board members. In front of my very eyes, words began to scroll on my screen, and within minutes, this article of just over 500

words was complete:

*As a school board member, you are likely familiar with the importance of technology in education. Artificial intelligence (AI) has become increasingly prevalent in the classroom, offering new and innovative ways to engage students and enhance their learning experience. One such AI model that is revolutionizing the field of language processing is ChatGPT.*

*ChatGPT, which stands for "Chat Generative Pretrained Transformer," is a large language model developed by OpenAI. It was trained on a diverse range of internet text and can generate human-like responses to various prompts, such as questions or statements. The model has been fine-tuned to perform specific tasks, such as answering questions, summarizing text, and generating creative writing.*

*What sets ChatGPT apart from other AI models is its ability to understand and process language at an incredibly advanced level. This is due to its use of the Transformer architecture, which was introduced in the groundbreaking paper "Attention Is All You Need." The Transformer architecture allows the model to process long sequences of data efficiently and accurately, making it ideal for language processing*

*tasks.*

The article goes on to discuss ways ChatGPT can assist students by answering their questions in real-time, help teachers by handling repetitive tasks, such as grading assignments or answering common questions. It even adds, "This allows teachers to focus on more meaningful and engaging activities that can directly benefit their students," taking on a persuasive stance.

Finally, after touting its virtues and providing several paragraphs of declarative text, we get our conclusion:

*In conclusion, ChatGPT is a powerful AI model that has the potential to revolutionize the field of language processing and education. By providing students with personalized learning experiences and assisting teachers with repetitive tasks, ChatGPT can help to enhance the quality of education and prepare students for the future.*

In minutes, ChatGPT responded to my prompt by spitting out an adequate, accurate, and readable article with pretty good marks on organization and pretty bad marks on originality – not a very engaging read. However, if a teacher assigned students to write on a topic, it wouldn't stretch the imagination to see how that student

could go home, turn on the laptop, register on the Chat GPT website, and submit the prompt, and within minutes have the assignment completed and ready to turn in.

While AI has the capacity to assist educators and students, it needs to be applied thoughtfully and strategically, from the assignments we task our students to complete to privacy protection. Of course, teachers from elementary school through institutions of higher learning have expressed their concern regarding cheating.

With the advancement of AI and the impact it will have on instruction and assessment, this may be an opportune time for boards of education to dust off their cheating policies. I would venture to guess that doing so will bring robust discussions not only about the nature of cheating, but the qualities of effective instruction.

Finally, if you're thinking of having ChatGPT draft your cheating policy, I've already tried it; it's pretty good.

CABE has several versions of the Academic Dishonesty: Cheating/Plagiarism Policy # 5121.3. As a member district, you have access to this and other policies by contacting the policy department at 860-571-7446.

## CABE ADVOCATING FOR PUBLIC EDUCATION IN WASHINGTON



NSBA Director and CABE Past President **Lydia Tedone (Simsbury)** and CABE Federal Relations Chair **Becky Tyrrell (Plainville)** met with CT Senator **Chris Murphy**.

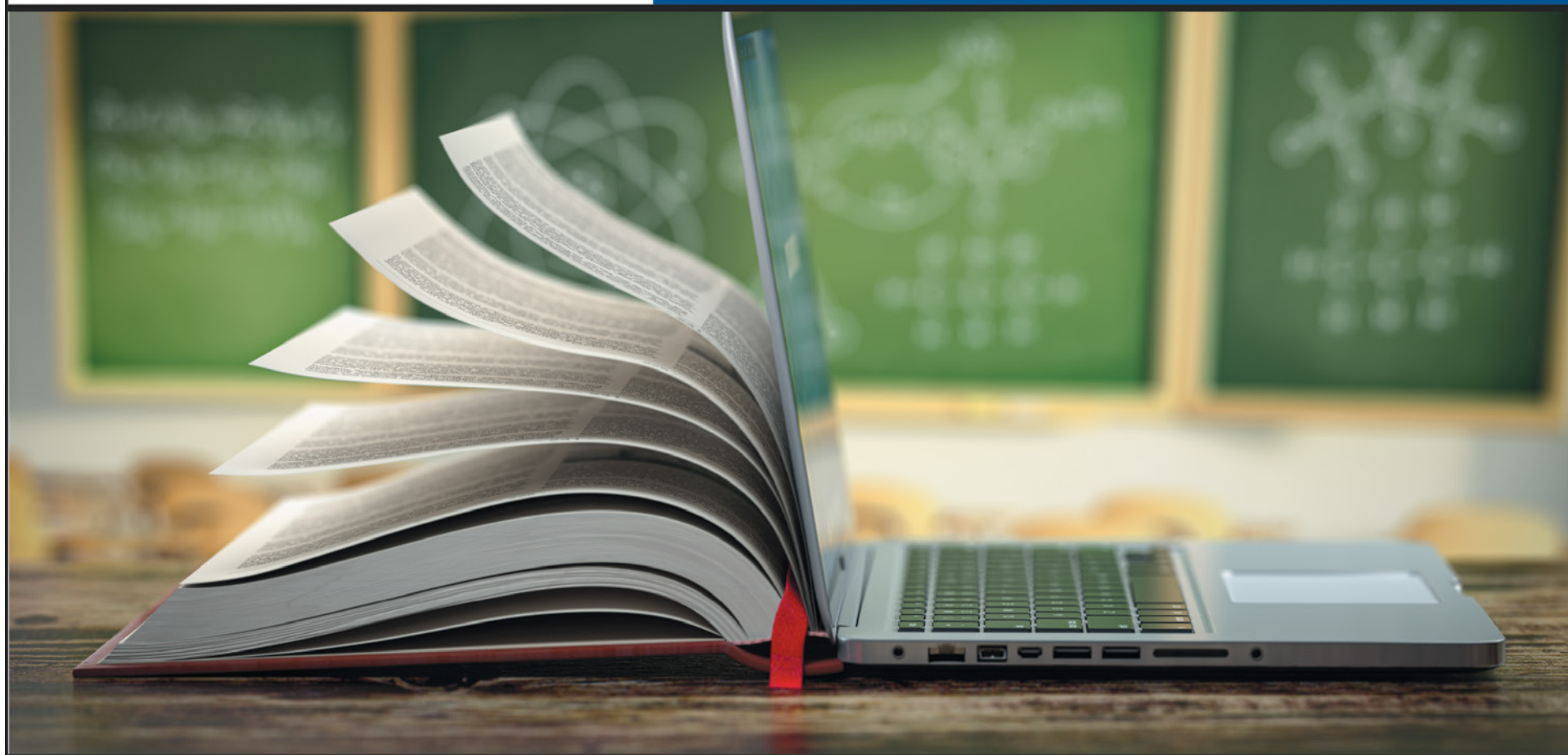


CABE Sr. Staff Associate for Government Relations **Sheila McKay**, NSBA Director and CABE Past President **Lydia Tedone (Simsbury)** and CABE Executive Director and General Counsel **Patrice McCarthy** met with CT Representative **Joe Courtney**.





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# Educator Professional Development Requirements

## Working Group Issues Recommendations

**Patrice McCarthy**  
EXECUTIVE DIRECTOR & GENERAL COUNSEL, CABE

The General Assembly established a working group to examine and make recommendations concerning the consolidation or elimination of unnecessary, obsolete or redundant professional development requirements, and in-service training requirements. CABE was responsible for convening the group to build on the recommendations of the 2017 Task Force on Professional Development and In-service Training Requirements for Educators. Required trainings for educators remain un-wieldy and disconnected from the definition of high-quality professional learning. A top priority for this working group was to focus on meaningful professional

learning and to streamline the statutory “compliance” requirements to better meet the learning needs of educators, which will, in turn, result in better outcomes for Connecticut’s children.

### Working Group Recommendations

- Implementation**
- Provide greater flexibility for districts to determine frequency/reoccurrence of trainings;
  - Differentiate which staff are required to complete specific training and connect completion of training for compliance with certification renewal in an online platform; and
  - For any new training requirements, allow for, at

minimum, a 1-year preparation period before requirements go into effect, along with state resources for implementation.

- Content**
- Delete redundancies that overlap with requirements outlined elsewhere in statute; and
  - Clarify the distinction between in-service training and professional learning that advances teaching and learning.

- Process**
- Tie professional development requirements to certification renewal.
  - Establish a formal Educator Professional Development Council to serve as a long-term

solution for ongoing review and modification of past and future legislation.

Members of the Working Group were: **Alicia Bowman**, Connecticut Association of Schools; **Fran DiFiore**, Connecticut Federation of School Administrators; **Andrew Feinstein**, Special Education Equity for Kids of Connecticut; **Kate Field**, Connecticut Education Association; **Kathleen Greider**, Connecticut Association of Public School Superintendents; **Patrice McCarthy**, Connecticut Association of Boards of Education; **Steve McKeever**, American Federation of Teachers- Connecticut; and **Irene Parisi**, State Department of Education.

The full report is available at <https://bit.ly/3RKIX5H>.

## Equity Symposium

**Patrice McCarthy**  
EXECUTIVE DIRECTOR & GENERAL COUNSEL, CABE

CABE joined school board members from around the country in Washington, D.C. recently for **NSBA’s Equity Symposium**. Attendees heard a keynote from Dr. **Freeman A. Hrabowski, III**, an advocate for science and technology education who was also a keynote speaker at the 2018 CABE/CAPSS Convention. Dr. Hrabowski urged board members to understand every child’s story, and to work with their communities to support student achievement. Keynoter **Dr. Amy Price Azano**, Founding Director of the **Virginia Tech Center for Rural Education** asked board members to consider whether our policies are mitigating or exacerbating the opportunities for

students.

In his opening remarks, **NSBA Executive Director and CEO John Heim** encouraged attendees to consider how “equity” could mean different things to different students, including access to high-quality teachers, advanced placement courses, reliable Wi-Fi, or even buildings with working heat. He encouraged board members to look at their data. “Where are there disparities among the students you serve? If there’s an underperforming school – or segments of a student population within your school district, how are you addressing it?”

**Berlin Board President Julia Dennis**, member **Dr. Kari Sassu**, and Superintendent **Brian Benigni** presented a workshop addressing strategies to keep a district moving

forward while considering the needs of a politically divided community. They opened the session by sharing the challenges created by a newly formed social justice and equity committee, how the board worked to address misconceptions, the creation of a board/district equity statement, and next steps to continue to move forward as a district while creating equitable opportunities for all students. The session provided the opportunity to develop strategies to best address issues while focusing on student outcomes in their district. They observed that good intentions don’t necessary lead to effective solutions, and emphasized the need to consider multiple perspectives through collaborative conversations.

## State Board of Education Meets

**Sheila McKay**  
SR. STAFF ASSOCIATE FOR  
GOVERNMENT RELATIONS, CABE

At the February meeting of the **State Board of Education**, the **State Department of Education (SDE)** reported that it has recently rehired 13 retirees and has 23 hires in process, along with six new postings. **Commissioner Russell-Tucker** informed the Board that all told there are 41 positions that SDE is working through. Staffing in January was at 113 employees.

Russell-Tucker said reports that will be forthcoming from the Department include work on educator evaluation and support and on teacher certification.

The Board voted on educator preparation provider program approval for **CCSU**, **Albertus Magnus** and **UConn**. Also their vote revised the menu of researched based K-3 universal screening reading assessments.

- Additions:** Acadience RAN  
Acadience Reading (was DIBELS Next)  
aiimswebPlus RAN  
Amira Learning  
DIBELS 6<sup>th</sup> Edition  
mCLASS RAN  
mCLASS Vocabulary
- Deletions:** NWEA MAP Growth  
STAR  
i-Ready

CABE recently held two webinars on K-3 reading which can be accessed in our webinar library at <https://www.cabe.org/professional-development/webinars>.



Pictured from left to right: NSBA Director and CABE Past President **Lydia Tedone (Simsbury)**, CABE Sr. Staff Associate for Government Relations **Sheila McKay**, CABE Immediate Past President **Donald Harris (Bloomfield)**, CABE Hartford City Representative **A.J. Johnson (Hartford)**, Rep. **Jahana Hayes**, Rep. **Joe Courtney**, CABE VP for Government Relations **Meg Scata (Portland)**, **Tyrone Walker (Hartford)**, **Shonta Browdy (Hartford)**, CABE Federal Relations Chair **Becky Tyrrell (Plainville)**, and CABE Executive Director and General Counsel **Patrice McCarthy**.



CABE Sr. Staff Associate for Government Relations **Sheila McKay** and Rep. **John Larson** met up in the Capitol cafeteria.



# Federal Lawmakers Address NSBA's Advocacy Institute

## Patrice McCarthy

EXECUTIVE DIRECTOR & GENERAL COUNSEL, CABE

At the recent **NSBA Advocacy Institute** in Washington, D.C. attendees heard directly from federal lawmakers, including U.S. **Representatives Robert C. "Bobby" Scott** (D-VA), the top Democrat on the **House Education and the Workforce Committee**, and **Jonathan Jackson** (D-IL), newly appointed to the **House Agriculture Committee**. Attendees also hear from **Robert Rodriguez**, the **Assistant Secretary of Planning, Evaluation and Policy Development** at the **U.S. Department of Education (USED)**, about USED's priorities for 2023 and working with the new Congress.

CABE was represented by **Liz Brown**, CABE President, (**Waterbury**); **Donald Harris**, Immediate Past President, (**Bloomfield**); **Leonard Lockhart**, First Vice President, (**Windsor**); **Meg Scata**, Vice President for Government Relations, (**Portland**); **Becky Tyrrell**, Federal Relations Chair, (**Plainville**); **Lydia Tedone**, NSBA Director, (**Simsbury**); **Patrice McCarthy**, Executive Director and General Counsel, and **Sheila McKay**,

Senior Staff Associate for Government Relations.

General session remarks included astrophysicist and former Space Science Education Lead for **NASA**, **Hakeem Oluseyi, Ph.D.**; Chief Executive Officer of the **Institute of International Education**, **Allan E. Goodman, Ph.D.**; Research Professor and Director of the **Edunomics Lab**, **Georgetown University**, **Marguerite Roza, Ph.D.**; and a panel of new and aspiring public school educators moderated by **Albert Chen**, Acting Chief Executive Officer, **PDK International**. Breakout sessions featured relevant topics including educator engagement and retention, engagement of your community, digital equity, and child nutrition.

The newly renamed **Education and the Workforce Committee** – the House entity responsible for K-12 education policymaking – has mapped out an agenda for the 118<sup>th</sup> Congress. Committee Chair **Virginia Foxx** (R-NC) indicated the Committee will make oversight a major priority. The oversight plan includes a wide range of K-12 issues, including an examination of how pandemic relief funding for K-12 education was used, as well as

the implementation of child nutrition programs. Foxx said she plans to promote school choice policies and emphasize the importance of parents' role in K-12 education.

**Representative Jahanna Hayes** (D-5<sup>th</sup>) serves as vice ranking member on the Education and the Workforce Committee, as well as on the Agriculture Committee, which address

school nutrition. **Representative Joe Courtney** (D-2<sup>nd</sup>) also serves on the Education and the Workforce Committee. **Representative Rosa DeLauro** (D-3<sup>rd</sup>) is serving as ranking member on the House Appropriations Committee as well as on the Appropriations subcommittee on labor and health.



Representatives from CABE participated in the **NSBA Advocacy Institute** prior to meeting with Connecticut's delegation. Pictured left to right: CABE Executive Director and General Counsel **Patrice McCarthy**, Immediate Past President **Donald Harris** (**Bloomfield**), Federal Relations Chair **Becky Tyrrell** (**Plainville**), CABE Past President and NSBA Regional Director **Lydia Tedone** (**Simsbury**), President **Liz Brown** (**Waterbury**), VP for Government Relations **Meg Scata** (**Portland**), First VP **Leonard Lockhart** (**Windsor**), and Sr. Staff Associate for Government Relations **Sheila McKay**.



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## Understanding Connecticut's FOIA

# PUBLIC PARTICIPATION AT MEETINGS: What is (and May Soon Be) Required Under the FOIA?

**Mark J. Sommaruga, Esq.**  
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I am often asked questions concerning public participation at board meetings, in light of the Connecticut's Freedom of Information Act's ("FOIA") meeting requirements. Here are some helpful pointers as to what is currently required, along with a possible change on the horizon.

### **What is the General Rule for Public Attendance at Board Meetings?**

It goes without saying that the public has a right to attend all meetings of public agencies covered by the FOIA (except for executive sessions where the public can be properly excluded). An agency can remove persons who willfully interrupt a meeting so as to render the orderly conduct of the meeting unfeasible, but these are rare circumstances, with removal being a last resort.

### **What About "Sign In" Sheets?**

A public agency (including boards of education) must permit any member of the public to attend meetings without being required to register by name, furnish information of any kind, complete a questionnaire, or fulfill any other condition before entering the meeting place. While an agency may have a sign-in sheet for persons attending (or speaking) at a meeting, the agency cannot then prevent members of the public who refuse to provide their names from **attending** the meeting. Arguably, a sign-in sheet is permissible as a condition for **speaking** at a meeting. In speaking of speaking ...

### **What About Public Comments?**

While the FOIA gives the public the right to be present at meetings, Connecticut's Freedom of Information Commission ("FOIC") has repeatedly ruled that nothing in the FOIA gives members of the public the right to speak at a meeting. A public agency's determination as to whether to permit public comments at its meetings is governed by other legal and policy considerations (for example, a board policy or even a local ordinance requiring them) but is **not** a matter that

currently concerns the FOIC.

### **Cautionary Notes (If You Do Have Public Comments):**

An agency does NOT violate the FOIA (or even the Constitution) by not allowing public comments. However, if public comment or "audience of citizens" periods are provided for, a board can limit public comment to specific topics (for example, agenda items) pursuant to a board policy or bylaw.

In addition, a board can generally have content neutral time, place and manner restrictions (such as a time limits for speakers and requiring decorum/order).

However, a board cannot limit such comments in a viewpoint restrictive manner. With respect to complaints against employees, a board can redirect members of the public to complaint resolution policies, but likely cannot prohibit such discussion during public comments (unless the board restricts topics to agenda items).

### **What About Remote/Hybrid Meetings?**

The FOIA provides that members of the public remotely attending a remote or hybrid meeting must be provided with the same opportunity to provide comment and participate in the meeting that they would be accorded if they attended the meeting in-person. Conversely, boards are **NOT** required to offer persons remotely attending a meeting the opportunity for comment if comment is not also offered to (or required by law for) persons attending in-person.

### **Should My Board Have a Policy Governing Public Comments?**

The short answer is YES. Such a policy can address many of the issues discussed above, including when and where to have public comment periods (for example, at just regular meetings or special meetings as well), whether comments are limited to the agenda items at the meeting or can be on any topic, time limits for individual speakers and the comment period in general, whether public comments are limited to residents, any sign-up requirement, and general rules of

decorum. Which leads to ...

### **Might Things Change in the Future?**

During its current (2023) regular session, the Connecticut General Assembly is considering House Bill 5796 ("An Act Requiring Public Comment Periods at Public Agency Meetings"). As the title suggests, the bill would amend the FOIA so as to require public agencies – including boards of education -- to have public comment periods at all of their meetings.

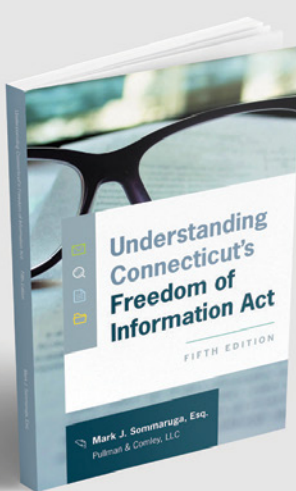
As currently written, the bill would not distinguish between (and would require public comment periods at both) regular and special meetings. Interestingly, the bill would only amend the FOIA to the extent that it would require public agencies to provide members of the public an opportunity to present oral testimony **on any items appearing on the agenda**

for such meeting during a designated public comment period. The bill further provides that agencies could adopt rules and restrictions regarding public comment periods, including, but not limited to, a limit on the total amount of time allocated for public comment on specific agenda items and for each individual speaker.

As of the date of the writing of this article, this bill is before the General Assembly's Planning and Development Committee. There is no guarantee that it will become law (as currently written or amended). Stay tuned, as boards of education may further need to revise their policies on public comments if this bill — or some version of it — becomes law.

*Attorney Sommaruga is the author of "Understanding Connecticut's Freedom of Information Act" (5<sup>th</sup> Edition 2018).*

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## Understanding Connecticut's Freedom of Information Act

### Fifth Edition

By Mark Sommaruga, Esq., Pullman & Comley, LLC

The Connecticut Freedom of Information Act ("FOIA"), often called the "Sunshine Law", is a series of laws that guarantee the public access to meetings and records of governmental entities in Connecticut. The FOIA also sets forth numerous exceptions to its open meetings and records requirements. Over the years, however, both the FOIA and its exceptions have often been misconstrued.

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