



Weston Board of Education Special Meeting (Workshop)  
Monday, September 16, 2024  
4:30 PM  
Weston Middle School Library Learning Commons  
135 School Road  
Weston, CT 06883

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- I. Call to Order, Verification of Quorum
- II. Pledge of Allegiance
  - A. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible with liberty and justice for all.
- III. Legal Update
- IV. Questions & Answers
- V. Adjournment



# SHIPMAN

## Board of Education Update: Legislative Changes & Refresher Training

Presented by Jessica Richman Smith

Weston Board of Education  
September 16, 2024

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# Agenda

Topics to be discussed



1. Education Legislation Update: The Highlights
2. Board Roles & Responsibilities: Refresher
3. Reminders about 2024-25

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# Education Legislation Update: The Highlights

# Federal Update: 2024 Title IX Final Rule



- Final Rule significantly changes **the scope** of sex-based harassment and the procedural requirements
- Gives schools **more flexibility** in **how to handle the grievance process**



- Issued April 19, 2024
- Effective August 1, 2024
  - Applies to incidents occurring on or after August 1, 2024
  - Incidents occurring before August 1, 2024 must be resolved using the old regulations

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# Major Highlights - 2024 Federal Regulations

Significantly expands definition of sexual harassment, now termed “sex-based harassment,” and what must be investigated.

One grievance process for K-12, including sex-based discrimination.

Generally eliminates the litigation-type investigation requirements in K-12, but Title IX jurisdiction expands.

Expands coverage to include LGBTQ+ but does not address athletics

# What Final Regulations Mean for K-12 Schools

One uniform grievance procedure for sex discrimination (including sex-based harassment), rather than a separate procedure for sex discrimination and sexual harassment.

- This includes complaints regarding sex discrimination in athletics; pregnant and parenting students; different treatment based on sex; retaliation; and LGBTQI+.

More conduct potentially covered under Title IX due to expansion of definition of “sex discrimination,” including “hostile environment”

# What Final Regulations Mean for K-12 Schools

Covers off-campus conduct if the school has “disciplinary authority.”

- See authority under Connecticut bullying law and board of education’s Student Discipline policy.

One person can serve almost all roles in the grievance process. No longer need multiple employees to be involved in every Title IX matter.

# Scope of Title IX

- Discrimination on the basis of sex includes discrimination on the basis of
  - ✓ sex stereotypes,
  - ✓ sex characteristics,
  - ✓ pregnancy or related conditions,
  - ✓ sexual orientation, and
  - ✓ gender identity.

# Definition of Sex-Based Harassment

- “Sex-based harassment,” not “sexual harassment”
- Quid Pro Quo
- Hostile Environment
- Specific Offenses
  - Sexual Assault
  - Dating Violence
  - Domestic Violence
  - Stalking

*NOTE:  
Terms are defined in the  
Final Regulations –  
no cross reference to other  
federal laws.*

# Federal Update: 2024 Title IX Final Rule

**Training:** New *annual* training requirements for all employees and more expansive *annual* training requirements for Title IX Coordinator; investigators, decisionmakers and other persons responsible for implementing the grievance procedure; and informal resolution facilitators.

**Policy:** BOEs will need to update their Title IX policies and administrative regulations to reflect the new law.



# In-School Suspension

Public Act No. 24-45, Section 13



- An in-school suspension is an exclusion from regular classroom activity but not exclusion from school, provided that such exclusion shall not extend beyond the end of the school year in which the suspension was imposed.
- The Act **reduces** the number of consecutive school days for in-school suspension from 10 to 5 school days.

# Early Grades Out-of-School Suspension

Public Act No. 24-45, Section 14



- Under prior law, students in preschool to grade 2 could be suspended out of school for conduct on school grounds that was “of a violent or sexual nature that endangers persons.”
- The Act revises this standard to still require conduct on school grounds, but it must be “behavior that causes physical harm.”
- The Act also reduces the maximum length for out-of-school suspension in these early grades from 10 to 5 school days.

# High School Graduation Requirements

Public Act No. 24-45, Sections 9 and 10

## Mastery-Based Diploma Assessment

Beginning with the graduating class of 2027, the Act **eliminates the option** for BOEs to require a one-credit mastery-based diploma assessment in order to graduate from high school.

## Personal Financial Management and Financial Literacy

Under existing law, beginning with the graduating class of 2027, students are required to complete a one-half credit in personal financial management and financial literacy, which could count toward the students' humanities or elective credits. This personal finance requirement **can now count towards students' STEM credit requirement.**

# High School Graduation Requirements

Public Act No. 24-45, Sections 9 and 10

## Community Service

Under existing law, BOEs may offer one-half credit in community service which, if satisfactorily completed under certain conditions, qualifies for high school graduation credit. Partisan political activities may now qualify as community service.

## Physical Education

A physician's assistant, in addition to a physician or APRN, may now write a certificate to excuse a student from participation in physical education if it is medically contraindicated by the student's physical condition.

# Reminder:

## 2023 Legislation on School Climate

### Pursuant to 2023 legislation:

- The 2023 law (1) requires school districts to implement a new Connecticut school climate policy and bullying complaint form by July 1, 2025; (2) redefines previous terms and includes new terms associated with the school climate policy; (3) updates the roles of school climate personnel; and (4) establishes a new annual training requirement. Public Act 24-45 makes minor changes to the 2023 law.
- BOEs must adopt and implement a **new school climate policy** developed by CABE by the 2025-2026 school year.
- The school climate committee must develop and administer a **school climate survey** to students, school employees and students' families, starting with the 2025-2026 school year and every 2 years thereafter.
- Each school climate specialist, in collaboration with the district's school climate coordinator, must develop the **school climate improvement plan**. The plan must consider the results of the school climate survey and recommendations from the school climate committee.
- BOEs must also adopt a **restorative practices response policy** by the 2025-2026 school year.



# School Climate Improvement Plan

Public Act No. 24-45, Sections 16, 17, and 19

The **Social and Emotional Learning and School Climate Advisory Collaborative (Collaborative)** must develop:



1. School climate survey standards, including but not limited to standards for the collection of data on diversity, equity and inclusion and for the reduction in disparities in data collection between school districts; and
2. A model school climate improvement plan.

Under existing law, beginning with the 2025-2026 school year, the school climate specialist must develop a school climate improvement plan based on the results of the school climate survey. This plan **may, but is not required to,** incorporate the model plan developed by the Collaborative.

# School Climate Survey

Public Act No. 24-4, Section 18



Clarifies that the school climate survey must either:

1. Meet the school climate survey standards developed by the Collaborative; or
2. Be the state-wide school climate survey developed by the Collaborative.

# “Bullying” in 2025

“

Unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

”

# “Challenging Behavior” in 2025

“

Behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.

”

# Paid Sick Leave

Public Act No. 24-8



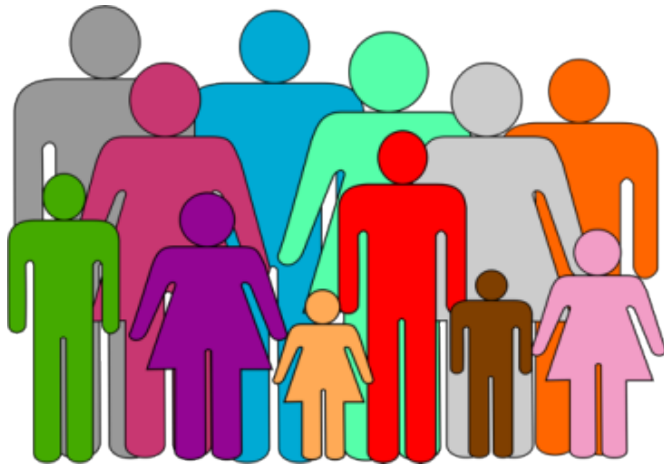
- Under current law, certain employers with at least 50 employees are required to provide their “service workers,” as defined in the law, with up to 40 hours of paid sick leave annually, in accordance with statutory requirements.
- The Act significantly expands and revises this law.
- Effective January 1, 2025, the sick leave law will expand to cover all employees, not just “service workers.”
- Sick leave shall accrue up to a maximum of 40 hours a year.

# Paid Sick Leave

## *Broader Range of Family Members*

Public Act No. 24-8, Sections 1 and 3

Under current law, employees were only permitted to use paid sick days to care for themselves or their child or spouse.



Under the revised law, employees are permitted to use paid sick leave to care for additional family members, including a spouse, child (including an adult child), parent, grandparent, grandchild, or sibling of an employee or an individual related to the employee by blood or affinity whose close association to the employee is equivalent to those family relationships.

# HVAC Inspection and Evaluation

## Staggered Inspection and Evaluation Schedule

Public Act No. 24-74, Sections 7 and 8



- State law required that, **by January 1, 2025**, BOEs conduct HVAC inspections and evaluations:
  1. within each of their school buildings,
  2. every 5 years, and
  3. in accordance with statutory standards.
- The new law establishes a staggered schedule for such inspections and evaluations. For each year commencing **July 1, 2026 and up until June 30, 2031**, BOEs must conduct a uniform inspection of **at least 20%** of school buildings under their jurisdiction (until each building is inspected) and **every 5 years** thereafter.

# Reserve Funds

Public Act No. 24-45, Sections 7 and 8



- Under prior law, a town board of finance, board of selectman, or other appropriating authority for a school district was authorized to deposit unexpended education funds into a nonlapsing account, provided that:
  - the deposited amount did not exceed 2% of the budgeted appropriation for education for the prior fiscal year and
  - expenditures were authorized by the BOE and made only for educational purposes.

# Reserve Funds

Public Act No. 24-45, Sections 7 and 8



- New legislation authorizes the BOE, rather than the town, to make these deposits, provided the same conditions are met.
- The new law permits **regional BOEs** to create a reserve fund for educational expenditures more generally, and not only for reserve funds for capital and nonrecurring expenditures, as under prior law.

# Distribution of Paraeducator Professional Development Funding

Public Act No. 24-81, Section 123



- Directs the CSDE to distribute funding from the American Rescue Plan Act for paraeducator professional development.
- Distributions must be made by **September 1, 2024** and must be proportionate to the number of paraeducators employed by each BOE.

# School Building Projects

Public Act No. 24-151, Sections 152, 153

Connecticut General Statutes § 10-283 provides that school districts are eligible to apply for and receive school building project grants, in accordance with state law. Changes:

- Existing law establishes a ten- or twenty-year amortization period (depending on the grant amount) for school building project grants and generally requires boards of education to repay the unamortized balance of the grant they received if they abandon, sell, lease, demolish, or redirect the project's use during such period to anything other than a public school use. **Now, boards of education may redirect the project to a public school or other public use during the amortization period without triggering the repayment requirement (and without needing to seek forgiveness of the balance if they redirect the project for public use).**
- Existing law prohibits DAS from adding a project to the priority list unless the applicant, before applying, has either secured funding authorization for the local share of project costs or has scheduled and prepared a referendum for which results will be submitted by November 15 in the application year. **Beginning with applications submitted on and after July 1, 2026, the local share must include an additional ten percent contingency in accordance with guidance developed by DAS.**

# School Building Projects, Cont'd

Public Act No. 24-151, Sections 154, 176; Public Act 24-1

- Previously, state law permitted the DAS Commissioner to disapprove a grant application if, among other things, it did not comply with the State Fire Marshal's or DPH's requirements. **Now, the Commissioner may disapprove an application if it does not include an attestation from the local fire marshal or local health department that the school building project plans comply with these requirements. In addition, on and after July 1, 2025, the Commissioner may reject an application that does not include a solar feasibility assessment set forth in the Act.**
- **Beginning July 1, 2025**, a board of education must, prior to submitting any applications for grants for a school building project, complete a solar feasibility assessment for the school building, unless the building already utilizes solar energy. The assessment must provide the board of education with information concerning the feasibility of installing solar photovoltaic systems on the premises of the school building. The information required to be in the assessment is outlined in the Act.
- There are **numerous revisions to the contracting requirements** for public school building projects.

NOTE: These changes are not inclusive of all changes related to school building projects.

# School Playground Design Requirements

Public Act No. 24-93, Section 18



Requires any playgrounds designed on or after **July 1, 2025**, to conform with the “**principles of universal design**,” to maximize usability and access without the need for adaptation or specialized design.

At minimum, each new playground must include:

1. spaces that appeal to various senses and allow multiple forms of play,
2. terrain designed to encourage unstructured play,
3. multiple ways to access play spaces and equipment that allow for varying levels of ability, and
4. sensory-engaging materials and use of trees and other plantings.

# School Bus Seatbelt Program

Public Act No. 24-20, Section 40



- Reestablishes and makes permanent a program to provide funding to support the purchase of school buses equipped with three-point lap and shoulder seat safety belts.
- Beginning October 1, 2025, school districts may submit an application for the program to the DMV. Applications must include a proposed agreement between the district and a private school bus company. The partnering company must provide 1-50 school buses equipped with three-point lap and shoulder safety belts.

The agreement must also include a request by the company for a 50% sales tax refund for buses purchased on or after October 1, 2025 and must be contingent upon the approval of the application and the payment of the sales tax refund by DMV.

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# Education Mandate Review Advisory Council

Public Act No. 24-45, Sections 1 and 30



- Establishes the Education Mandate Review Advisory Council, responsible for reviewing BOE mandates to identify burdensome mandates and mandates that limit or restrict student instruction or services, and make any recommendations regarding the repeal or amendment of these mandates.
- The Council must submit annual reports on its review, **not later than January 1, 2025**.

The annual report shall include, but is not limited to:

1. a review of all existing education mandates required by law,
2. the costs incurred by BOEs from implementing such mandates, and
3. how the mandates are being implemented by BOEs.

# Artificial Intelligence Education Tool Pilot Program

Public Act No. 24-151, Sections 143 and 144



- Directs the CSDE to administer an AI education tool pilot program.
- CSDE must provide professional development for educators in participating BOEs which must include training on:
  - properly and safely using the selected AI tool as part of classroom instruction;
  - how the selected AI tool may benefit (a) educators in classroom instruction and (b) student learning, academic achievement, and workforce development; and
  - the laws governing AI use and the protection of student data and privacy, including FERPA.

CSDE will select **5 BOEs** to participate in the pilot program, including a rural, suburban, and urban school district.

# Public School Assessment Audit

Public Act No. 24-93, Sections 1 and 20



- Requires the CSDE, in consultation with national assessment experts and BOEs, to conduct a comprehensive audit of student assessments.
- The audit must include:
  - guidance to BOEs for conducting an inventory of assessments;
  - the development of a professional learning program for teachers concerning assessment literacy; and
  - an evaluation of the assessments inventoried by BOEs with the goals of eliminating redundant assessments, discouraging classroom activities focused solely on test preparation, reducing testing time, and maximizing assessments that provide actionable information for classroom teachers.

CSDE must submit a report on the audit to the Education Committee **by January 31, 2026.**



# Board Roles & Responsibilities: Refresher

# Responsibilities of the Board



- Implement State's educational interests as agent of the State
- Employ and act through Superintendent, who serves as "chief executive officer"
- Establish policies
- Establish budget and allocate resources
- Employ school staff

# Responsibilities of the Board (cont.)



- Adjudication (“quasi-judicial” function)
- Negotiations
- Strategic planning
- Facilities review
- Community relations
- Curriculum review
- Self-appraisal

# Role of Individual Board Members



- Authority at meetings only
- Otherwise same rights as other citizens
- One member of a team
- Query: role of “constituents”?

# Role of the Chairperson



- Preside over meetings
- Represent the Board (including in public communications)
- Organize committees
- Liaise with Superintendent
- Perform other duties so delegated
- Not responsible for managing Superintendent or solving problems

# Role of Committees



- Perform responsibilities as delegated
- Maximize efficiency of Board work
- Bring recommendations to the Board for Board action
- Not obligated to seek full Board feedback until Board must take action, but may do so as appropriate (*e.g.*, prior to mediation)
- Must comply with FOIA as “public agencies”

# Role of the Superintendent



- Chief Executive Officer
- Enforces laws, regulations, rules, policies
- Makes recommendations to the Board
- Carries out Board's mission
- Appoints certain staff

# Policy Governance



1. Establish, review, modify policies
2. Review and modify policies as needed
3. Ensure implementation

**Tip: Leave operations and implementation to administration.**

# Opportunities for Community Engagement



- Engagement is a two-way street: communicate *to* the public/receive feedback *from* the public
- Board meetings/public comment
- Emails/community messaging
- Committee meetings
- Query:
  - Social media?
  - Individual (“private”) conversations?

# Code of Ethics (Bylaw 9271)



15 principles based upon the “Standards of Leadership for Members of the Boards of Education” recommended by CABE

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**Reminders about 2024-25**

# 2024-25 Planning

- Important policy updates (Title IX, bullying)
- WTA contract negotiations
- WAA contract negotiations
- HVAC inspections and evaluations
  - For each year commencing **July 1, 2026 and up until June 30, 2031**, BOEs must conduct a uniform inspection of **at least 20%** of school buildings under their jurisdiction (until each building is inspected) and **every 5 years** thereafter

