



## Newtown Public Schools

Policy Sub-Committee Agenda  
May 6, 2025

Council Chambers  
3 Primrose St.  
Newtown, CT 06470  
5:30 PM

*As citizens of our community, we will conduct ourselves in accordance with Newtown's Core Character Attributes as displayed in our character tree. We will be responsible for our actions and show respect for each other. We will interact peacefully, productively, and politely. We will be trustworthy and honest and show compassion toward others. Newtown's continued success is contingent upon our ability to persevere, to follow through with our commitments, and to stay focused on the greater good.*

### AGENDA

1. **CALL TO ORDER**
2. **PUBLIC PARTICIPATION**
3. **APPROVAL OF MINUTES**
4. **DISCUSSION AND POSSIBLE ACTION**
  - A. Policies Recommended for First Read
    1. 3320 - Purchasing
    2. 3280 - Gifts, Grants and Bequests
    3. 3453 - School Activity Funds
  - B. Policies to Rescind Upon Adoption of Policies Above
    1. 3320 - Purchasing Procedures
    2. 3280 - Gifts, Grants and Bequests
    3. 3453 - Activity Fund
  - C. Review Policies
    1. 1140 - Requests to Distribute Materials
    2. 3160 - Budget Procedures and Line Item Transfers
    3. 4117 - Emergency Action Plan for Intramural and Interscholastic Athletic Events
    4. 5132 - Student Dress
  - D. Non-Mandated Policies to Rescind
    1. 3152 - Spending Public Funds for Advocacy
    2. 3240 - Tuition Fees
    3. 3250 - Materials/Service Fees/Services

4. 3293.1 - Authorization of Signature
5. 3300- Expenditures/Expending Authority
6. 3312.1 Standardization of Supplies and Equipment
7. 3313 - Relations with Vendors
8. 3323 - Soliciting Prices-Bids and Quotations
9. 3324 - Ordering Goods and Services - Purchase Orders
10. 3325.1 - Maintenance and Control of Materials
11. 3326 - Paying for Goods and Services
12. 3326.3 - Board of Education Credit Card
13. 3410 - System of Accounts
14. 3420 - Classification of Expenditures
15. 3430 - Periodic Financial Reports
16. 3434 - Audits
17. 3435 - Fraud Prevention and Investigation
18. 3440 - Inventory of Assets
19. 3450 - Monies in School Buildings

5. **PUBLIC PARTICIPATION**

6. **ADJOURN**

**Board of Education  
Policy Sub-Committee Meeting  
April 1, 2025**

**3 Primrose Street  
Newtown, CT 06470  
BOE Conference Room  
5:30 p.m.**

## **MINUTES**

Anne Uberti, Superintendent  
Doria Linnetz  
Alison Plante  
Tanja Gouveia  
Sarah Connell  
1 Public

### **1. Call to Order**

- a. D. Linnetz called the meeting to order at 5:34pm.

MOTION: *A. Plante moved to add Policy 4118/4218 under C. Review Policies and move Policy 3160 - Budget Procedures and Line Item Transfers to the top of the agenda. D. Linnetz seconded. Motion passes unanimously.*

### **2. Public Participation**

None

### **3. Approval of Minutes of March 4, 2025**

MOTION: *A. Plante moved to approve the minutes of March 4, 2025. D. Linnetz seconded. Motion passes unanimously.*

### **4. Discussion and Possible Action**

- a. Policies Recommended for First Read

- i. *3160 - Budget Procedures and Line Item Transfers*

1. T. Gouveia asked the committee to revisit this policy. There is confusing language that prevents her from making transfers unless it is authorized by the Board.
    2. A. Uberti recommends editing the language to indicate that all transfers made in a month are attached to the monthly financial report for transparency. A. Plante agreed.
    3. A. Uberti and T. Gouveia will align language throughout the document to differentiate between financial statements and monthly financial narrative reports.
    4. D. Linnetz asked T. Gouveia and A. Uberti to make the approved edits and bring it to the CFF for review before bringing it to the Board.

- ii. *3010- Code of Conduct Governing Procurements Under a Federal Award*

1. A. Uberti reported to the committee that she has been working on the 3000 series and Newtown currently has 76 policies in the

- series. According to Shipman and Goodwin, only 7 are required. This policy (3010) is required and replaces two policies: 3230.1 and 3542.22. Her recommendation is to rescind those policies once 3010 is approved.
2. The committee did not have any additional comments.
- iii. *3030 - Disposal of obsolete or Surplus Equipment/Materials*
1. This proposed policy is a Shipman and Goodwin policy and aligns with Newtown's current policy.
  2. A. Plante asked who manages this process. A. Uberti stated the the Assistant Superintendent and Director of Facilities work together to coordinate with the town on removing obsolete or surplus equipment / materials.
  3. The committee did not have any additional comments.
- iv. *3040 - Policy and Administrative Regulations Regarding Individuals with Disabilities Education Act*
1. This is a mandated policy. A. Uberti reported that D. Petersen-Mailloux, J. DeStefano, and T. Gouveia all reviewed this policy She also renumbered it to better align the numbers in Series 3000.
  2. The committee did not have any additional comments.
- v. *1140- Requests to Distribute Materials*
1. A. Uberti stated that this topic has come up frequently as of late. Newtown's current policy is outdated on what you can and can not distribute as a District. There are three different options that A. Uberti mentioned. The first option is only to distribute materials that are school/District generated. The second is only activities that are in the schools or send everything. Currently, Newtown sends all community flyers to parents because it has been determined that parents like receiving the communication.
  2. A. Uberti's recommendation is to continue to distribute all community flyers, however, Newtown will require a stamp included on each flyer that states that "This communication and the related event/activite is sponsored by [insert organization] and is not endorsed or sponsored by the Newtown Board of Education or Newtown Public Schools."
  3. D. Linnetz has concerns about community flyers that can be controversial being sent out by Newtown. A. Uberti stated that it is either all or none.
  4. The committee agreed that A. Uberti will discuss other options with Shipman and Goodwin and bring this policy back for further review.

MOTION: A. Plante moved to send Policy 3010, Policy 3030 and Policy 3040 to the full Board for first read. D. Linnetz seconded. Motion passes unanimously.

- b. Policies to Rescind Upon Adoption of Policies in 4A
  - i. *3230.1 - Federal Funds*
    - 1. The committee agreed to rescind this policy.
  - ii. *3260 - Disposal of Obsolete or Surplus Equipment/Materials*
    - 1. The committee agreed to rescind this policy.
  - iii. *3340 - Individuals with Disabilities Education Act Fiscal Compliance*
    - 1. The committee agreed to rescind this policy.
  - iv. *1140 - Requests to Distribute Materials*
    - 1. The committee will not send this policy forward to be rescinded until A.Uberti brings back the policy for further review.
  - v. *3542.22 - Food Service Personnel- Code of Conduct*
    - 1. The committee agreed to rescind this policy.

MOTION: *A. Plante moved to send Policy 3230.1, Policy 3260 and Policy 3340, Policy 3542.22 to the full Board for recommendation to rescind. D. Linnetz seconded. Motion passes unanimously.*

- c. Review Policies
  - i. *4117 - Emergency Action Plan for Intramural and Interscholastic Athletic Events*
    - 1. A.Uberti stated that she discussed this policy with Karen Powell and can confirm that this is a Nurse document. The nurses go above and beyond with the specific training given to the coaches. The coaches also receive their annual review at the pre-season meeting done by Mr. Memoli.
    - 2. There was some concern on why the policy states the “Board” when the Board will not annually review an emergency action plan.
    - 3. D. Linnetz said that when the policy is read in totality, the policy makes sense that it does not mean the actual “Board”. A.Uberti said that she can understand why it is confusing and will get more clarification from Shipman and Goodwin.
    - 4. The committee also discussed if Newtown had a concussion protocol. Newtown does and it follows the CIAC guidelines and are outlined in the handbooks. There was also a question about intramural sports and how many there were in the District. A. Uberti will get that answer for the next meeting.
  - ii. *4152.6/4252.6 - Family and Medical Leave*
    - 1. A.Uberti reported that S.D’Eramo made the necessary edits to clear up any confusion on this policy. The edits came directly from Shipman and Goodwin. The committee agreed.
  - iii. *5132 - Student Dress*
    - 1. A.Uberti stated that she reviewed this policy again with Dr. Longobucco and Mr. Ross. They provided input which is outlined in the policy.

2. D. Linnetz asked if A.Uberti thought this was necessary to be a District-wide policy. A.Uberti believes that it is needed.
3. D. Linnetz has concerns about some of the language with sunglasses. She does not feel it is necessary. A.Uberti will bring this back to Dr. Longobucco and Mr. Ross for their input.
4. The committee agreed to send this to the full Board for their input as well.

MOTION: *A. Plante moved to send Policy 5132 to the full Board for first read. D. Linnetz seconded. Motion passes unanimously.*

*iv. 5141.22 - Communicable Diseases*

1. A.Uberti believes this is best suited to be a regulation. After creating the updated chart, she added verbiage to the beginning of the regulation. This was reviewed by K. Powell and she agrees.
2. The committee did not have any additional comments.

MOTION: *A. Plante moved to send 5141.22 - Communicable Diseases to the full Board as an Item of Information. D. Linnetz seconded. Motion passes unanimously.*

*v. 4118/4218 - Exertional Heat Illness Awareness for Intramural and Interscholastic Athletics*

1. A.Uberti answered the question from the Board member about who is considered a coach. An Athletic Trainer is not considered a coach and CIAC is the governing body for interscholastic athletics in CT.

*d. Non-Mandated Policies to Rescind*

- i. 3000 - Concepts and Roles in Business and Non-Instructional Operations*
- ii. 3100 - Budget: Budgeting System*
- iii. 3110 - Budget Planning*
- iv. 3113 - Setting Budget Priorities*
- v. 3121 - Approval of the Budget/Delivery to Fiscal Authority*
- vi. 3170 - Expenditure Plan*
- vii. 3220 - State Federal Funds*
  1. The committee did not have any concerns with rescinding the policies listed in section d.

MOTION: *A.Plante moved to send the policies listed in section D: Non-Mandated Policies to Rescind to the full board for recommendation to rescind. D. Linnetz seconded. Motion passes unanimously.*

## **5. Public Participation**

- a. Deborra Zukowski, Newtown, spoke about Policy 4117 and making sure that there is language in the policy for when new coaches are hired. Sometimes information can fall through the cracks and it is important to have it in writing. Her concern with Policy 1170 is that she hopes the committee can have a conversation about a middle ground because it is time and resources for the District. She also voiced concern about Robert's Rules and reminded the committee that tabling and postponing agenda items are two different things.

## **6. Adjourn**

MOTION: *A.Plante moved to adjourn the meeting. D. Linnetz seconded. Motion passes unanimously.*

Meeting adjourned at 6:59 pm.

*Respectfully submitted,*

*Sarah Connell*

**\*\*THESE ARE DRAFT MINUTES\*\***

**NOTE: This is a required policy that has been updated to reflect current practice and existing limits. This Shipman policy will replace the existing policy 3320 which will be rescinded after this policy is approved.**

**Series 3000  
Business**

**3320**

## **PURCHASING**

### **I. DEFINITIONS**

For purposes of this policy:

- A. “Goods or service” includes, but is not limited to, portable classrooms, motor vehicles or materials and equipment, such as telephone systems, computers and copy machines.
- B. “General services” include all services that result in a measurable end product that can be defined by bid specifications and all services used in the process of building or altering property (excluding architectural, engineering and other design services).
- C. “Property” means real property or personal property.
- D. “Special or Professional Services” are those that involve the furnishing of judgment, expertise, advice or effort by persons other than Newtown Board of Education (“Board”) employees, and may result in the delivery of reports, recommendations, designs, or other documents to assist the Board with a project or venture, but need not involve the delivery of a specific end product that is defined by bid specifications. Examples of Professional Services include, but are not limited to, in-service instructional leaders, pupil services personnel, special education evaluators, interpreters, tutors, computer programmers, architects, auditors, attorneys, instructional consultants, and temporary agencies. Examples of Special Services include, but are not limited to, repair services for Board property, equipment and vehicles where the nature of the repair cannot be defined in advance by bid specifications and the professional expertise of the service provider is critical.

### **II. REQUIREMENTS APPLICABLE TO PURCHASES OF ALL GOODS AND SERVICES**

- A. Consultation with Municipality Regarding Contracts for Goods or Services

After going out to bid for a good or service and receiving submissions, if the local municipality uses such good or service, the Board shall consult with the legislative body of the municipality, or in the case of a municipality for which the legislative body

is a town meeting or representative town meeting, the board of selectmen, and, if the equivalent level of such good or service is provided by the municipality through a municipal contract for a lower cost than the lowest qualified bid submission received by the Board, the Board will consider a cooperative agreement with the local municipality for the provision of such good or service.

**B. Consultation with Municipality Regarding Contracts for Payroll Software and Insurance**

The Board will consult with the local municipality’s legislative body, or in the case of a municipality for which the legislative body is a town meeting or representative town meeting, the board of selectmen, prior to purchasing payroll processing or accounts payable software systems to determine whether such systems may be purchased or shared on a regional basis.

When possible, the Board will consult with the local municipality’s legislative body, or in the case of a municipality for which the legislative body is a town meeting or representative town meeting, the board of selectmen, regarding the joint purchasing of property insurance, casualty insurance, and workers’ compensation insurance.

**III. THRESHOLD PROCUREMENT AMOUNTS**

The following thresholds shall apply to the Board’s procurement of goods or general services and special or professional services.

	<b>Anticipated Expenditure</b>	<b>Procedure</b>
<b>Goods or General Services</b>	Under \$5,000	Direct purchase from the vendor. Competitive quotes and/or bidding not required.
<b>Goods or General Services</b>	\$5,000 to \$50,000	Competitive quotes required. See Section V.
<b>Goods or General Services</b>	\$50,000 or more	Competitive bidding required. See Section IV.
<b>Special or Professional Services</b>	Under \$10,000	Competitive proposals not required.
<b>Special or Professional Services</b>	\$10,000 to \$50,000	Informal competitive proposals required. See Section VI.
<b>Special or Professional Services</b>	\$50,000 or more	Formal competitive proposals required. See Section VI.

**IV. GOODS OR GENERAL SERVICES: COMPETITIVE BIDDING PROCESS**

A. Purchases Requiring Competitive Bidding Process (\$50,000 or More)

Purchases of goods or general services, expected to involve an expenditure of \$50,000 or more must be made by sealed competitive bid. As set forth below, such purchases in the amount of at least \$5,000, but less than \$50,000, may be awarded by the Superintendent of Schools or designee (collectively referred to as "Superintendent"). Such purchases in the amount of \$50,000 or more must be awarded by the Board.

B. Bid Specifications

When competitive bidding is required, all requirements, terms and conditions describing and detailing the goods or general services to be purchased must be included in the bid specifications. The bid specifications should define the requirements for quality of materials, equipment and/or services to be procured, and as such, they should clearly and accurately reflect the required characteristics of the goods and services. The bid specifications should also include any vendor or contractor qualification requirements, a school district contact person responsible for all communications with prospective bidders, a requirement that all communications between the school district contact person and prospective bidders be in writing and, if the purchase will require entering into a contract, a form of contract whenever possible.

The Superintendent shall develop the proposed bid specifications and other bid documents.

C. Advertising

A legal notice inviting sealed bids shall be published by the Superintendent on the website of the municipality and/or Board and in a daily local newspaper, if publication in a newspaper is required by law. At least five (5) calendar days must intervene between the date of the website and/or newspaper publication and the final date for submitting bids. The notice shall contain a general description of the goods or services being bid, the school district contact person and the day, hour and place of the bid opening and may contain other information relating to the bid including, but not limited to, where and when bid packages may be obtained.

D. Bid Openings and Awards

All bids, and bid security if applicable, must be submitted to the Superintendent in sealed envelopes and show on the face of the envelopes the bid number, the title of the bid and the bidder's name. All envelopes will be date stamped as received.

All bids shall be opened in public, and the name of the bidder(s) and total cost(s) shall be read aloud at the time stated in the legal notice. No bids shall be accepted, or opened, that were not submitted in compliance with the procedures set forth in the notice advertising the bid.

Within a reasonable time following the bid opening, the Superintendent will tabulate and analyze the bids. For contracts of at least \$5,000, but less than \$50,000 or amount set by the Board of Education, the Superintendent shall make a provisional award, subject to finalization of the contract or other applicable conditions, to the Selected Bidder, as that term is defined below. For contracts of \$50,000 or more, the Board shall make a provisional award, subject to finalization of the contract or other applicable conditions, to the Selected Bidder, as that term is defined below.

A record of all bids submitted, giving the names of the bidders, the amounts of the bids and indicating the successful bidder, shall be preserved by the Superintendent in accordance with State law.

E. Bid Security

When, in the judgment of the Superintendent, bid security is advisable, all bids must be accompanied by security in one of the following forms - certified check, cashier's check, personal money order, letter of credit or bid bond. The requirement for, and the amount of, the security must be set forth in the bid advertisement. All security presented must show the "Newtown Board of Education" as the payee.

F. Requirements Governing Bid Awards

The award shall be made to the bidder (1) whose bid meets the requirements, terms and conditions contained in the bid specifications and (2) is deemed to meet the criteria identified below among those bidders possessing the skill, ability and integrity necessary for faithful performance of the work (the "Selected Bidder"). To be considered as a Selected Bidder, the bidder must have submitted all of the required information identified in the bid specifications. The determination of the Selected Bidder shall then be made after consideration of the objective criteria identified below and after consideration of a cooperative agreement with the municipality as described in Section I.B, above. Unless otherwise required by law, the Board reserves the right to award the bid to a Selected Bidder that is not the lowest bidder. In such instance, the reason for the selection shall be documented and preserved by the Superintendent or as may be required by law.

In determining the Selected Bidder the following criteria will be considered, as applicable:

- (1) The ability and capacity of the bidder to perform the work based on an evaluation of the character, integrity, reputation and experience of the bidder. Consideration shall be given to previous work performed by the bidder for the Board or for other agencies, including the quality and degree of satisfaction with the work performed.
- (2) The financial resources of the bidder and the bidder's ability to secure any required bonds and/or insurance.

- (3) Compliance by the bidder with all applicable federal, state and local laws, including any licensing requirements.
- (4) Delivery or completion time.
- (5) Cost and/or considerations of additional value included in the proposal.
- (6) Involvement in litigation.

Should a situation arise where it is impossible to distinguish between two bidders to identify the Selected Bidder, and one of the bidders has its principal place of business located within the Town of Newtown, the award will be made to the local bidder.

G. Rejection of Bids

The Superintendent has the right to reject any and all bids in whole or in part. Any or all bids may be rejected if there is any reason to believe that collusion exists among the bidders. Individual bids may be rejected for irregularities of any kind, including, without limitation, alteration of form, additions not called for, conditional bids, incomplete bids, and unexplained erasures.

The Superintendent retains the right to waive any formality or procedural irregularities in the bids received. Nothing in this Section should be construed to limit in any way the right of the Board or the Superintendent to reject any and all bids.

H. Advisement of Bid Award

Upon acceptance of the Selected Bidder, a letter will be sent to the successful bidder(s) announcing the selection of the chosen bidder. All unsuccessful bidders will be sent a letter notifying them that they were not selected.

**V. GOODS OR GENERAL SERVICES: COMPETITIVE QUOTATION PROCESS**

A. Purchases Requiring Competitive Quotation Process

Price quotations should be requested for all purchases of goods or general services, expected to involve an expenditure of at least \$5,000 but less than \$50,000. Purchases of goods or services that involve an expenditure of less than \$5,000 may be made directly, without regard to any competitive bid or quotation process. Waivers from the quotation process are available for the same reasons that Waivers are available from the bidding process. (See Section VII.)

B. Process for Obtaining Quotations

Generally, quotations, either oral or written, should be solicited by the Superintendent from at least three (3) vendors or obtained from current catalogues or price sheets. The refusal of an otherwise valid supplier to quote shall qualify as a quotation. The quotation process does not require a public opening, and the Superintendent may send requests to a limited number of selected vendors. If such request includes a date for submission of quotations, vendors must furnish all of the necessary information to the Superintendent by the specified date.

The purchase shall be awarded to the provider whose proposal is deemed to best provide the good and/or services desired, taking into account cost and the project requirements, and after consideration of a cooperative agreement with the municipality as described in Section I.B, above.

## **VI. SPECIAL OR PROFESSIONAL SERVICES: COMPETITIVE PROPOSAL PROCESS**

### **A. Purchases Requiring Competitive Proposal Process**

Purchases of Special or Professional Services shall be made by competitive proposal should the situation warrant if the purchase exceeds the monetary thresholds set forth below. Waivers from the competitive proposal process are available for the same reasons that Waivers are available from the bidding process. (See Section VII.) Funds must be available in the proper account in order to solicit proposals.

Purchases of Special or Professional Services that are expected to be less than \$10,000 shall be made directly by the Superintendent, without regard to a competitive proposal process.

### **B. Informal Competitive Proposal Process \$10,000 to \$50,000**

Purchases of Special or Professional Services for at least \$10,000 but less than \$50,000 shall be based upon a reasonable and documented attempt to solicit proposals. Where possible, proposals should be solicited from at least three (3) potential service providers. The refusal to submit a proposal from an otherwise valid provider shall qualify as a proposal. The process shall be documented in writing by the Superintendent. If a single reasonable source exists for the service, this fact shall be documented in writing.

An evaluation of the proposals received will be made by the Superintendent. The Superintendent shall provisionally award the contract, subject to finalization of the contract or other applicable conditions, to the service provider whose proposal is deemed to best provide the services desired, taking into account cost and the project requirements. Nothing in this Section should be construed to limit in any way the right of the Superintendent to reject any and all proposals.

A record of all proposals submitted, giving the names of the service providers, the amount of the proposal and indicating the successful provider, shall be preserved by the Superintendent in accordance with State law.

C. Formal Competitive Proposal Process \$50,000 or more)

A Request for Proposals (“RFP”) for purchases of Special or Professional Services for \$50,000 or more shall be prepared by the Superintendent. All requirements, terms and conditions, including provider qualifications, should be included in the RFP, as well as a form of contract whenever possible. The award of any such contracts for \$50,000 or more shall be approved by the Board.

The Superintendent will arrange to have a legal notice requesting proposals published on the website of the municipality and/or the Board and in a daily local newspaper, if publication in a newspaper is required by law, at least ten (10) business days prior to the deadline for submitting proposals. Whenever the Superintendent determines that the service requested is so specialized that few appropriate providers can reasonably be expected to respond to the notice, the Superintendent may substitute another means of notifying potential providers of the RFP in lieu of such website and/or newspaper notice, except as provided by law. Any advertisement or other notice of the RFP shall include the general description of the services sought and the location where RFPs may be obtained.

An evaluation of the proposals will be made by the Superintendent. The contract shall be provisionally awarded, subject to finalization of the contract or other applicable conditions, to the service provider whose proposal is deemed to best provide the services desired, taking into account cost and the requirements, terms and conditions contained in the RFP. Nothing in this Section should be construed to limit in any way the right of the Superintendent to reject any and all proposals.

A record of all proposals submitted, giving the names of the service providers, the amount of the proposal and indicating the successful provider, shall be preserved by the Superintendent in accordance with State law.

## **VII. WAIVERS**

In certain situations the bidding, quotation and proposal processes described above may be waived even though the estimated cost exceeds the dollar threshold established by the Board. The processes identified in this policy may be waived for any of the following reasons:

- (1) Only one (1) reasonable or qualified source can be identified. This shall include situations such as the purchase of copyrighted materials, software and textbooks.

- (2) Time is a critical factor, and taking the time necessary to comply with the formal process would not be in the best interests of the school district.
- (3) In the opinion of the Superintendent, an emergency requires the purchase of goods or services to avoid injury or damage to human life or property.
- (4) A special source, including but not limited to a sale, purchasing plan, government discount or trade-in allowance, will supply a lower cost than that which would result from a bid process.
- (5) A formal process would result in substantially higher costs to the school district, or inefficient use of personnel, or cause substantial disruption of school district operations.
- (6) Regional or cooperative purchases.
- (7) Cooperative agreement with the local municipality.

For a requesting administrator to obtain a Waiver, the requesting administrator must make a written request to the Superintendent. The Waiver must bear the signature of the requesting administrator and state the reason(s) for requesting the Waiver. Upon receipt of such request, the Superintendent will promptly notify the requesting administrator if such Waiver has been granted.

In addition, the Superintendent, in their sole determination, may grant a Waiver for any of the above-listed reasons. Upon granting such a Waiver, the Superintendent must, in writing, state the reason(s) for granting such Waiver.

## **VIII. PROCUREMENT OF PROPERTY AND SERVICES UNDER A FEDERAL AWARD**

When procuring property and/or services under a Federal award, the Board will comply with relevant regulations in the Code of Federal Regulations, including but not limited to those described in 2 C.F.R. § 200.318 through 2 C.F.R. § 200.327, as amended from time to time, to the extent it is required to do so. See Appendix A.

When procuring property and/or services purchased with Federal funds as part of the National School Lunch Program, including Connecticut School Nutrition Program funds, the Board will comply with relevant regulations in the Code of Federal Regulations, including but not limited to those described in 2 C.F.R. § 200.318 through 2 C.F.R. § 200.327, 7 C.F.R. § 220.16, and 7 C.F.R. § 210.21 through 7 C.F.R. § 210.23, as amended from time to time, to the extent it is required to do so. The

Board's school nutrition program director, management, and staff tasked with National School Lunch Program procurement responsibilities shall complete annual training on Federal procurements standards and retain records to document compliance with this requirement. The Board shall also comply with school food authority procurement reviews and audits, as may be required and in accordance with applicable law.

## **IX. COMPLIANCE WITH GRANTS**

When procuring goods or services pursuant to a Federal or State grant or award, the Board will comply with applicable grant or award requirements and assurances made in connection with such funds. Such requirements may include, but are not limited to, use of such funds for authorized purposes and the inclusion of required contract provisions in any contract funded by Federal or State grants.

## **X. AUDITS**

The Board may periodically engage an independent audit firm to review the purchasing procedures outlined in this policy.

### **Legal References:**

#### **State Law:**

- Conn. Gen. Stat. §10-241c Local board of education to consult with municipality re joint purchasing of property insurance, casualty insurance and workers' compensation insurance.
- Conn. Gen. Stat. §10-241d Local board of education consultation with municipality re goods and services. Cooperative arrangements.
- Conn. Gen. Stat. §10-241e Local board of education consultation with municipality prior to purchase of payroll processing or accounts payable software program.

#### **Federal Law:**

- 2 C.F.R. § 200.317 through 2 § C.F.R. 200.327.
- 2 C.F.R. § 200.81 (definition of property).
- 7 C.F.R. § 210.21 through 2 C.F.R. § 210.23.

United States Department of Agriculture, Food and Nutrition Service, Policy Memorandum SP 39-2017, *Local Agency Procurement Reviews for School Food Authorities* (June 30, 2017).

ADOPTED: \_\_\_\_\_

REVISED: \_\_\_\_\_

11/27/2023

**NOTE: This is a required policy that has been updated to reflect current practice and existing limits. This Shipman policy will replace the existing policy 3320 which will be rescinded after this policy is approved.**

**APPENDIX A**

**Procurement Standards for the Acquisition of Property or Services**  
**Under a Federal Award**  
**2 C.F.R. §§ 200.317-300.327**

*This Appendix addresses procurements of property and services under a Federal award. Whenever these Federal Uniform Guidance Procurement Standards, as may be amended from time to time, are applicable to procurements made by the Board of Education (the “Board”), the Board shall apply the more restrictive procurement rules, to the extent it is required to do so.*

<b>2 C.F.R. §</b>	<b>FULL TEXT OF C.F.R. SECTION</b>	<b>BRIEF SUMMARY</b>
<b>200.317</b>	<b>Procurements by States</b>	
	When procuring property and services under a Federal award, a State must follow the same policies and procedures it uses for procurements from its non-Federal funds. The State will comply with §§ 200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by § 200.327. All other non-Federal entities, including subrecipients of a State, must follow the procurement standards in §§ 200.318 through 200.327.	A State must follow the same policies and procedures when making procurements under a Federal award and when making procurements using non-Federal funds. The Board must follow 2 C.F.R. §§ 200.318 through 200.327 when making procurements under a Federal award.
<b>200.318</b>	<b>General Procurement Standards</b>	
200.318(a)	The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services	The Board must have and use documented procurement procedures consistent with State,

	required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327.	local, and Federal requirements for procurements made under a Federal award.
200.318(b)	Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.	The Board must maintain oversight of its contractors.
200.318(c)(1)	The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.	The Board must have written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts. Board officers and employees (and their immediate family members, partners, and organizations which employ or are about to employ them) must not have a financial or other interest in a contract and must not solicit or accept gifts from contractors or subcontractors. The standards of conduct must provide for disciplinary actions for violations. See Code of Conduct Governing Procurements Under a Federal Award.
200.318(c)(2)	If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because	The Board's conflict of interest policy must cover relationships with certain parent, affiliate, or subsidiary organizations, if any.

	of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.	
200.318(d)	The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.	The Board must avoid acquisition of unnecessary or duplicative items.
200.318(e)	To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.	The Board is encouraged to use intergovernmental agreements or inter-entity agreements.
200.318(f)	The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.	The Board is encouraged to use Federal excess and surplus in lieu of purchasing new, when feasible.
200.318(g)	The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.	The Board is encouraged to use value engineering clauses in construction contracts of sufficient size.
200.318(h)	The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.	The Board must award contracts to responsible contractors, after considering contractor integrity, compliance with public policy, past

		performance, and financial and technical resources.
200.318(i)	The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.	The Board must maintain procurement records.
200.318(j)(1)	The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of: (i) The actual cost of materials; (ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.	The Board may only use time-and-materials type contracts in limited circumstances.
200.318(j)(2)	Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.	The Board must set a ceiling price and assert a high degree of oversight on time-and-materials type contracts.
200.318(k)	The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.	The Board must be responsible for settling contract disputes and administrative issues arising out of procurements.

<b>200.319</b>	<b>Competition</b>	
200.319(a)	All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and § 200.320.	The Board must conduct procurement transactions in a manner providing full and open competition.
200.319(b)	In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to: (1) Placing unreasonable requirements on firms in order for them to qualify to do business; (2) Requiring unnecessary experience and excessive bonding; (3) Noncompetitive pricing practices between firms or between affiliated companies; (4) Noncompetitive contracts to consultants that are on retainer contracts; (5) Organizational conflicts of interest; (6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and (7) Any arbitrary action in the procurement process.	Contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. The Board must avoid practices that are restrictive of competition.
200.319(c)	The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.	The Board is generally prohibited from using geographical preference in the evaluation of bids or proposals.

200.319(d)	The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations: (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and (2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.	The Board must have written procedures for procurement transactions that ensure that solicitations (1) incorporate a clear and accurate description of technical requirements and (2) identify all requirements the offeror must fulfill and all other factors to be used in evaluating bids or proposals.
200.319(e)	The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.	The Board must ensure all prequalified lists are current and include enough qualified sources to ensure open and free competition.
200.319(f)	Noncompetitive procurements can only be awarded in accordance with § 200.320(c).	Noncompetitive procurements must be awarded in accordance with § 200.320(c).
<b>200.320</b>	<b>Methods of Procurement to be Followed</b>	
200.320	The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317,	The Board must have and use documented procurement procedures for procurements made

	200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.	under a Federal award or sub-award.
200.320(a)	Informal procurement methods. When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold (SAT), as defined in § 200.1, or a lower threshold established by a non-Federal entity, formal procurement methods are not required. The non-Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:	For purchases under the simplified acquisition threshold, or a lower threshold established by the Board, the Board may use informal procurement methods (micro-purchases and small purchases).
200.320(a)(1)	<p>(1) Micro-purchases—</p> <p>(i) Distribution. The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of micro-purchase in § 200.1). To the maximum extent practicable, the non-Federal entity should distribute micro-purchases equitably among qualified suppliers.</p> <p>(ii) Micro-purchase awards. Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it[s] files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.</p> <p>(iii) Micro-purchase thresholds. The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold</p>	Micro-purchases should be distributed equitably among qualified suppliers and may be awarded without soliciting competitive price or rate quotations if the Board considers the price to be reasonable based on research, experience, purchase history, or other information and documents its files accordingly.

	<p>higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.</p> <p>(iv) Non-Federal entity increase to the micro-purchase threshold up to \$50,000. Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:</p> <p>(A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit;</p> <p>(B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,</p> <p>(C) For public institutions, a higher threshold consistent with State law.</p> <p>(v) Non-Federal entity increase to the micro-purchase threshold over \$50,000. Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.</p>	
200.320(a)(2)	<p>(2) Small purchases—</p> <p>(i) Small purchase procedures. The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained</p>	<p>For small purchases, the aggregate dollar amount of which is higher than the micro-purchase threshold but lower than the simplified acquisition threshold, price or rate quotations must be obtained from an</p>

	<p>from an adequate number of qualified sources as determined appropriate by the non-Federal entity.</p> <p>(ii) Simplified acquisition thresholds. The non-Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.</p>	adequate number of qualified sources.
200.320(b)	<p>Formal procurement methods. When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with § 200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-Federal entity determines to be appropriate:</p>	For purchases that exceed the simplified acquisition threshold, or a lower threshold established by the Board, formal procurement methods must be used and public advertising may be required.
200.320(b)(1)	<p>(1) Sealed bids. A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions [stet]. (i) In order for sealed bidding to be feasible, the following conditions should be present: (A) A complete, adequate, and realistic specification or purchase description is available; (B) Two or more responsible bidders are willing and able to compete effectively for the</p>	In sealed bid procurements, bids are publicly solicited and the Board awards the contract to the lowest responsible bidder. The Board should use sealed bidding for procuring construction whenever complete, adequate, and realistic specifications are available, two or more responsible bidders are able

	<p>business; and (C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price. (ii) If sealed bids are used, the following requirements apply: (A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised; (B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond; (C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly; (D) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and (E) Any or all bids may be rejected if there is a sound documented reason.</p>	<p>to compete, and selection of a successful bidder can be made principally on the basis of price. If sealed bids are used, they must meet certain requirements. Any or all bids may be rejected if there is a sound documented reason.</p>
200.320(b)(2)	<p>(2) Proposals. A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements: (i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical; (ii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections; (iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous</p>	<p>Proposals for fixed price or cost-reimbursement type contracts are generally used when conditions are not appropriate for the use of sealed bids. Proposals are awarded after requests for proposals are publicized with evaluation factors identified; an adequate number of offerors are solicited, considered and evaluated; and contracts are awarded to the responsible offeror</p>

	to the non–Federal entity, with price and other factors considered; and (iv) The non–Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort.	with the most advantageous proposal.
200.320(c)	Noncompetitive procurement. There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply: (1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section); (2) The item is available only from a single source; (3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation; (4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non–Federal entity; or (5) After solicitation of a number of sources, competition is determined inadequate.	The Board may procure goods via noncompetitive procurement only when the aggregate dollar amount does not exceed the micro-purchase threshold; the item is available only from a single source; in times of public emergency; when the Federal awarding agency expressly authorizes noncompetitive procurement; or competition is determined inadequate after solicitation of a number of sources.
<b>200.321</b>	<b>Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms</b>	

200.321(a)	The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible.	The Board must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible.
200.321(b)	Affirmative steps must include: (1) Placing qualified small and minority businesses and women’s business enterprises on solicitation lists; (2) Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources; (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises; (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises; (5) Using the services and assistance, as appropriate of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.	Affirmative steps include, among other things, placing qualified small and minority businesses and women’s business enterprises on solicitation lists; assuring such businesses are solicited whenever they are potential sources; dividing total requirements, when economically feasible, into smaller tasks or quantities; and establishing delivery schedules, where the requirement permits, which encourage participation by such businesses.
<b>200.322</b>	<b>Domestic Preferences for Procurements</b>	
200.322(a)	As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.	The Board will, to the greatest extent practicable, provide a preference for goods, products or materials produced in the United States.

200.322(b)	<p>For purposes of this section:</p> <p>(1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.</p> <p>(2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.</p>	
<b>200.323</b>	<b>Procurement of Recovered Materials</b>	
200.323	<p>A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and recourse recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.</p>	<p>The Board must follow standards in procuring certain items over \$10,000 to ensure, among other things, the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.</p>
<b>200.324</b>	<b>Contract Cost and Price</b>	
200.324(a)	<p>The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of</p>	<p>The Board must perform a cost or price analysis for every procurement in excess of the simplified acquisition threshold.</p>

	analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.	
200.324(b)	The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.	The Board must negotiate profit for sole-source procurements and for procurements where cost analysis is performed.
200.324(c)	Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E [Cost Principles] of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.	Costs incurred or estimated costs are allowable only to the extent they comply with Federal Cost Principles.
200.324(d)	The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.	The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.
<b>200.325</b>	<b>Federal Awarding Agency or Pass-Through Entity Review</b>	
200.325(a)	The non-Federal entity must make available, upon request of the Federal awarding agency or passthrough entity, technical specifications on proposed procurements when the Federal awarding agency or passthrough entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a	The Board must make technical specs for procurements available upon request by the Federal awarding agency or passthrough entity.

	solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or passthrough entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.	
200.325(b)	The non-Federal entity must make available upon request, for the Federal awarding agency or passthrough entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when: (1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part; (2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation; (3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product; (4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or (5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.	Upon request, the Board must make procurement documents available for pre-procurement review by the Federal awarding agency or passthrough entity in a number of circumstances.
200.325(c)	The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part. (1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis; (2) The non-Federal entity may self-certify its procurement	The Board is exempt from pre-procurement review if the Federal awarding agency or passthrough entity determines that its procurement systems comply with the standards of this part.

	<p>system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.</p>	
<b>200.326</b>	<b>Bonding Requirements</b>	
200.326	<p>For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or passthrough entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:</p>	<p>For construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold, the Federal awarding agency or passthrough entity may accept the Board's bonding requirements if it determines that its interest is adequately protected.</p>
200.326(a)	<p>A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.</p>	<p>The Board must require a bid guarantee of 5% of the bid price if the awarding agency or passthrough entity does not accept the Board's bonding requirements.</p>
200.326(b)	<p>A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.</p>	<p>The Board must require a performance bond for 100% of the contract price if the awarding agency or passthrough entity does not accept the Board's bonding requirements.</p>

200.326(c)	A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided in the contract.	The Board must require a payment bond for 100% of the contract price if the awarding agency or passthrough entity does not accept the Board’s bonding requirements.
<b>200.327</b>	<b>Contract Provisions</b>	
200.327	The non-Federal entity’s contracts must contain the applicable provisions described in Appendix II to Part 200- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.	The Board must include the Federal contract provisions in its contracts.

**NOTE: This is a required policy. This Shipman policy will replace the existing policy 3280 which will be rescinded after this policy is approved.**

**Series 3000  
Business**

**3280**

### **GIFTS, GRANTS, AND BEQUESTS TO THE DISTRICT**

Gifts of personal property to the district, including monetary donations, that meet criteria set forth in the administrative regulations established in accordance with this policy are welcomed and encouraged.

The Superintendent of Schools shall develop administrative regulations governing the acceptance of gifts and the procedure for examining and evaluating offers of gifts to the district.

The school principal may approve gifts to a school that are valued at \$500 or under and meet criteria established by the administrative regulations established in accordance with this policy. The Superintendent of Schools must accept gifts that are valued over \$500 and meet criteria established by the administrative regulations established in accordance with this policy.

The Superintendent, in consultation with the principals and considering the wishes of the donor, may determine the school(s), program(s) or facility(ies) to which the gift shall go if it is valued at more than \$500. The Superintendent shall inform the Board of Education of any gift valued at more than \$500 that has been accepted by the district.

If the Superintendent determines that a gift fails to meet the criteria established in the administrative regulations, the Superintendent shall inform the Board of Education. Any gift rejected by the Board of Education shall be returned to the donor or the donor's estate, with a statement indicating the reason for rejection of such gift.

Legal Reference:

Conn. Gen. Stat. § 10-237

ADOPTED: \_\_\_\_\_

REVISED: \_\_\_\_\_

**Series 3000**  
**Business**

**ADMINISTRATIVE REGULATIONS REGARDING GIFTS, GRANTS  
AND BEQUESTS TO THE DISTRICT**

Any gift presented to the school district must be accompanied by a letter from the donor identifying the subject and purpose of the gift and any restrictions that may apply for official action and recognition by the Board of Education.

To be accepted, a gift must be used for the educational benefit of students and satisfy the following criteria:

- Have a purpose consistent with the purposes of the school district
- Will not begin a program that the Board of Education would be unwilling to take over when the gift or grant funds are exhausted
- Would not bring unanticipated costs to the school district
- Will place no restrictions on the school program
- Will be suitable for use in meeting the instructional needs of the school
- Will not be inappropriate or harmful to the best educational interests of students, as determined by the administration
- Will not imply endorsement of any business or product
- Will not be in conflict with any provisions of the school code or public law

All gifts, grants and bequests shall become school district property.

ADOPTED: \_\_\_\_\_

REVISED: \_\_\_\_\_

**Note: This is a mandated policy. At the time this policy is adopted, policy 3453, Activity Funds, should be rescinded. The strikethrough text is in the original recommended policy language from S & G but will be deleted since we do not have a driver education program.**

**Series 3000  
Business**

**3020**

### **SCHOOL ACTIVITY FUNDS**

The Superintendent or his/her designee may establish school activity funds to handle any of the following: 1) the finances of that part of the cost for the school lunch program that is not provided by local appropriations; ~~2) the finances of that part of the cost of the driver education program that is not provided by local appropriations;~~ and/or ~~3) 2) such funds of schools and school organizations as the Superintendent or his/her designee may determine to be in the best interest of the school district (which funds may include amounts received as gifts or donations).~~

The Superintendent or his/her designee shall designate a person to serve as treasurer of any school activity fund. Such treasurer shall be bonded and shall keep separate accounts for each school activity fund. The treasurer may expend monies from the school activity funds only to the extent such expenses are in furtherance of the stated purposes of the school activity fund, and subject to any restrictions imposed by the Superintendent or his/her designee at the time the school activity fund is established or subsequently. The control of school funds and funds of any school organizations shall remain in the name of the respective schools and organizations.

The accounts of any school activity fund shall be considered town accounts and shall be audited by the town auditor in the same manner as all other town accounts.

Legal Reference:

Conn. Gen. Stat. §10-237.

Approved:  
Schools  
Revised:  
Connecticut

Newtown Public

Newtown,

**This is an outdated policy and one that is frequently referenced by members of the school community. In reviewing the existing policy, it was found that some parts of it are likely unconstitutional. This policy was developed by me in consultation with Shipman to meet the needs of our community.**

## Community Relations

### Requests to Distribute Materials

The Newtown Board of Education (the “Board”) recognizes that the dissemination of information about local events, activities, and services may be beneficial for students and encourages positive school-community relationships. For this reason, printed or electronic materials may be distributed to parents and guardians as an inexpensive means of mass communication.

However, the Board recognizes that this procedure can be objectionable to parents, guardians, and the Newtown Public Schools (the “District”) if it is overutilized.

Therefore, the Superintendent of Schools or designee may approve distribution of materials in accordance with the following criteria:

1. The materials must relate to the Newtown Public Schools, the Newtown community, or local recreational or civic activities (i.e., recreational or civic activities occurring in Newtown and/or a surrounding community).
2. The materials do not promote private gain.
3. The materials do not promote any political party or candidate.
4. The materials are not advertisements for private organizations or businesses.
5. The materials do not solicit funds from parents, students, and/or staff for purposes unrelated to District schools, school-sponsored activities, or students.
6. No particular distribution procedure is imposed on the District or a District school, staff or students.
7. The materials do not interrupt the instructional program of the District and comply with overall school purposes and policy.

Any material that is not created by the Board or the District shall contain the following statement: “This communication and the related event/activity is sponsored by [*insert organization*] and is not endorsed or sponsored by the Newtown Board of Education or Newtown Public Schools.”

Requests to distribute materials associated with the budget referendum process must comply with the Connecticut Statutes. On issues to be decided at referendum, information distributed through

the District may provide information on the time, date, location and question of the referendum but shall not advocate either approval or disapproval of the proposal or question.

All requests for the distribution of materials, except for materials that are part of the approved educational program, shall be submitted to the Superintendent or designee for approval. The Superintendent or designee shall determine whether the request complies with this policy. The Superintendent's decision regarding the distribution of materials is final.

Legal Reference: Connecticut General Statutes

9-369b Explanatory text relating to local questions.

Policy adopted: May 5, 2015

NEWTOWN PUBLIC  
SCHOOLS Newtown,  
Connecticut

**EFFECTIVE: July 1, 2015**

Policy revised: **DATE**

## BOARD BUDGET PROCEDURES AND LINE ITEM TRANSFERS

In accordance with Conn. Gen. Stat. § 10-222, the Board of Education (the “Board”) shall prepare an itemized estimate of its budget each year for submission to the Board of Finance and Legislative Council for review. The Legislative Council is the “Fiscal Authority” as defined in the Town Charter. For purposes of this policy, an itemized estimate means an estimate in which the following broad budgetary categories listed below are divided into one or more budgetary category line items.

- 100 - Salaries
- 200 - Employee Benefits
- 300 - Purchased Professional Services
- 400 - Purchased Property Services
- 500 - Other Purchased Services
- 600 - Supplies
- 700 - Property
- 800 - Other
- 900 - Special Education Contingency

The itemized estimate provided to the Fiscal Authority is referred to herein as the “**Itemized Estimate.**”

The Board shall review the recommendations and suggestions made by the Fiscal Authority as to how it may consolidate non-educational services and realize financial efficiencies. If the Board rejects such suggestions and recommendations, it shall provide the Fiscal Authority a written explanation of the reason for the rejection.

Following the annual appropriation, the Board shall meet and revise the **Itemized Estimate**, if necessary, and adopt a final appropriated budget for the year. Line items in the budget may be allocated more specifically by the Superintendent or the Superintendent’s designee in the development, administration and monitoring of the budget.

The Superintendent and/or the Superintendent’s designee shall be responsible for administering and monitoring the budget through the course of the year. The Superintendent or designee shall maintain a system of appropriate expenditures and encumbrance accounting that is organized to conform with the requirements for State and Federal Accounting Reports. A **quarterly budget report** shall be prepared in the same format as the Itemized Estimate showing for each budgetary category line item the appropriated budget amount, expenditure to date (to include encumbered and expended amounts), projected expenditures, difference between the projected expenditures and the appropriation, and general comments indicating the reasons for the difference.

**Such budget report** shall be presented to the Board at the second regularly scheduled meeting in the month following the period for which such report is prepared, in accordance with the following schedule:

<b><u>Period Covered</u></b>	<b><u>Submitted</u></b>
July, August, September	October
October, November, December	January
January, February	March
March, April	May
Year-End Report	August*

\*The year-end report shall be completed and presented by the end of August.

Based on expenditures and budget projections, with such budget reports, the Superintendent shall recommend to the Board transfers from one of the broad budgetary categories in the Itemized Estimate (as set forth above) to another as needed.

For effective and efficient administration of day-to-day operations, budget transfer authority is granted to the Superintendent or the Director of Business, as his/her designee, under the following restrictions:

Board authorization is required for any transfer between major object codes exceeding \$10,000.

Transfers between major object codes less than \$10,000 may be made without prior Board of Education approval, but will be referenced in the monthly financial report.

Notice of major object codes falling into a negative balance will also be included in the monthly financial report.

No transfers within major object codes, whether individual or cumulative, of \$10,000 or more shall be made unless authorized by the Board

If the emergency transfer of \$50,000 or less is needed and the Board is unable to meet in advance, the Superintendent may approve the transfer and report to the Board at its next regularly scheduled meeting.

The Board shall not expend more than the amount of the appropriation and the amount of money received from other sources, including any unexpended funds that have been set aside in a nonlapsing account as authorized by law and described below, for educational purposes. If any occasion arises whereby additional funds are needed by the Board, the Chairperson of the Board shall notify the Fiscal Authority and submit a request for such necessary additional funds. No additional funds shall be expended until such supplemental appropriation is granted and no supplemental expenditures shall be made in excess of those so authorized.

#### **Unexpended Funds**

Notwithstanding any provision of the general statutes, municipal charter, home rule ordinance, or other ordinance, the Board may deposit into a nonlapsing account any

unexpended funds from the prior fiscal year from the budgeted appropriation, in an amount not to exceed two per cent of the total budgeted appropriation for such prior fiscal year. Each expenditure from the account must be authorized by the Board and shall be made only for educational purposes, in accordance with state law.

Legal Reference:

Conn. Gen. Stat.     § 10-221  
                              § 10-222  
                              § 10-248a  
                              Public Act 24-45, “An Act Concerning Education  
                              Mandate Relief, School Discipline and Disconnected  
                              Youth.”

Adopted:            December 17, 2024

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**Note: During the 2021 Legislative Session, the General Assembly passed Public Act 21-92, which has been codified at Connecticut General Statutes Section 10-212i. The new law requires local and regional boards of education, in consultation with local emergency medical services providers and allied health professionals, to develop and implement an emergency action plan for responding to serious and life-threatening sports-related injuries that occur during interscholastic and intramural athletic events. This policy outlines the requirements of such plan, but the particular components of any such plan will be district-specific and should be developed with medical professionals, as required by law.**

**This is a new policy for NPS and it was reviewed by the Athletic Director.**

**Series 4000  
Personnel**

**4117  
4217**

### **EMERGENCY ACTION PLAN FOR INTRAMURAL AND INTERSCHOLASTIC ATHLETIC EVENTS**

The Newtown Board of Education (the “Board”), in consultation with local emergency medical services providers and allied health professions, authorizes the Administration to develop an emergency action plan to be followed in the event that a student sustains a serious injury or illness while participating in an interscholastic or intramural athletic event. Such plan shall include, but need not be limited to, the following components:

- 1) A list of the school employees, coaches or licensed athletic trainers in each school who will be responsible for implementing the emergency action plan and a description of each person's responsibilities under the plan;
- 2) Identification of the location(s) or venue(s) where the intramural or interscholastic athletic event is taking place;
- 3) A description of the equipment and supplies that may be available at the site of the interscholastic or intramural athletic event that will assist in responding to an emergency, including the location of where such equipment and supplies may be found at such site;
- 4) A description of the procedures to be followed when a student sustains a serious sports-related injury, including, but not limited to, responding to the injured student, summoning emergency medical care, assisting local first responders in getting to the injured student and documenting the actions taken during the emergency;
- 5) A description of the protocols to be followed during cardiac or respiratory emergencies, including the operation of an automatic external defibrillator, use of cardiopulmonary resuscitation or the administration of medication, in accordance with applicable state law and Board policy;

- 6) A description of the protocols to be followed when a student is observed to exhibit signs, symptoms or behaviors consistent with a concussion or is diagnosed with a concussion, in accordance with applicable state law and Board policy;
- 7) A description of the protocols to be followed when a student suffers from a traumatic brain injury or spinal cord injury, provided such protocols are designed to include instructions that are based on the level of training of the person implementing the emergency action plan and are in accordance with best practices and state law; and
- 8) A description of the protocols to be followed in the event of heat and cold-related emergencies, provided such protocols are in accordance with current professional standards.

In developing the emergency action plan, the Administration may also consult recommendations from the governing authority for intramural and interscholastic athletics.

The Board shall annually review such emergency action plan and authorize the Administration to update such plan, as necessary. Any school employee, coach or licensed athletic trainer identified in the emergency action plan shall (1) annually rehearse such emergency action plan, and (2) be certified in cardiopulmonary resuscitation and have completed a course in first aid offered by the American Red Cross, the American Heart Association, the Department of Public Health, any director of health, or an organization using guidelines for first aid published by the American Heart Association and the American Red Cross.

The Board shall distribute the emergency action plan to all school employees, coaches and licensed athletic trainers identified in the emergency action plan. The Board shall also post such emergency action plan in all athletic facilities and at all sites where interscholastic and intramural athletic events will take place, and make such emergency action plan available on the Internet web site for the school district or school.

#### Legal References

Conn. Gen. Stat. § 10-212i. Emergency action plans for serious and life-threatening sports-related injuries during interscholastic and intramural athletic events

Connecticut Association of Schools, Connecticut Interscholastic Athletic Conference, Medical Handbook 2022-2023, available at [https://www.casciac.org/pdfs/CIAC\\_medical\\_handbook22-23.pdf](https://www.casciac.org/pdfs/CIAC_medical_handbook22-23.pdf).

Adopted:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**NOTE: This is an updated policy from Newtown's current Policy (5132 - Dress and Grooming)**

Series 5000  
Students

5132

### STUDENT DRESS

In order to maintain an environment conducive to the educational process, the Newtown Board of Education (the "Board") prohibits the following from wear during the academic school day:

- a. ~~Coats, jackets or other attire normally worn as outerwear. Outerwear includes: coats, jackets, windbreakers, nylon pullovers, down vests, and other clothing the administration deems inappropriate. Outerwear shall not be worn, carried, or kept in the classroom during regular school hours.~~
- b. ~~Head coverings of any kind, including but not limited to scarves, bandannas, masks, headbands, visors, kerchiefs, athletic sweatbands, hats, caps, or hoods. Head coverings shall not be worn, carried, hung on belts or around the neck, or kept in the classroom during regular school hours. Approved coverings worn as part of a student's religious practice or belief, or as required or permitted in conjunction with school district health and safety protocols, shall not be prohibited under this policy. Nothing in this policy shall be construed to prohibit protective hairstyles. "Protective hairstyles" includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.~~
- c. ~~Items a. and b. above must be secured in the student's locker or other storage area before school starts. Items not stored will be confiscated by the administration.~~
- d. Footwear which marks floors or is a safety hazard.
- e. Sunglasses, ~~whether~~ cannot be worn ~~or carried~~, unless required pursuant to a documented medical issue.
- f. ~~"Name" or other~~ Oversized metal belt buckles and all metal belts.
- g. Spiked or studded bracelets, oversized or multi-finger rings, belts or any other article of attire with spikes or studs attached, or any other clothing item that may present a safety hazard to the student, other students or staff.

- h. Attire or accessories that contain vulgarity or that contain overly offensive or disruptive writing or pictures, which are likely to disrupt the educational environment.
- i. Attire or accessories depicting or suggesting violence so as to disrupt the educational environment or that provokes others to act violently or causes others to be intimidated by fear of violence or that constitute "fighting words," including but not limited to attire or accessories depicting the Confederate flag and/or the Nazi swastika.
- j. Attire or accessories that depict logos or emblems that encourage the use of drugs, tobacco products, or alcoholic beverages.
- k. ~~Shirts and/or blouses that reveal the abdomen, chest, or undergarments and see-through clothing.~~
- l. ~~See-through clothing, tank tops or sleeveless shirts.~~
- k. Shirts and/or blouses that reveal the more than one handwidth of the abdomen.
- l. See-through clothing or clothing that reveals the chest or undergarments.
- m. ~~Shorts, miniskirts, or pants that reveal the upper thigh or undergarments. Spandex garments are allowed only if they are covered by shorts or skirts.~~
- N. ~~Backpacks and/or book bags are permitted to be carried between classes, but shall not obstruct safe passage in the classroom or in the corridors.~~

While the district maintains a general dress code for all students, individual schools may establish additional guidelines regarding appropriate dress. These guidelines may be tailored to reflect the developmental needs, activities, and culture of their specific age group or school community. Any school-specific dress expectations must align with the overarching principles of the district dress code and be communicated clearly to students and families.

Students who fail to comply with Board policy and regulations concerning student dress will be subject to school discipline up to and including expulsion in accordance with the Board's policy on student discipline.

Legal Reference:

Connecticut General Statutes § 46a-51 (definition of protective hairstyles)

ADOPTED: \_\_\_\_\_  
REVISED: \_\_\_\_\_

3/11/21