



# Policy Committee

## Exhibits

### Policy for Rescission, Second Reading:

- 9550 Board Hearings / Appeal Proceedings
- 9850 Board Member Insurance / Liability

### Policy for Review, Second Reading:

- 9440 Board-Superintendent Relationship
- 9540.5 Parliamentarian
- 9540.12 Broadcasting/Taping of Meetings
- 3542.4 Meal Charging

## Policy Summary

April 23, 2024

### **Policy for Rescission, Second Reading:**

#### 9550 Board Hearings / Appeal Proceedings

This bylaw is not required and we recommend repeal. In addition, the bylaw calls for hearings to be held in a "fair, open and objective manner" but does not account for situations in which hearings may need to be held in executive session (e.g., expulsion hearings).

#### 9850 Board Member Insurance / Liability

This bylaw is not required and we recommend repeal. In addition, state law requires that school districts hold Board members and school employees harmless when they are sued for alleged negligence or other actions taken while acting in the discharge of their duties (or course of their employment) as long as such actions are not wanton, reckless, or malicious. This right to indemnification includes the right to have counsel provided or to be reimbursed for reasonable attorneys' fees in defending against such claims.

### **Policy for Review, Second Reading:**

#### 9440 Board-Superintendent Relationship

This bylaw may be repealed because it is not necessary. However, if the Board elects to maintain this bylaw, we recommend review to ensure that all provisions continue to be applicable. There are no legal concerns with the bylaw. *The administration has reviewed the policy and would like to keep it.*

#### 9540.5 Parliamentary

This bylaw is not required and we recommend repeal. *Policy chair would like to keep this policy.*

#### 9540.12 Broadcasting/Taping of Meetings

This bylaw is not required and we recommend repeal. If the Board wishes to retain this bylaw we recommend further legal review to ensure compliance with state records retention requirements. *The policy has been reviewed and updated to ensure legal compliance.*

#### 3542.4 Meal Charging

Recommend repealing the policy and replacing with the S&G model policy. The model policy has been modified slightly to reflect the fact that the District does not participate in the National School Lunch Program (NSLP). *The policy was reviewed by the Director of Administrative Services.*

**#9550****Board Hearings / Appeal Proceedings**

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In conducting public hearings required by law, and any other hearings as it deems advisable, the Board will adhere strictly to any statutory requirements that apply to the specific type of hearing and shall seek to conduct the hearings in a fair, open, and objective manner, giving all persons involved an equal opportunity to be heard.

The Chairperson of the Board, or another member at his / her and the Board's approval, will preside at hearings before the Board.

At the beginning of the proceedings, the attending public will be informed of particular rules that it will be following in regard to questions, remarks, rebuttals, time limitations, or other rules necessary to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Board, or by others on behalf of the Board. To address the Board, citizens must be recognized by the Chairperson, and all remarks must be addressed to the Chairperson and be germane to the topic.

Date of Adoption: 1/3/95

**#9850****Board Member Insurance / Liability**

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Because they are members of an agency of government whose powers and duties can only be exercised by a decision of the majority of Board membership when the Board is officially in session, the members of the Board and its employees act as agents of the Board. None of these individuals should be placed in a position of personal liability for the performance of the responsibilities vested in them by the voters of the Town or assigned by this agency.

Therefore, in order to protect the individual members of the Board, its agents, and the educational interests of the Town, the Board will purchase, in the absence of governmental immunity, or in addition to governmental immunity, from public school funds adequate insurance to indemnify Board members and agents of the Board for their official actions in the service of the Town schools.

If a Board member is made a defendant in any legal proceeding resulting from the member's action in good faith in his or her official capacity as a member of the Board and compensatory or punitive damages are requested as a result thereof, the Board will fully protect and indemnify the member against any determination of judgment which may be rendered against him or her.

If a Board member is made a defendant in any legal proceeding pertaining to any act performed in good faith in his or her official capacity as a member of the Board, the Board will furnish legal counsel to represent and defend the member.

Date of Adoption: 3/7/95

Board - Superintendent Relationship

The Board of Education believes that the legislation of policies is a function of the School Board and that the execution of the policies should be the function of the Superintendent of Schools.

While the Board reserves to itself the ultimate decision of all matters concerning policy and expenditures of funds, delegation by the Board of its executive powers to the Superintendent provides flexibility for the Superintendent to manage the school system according to the provisions of the Board's policies and decisions, and allows Board members to devote their time to policy making and appraisal functions.

The Board holds the Superintendent responsible for the administration of its policies and regulations, the execution of Board actions and decisions, the operation of schools and for keeping the Board informed about school system activities, operations, and concerns.

The Board will strive to procure, when a vacancy exists, the best professional leader available for the Superintendent's position. The Board as a whole, and individual members, will:

- give the Superintendent complete administrative authority for properly discharging all professional and legal responsibilities and duties;
- hold all meetings of the board in the presence of the Superintendent except when the Superintendent's contract and salary are under consideration;
- refer all concerns to the Superintendent for appropriate investigation and action; and
- provide adequate safeguards for the Superintendent and ~~his/ her~~the Superintendent's staff members so they can discharge their professional and legal responsibilities and duties.

The Superintendent will assist the Board in making decisions and establishing policies by giving Board members relevant facts, information, and reports. The Superintendent may not perform, cause, or allow to be performed any act that is unlawful, in violation of commonly accepted

36 business and professional ethics, in violation of any contracts into which the Board has entered,  
37 or in violation of policies and regulations adopted by the Board.

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41 Date of Adoption: 1/3/95

42 First Reading: April 2, 2024

43 Second Reading: April 23, 2024

**#9540.5  
Parliamentarian**

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The parliamentarian will be either a member of the administrative staff or a Board member appointed by the Board who will be well versed in *Robert's Rules of Order, Newly Revised*, and able to advise the Board to resolve any questions related to the rules of order that arise during a public meeting.

Date of Adoption: 3/7/95  
First Reading: April 2, 2024  
Second Reading: April 23, 2024

#9540.12

Broadcasting / Taping of Meetings

Photographic and electronic audio and video broadcasting and recording devices may be used at regular and special Board of Education meetings legally open to the public according to the following guidelines:

- ~~Photographs, broadcasting, and recordings of meetings are permitted only when all parties involved have been informed that cameras, broadcasting, and / or recording devices will be used.~~
- Persons operating cameras, broadcasting, and / or recording devices must do so with a minimum of disruption to those present at the meeting. Specifically, the view between Board members and the audience must not be obstructed, interviews must not be conducted during the meeting, and no commentary is to be given in a manner that distracts Board members or the audience.
- The Board will make the necessary arrangements to have video recordings of all regular meetings and any special meeting that it deems appropriate. All video recordings will be made available to the public on the school district's internet website. ~~Through the facilities of public television, the Board will televise all regular meetings and any special meetings that it deems appropriate to meet the needs of the community and to better educate citizens about the schools. Following approval of the minutes which will be the official record of the meeting, video recordings will be held for six months for reference, then erased.~~
- ~~Video recordings of special hearings will be retained for a minimum of three years. Video recordings, as specified, are for the use of staff members, residents of the school district, and representatives of the news media. Audio recordings are not to be considered part of the minutes of any meeting.~~
- ~~Persons who wish to review any of the above should contact the Superintendent's office. The school system also will utilize the facilities of cable television in interpreting and promoting its various programs.~~

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First Reading: April 2, 2024

Second Reading: April 23, 2024



**Meal Charging**

The Madison Board of Education (the “Board”) is committed to providing nutritious food to students in the Madison Public Schools (the “District”) to support a productive learning environment.

The District does not participate in the National School Lunch Program (NSLP). The Board accepts full responsibility for providing free and reduced-price meals for eligible elementary & secondary students enrolled in the District’s schools.

**Charging Meals**

The District uses an automated debit-based system for student meal accounts. Students whose accounts have insufficient funds, and who do not bring a meal or other funds to school to pay for meals, may charge meals to their meal accounts. Students will be informed of their right to purchase a meal, which excludes a la carte items, for any school breakfast, lunch or other meal offered by the District, even if the student’s account has insufficient funds. The Board prohibits publicly identifying or shaming a student for any unpaid meal charges, including, but not limited to, the following:

- Delaying or refusing to serve a meal to such student;
- Designating a specific meal option for the student; or
- Otherwise taking any disciplinary action against the student.

**Collection of Unpaid Meal Charges**

The District’s efforts to recover from households, money owed due to the charging of meals, must not have a negative impact on the children involved and shall focus primarily on the adults in the household responsible for providing funds for meal purchases. The District shall consider whether the benefits of potential collections outweigh the costs that would be incurred to achieve those collections. For purposes of this policy, “delinquent debt” means unpaid meal charges.

The District will contact the parents/guardians of students who charge meals to their meal accounts in order for the District to collect the delinquent debt. The first such communication will be a written communication, by mail or e-mail, after **five (5)** meals have been charged. Subsequent written and verbal communications with parents/guardians concerning delinquent debt will be made as may be necessary and appropriate. All communications regarding unpaid meal charges shall be made directly and discreetly to parents/guardians. Written communications with parents/guardians regarding collection of a student’s unpaid meal charges shall include an application for free or reduced-price meals, information on local food pantries and the Connecticut Department of Social Services’ supplemental nutrition assistance program, and a link to the District’s or Town’s website that lists any community services available to Town residents.

In the event a student’s unpaid meal charges are equal to or more than the cost of thirty (30) meals, the parents/guardians of such student will be referred to the District’s homeless education liaison.

The Board shall comply with applicable federal and state laws and other federal or state requirements concerning the collection of unpaid meal charges. The Board may accept gifts, donations or grants from any public or private sources for the purpose of paying off any unpaid charges for school lunches, breakfasts or other such feeding.

**Dissemination of Policy**

This policy shall be provided in writing to all households at the start of each school year and to households transferring to the District during the school year. This policy shall be provided to all District staff responsible for

49 its enforcement. In addition, school social workers, nurses, the homeless liaison, and other staff members assisting  
50 children in need or who may be contacted by families with unpaid meal charges shall be informed of this policy.

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52 The District shall maintain, to the extent required by law, documentation of the methods used to communicate this  
53 policy to households and District staff responsible for policy enforcement.

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55 The District shall provide this policy to the Connecticut State Department of Education during Administrative  
56 Reviews.

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58 The Superintendent or superintendent’s designee may, if necessary and appropriate, develop administrative  
59 regulations in furtherance of this policy.

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61 **Legal References:**

62 State law:

63 Connecticut General Statutes

64 § 10-215 Lunches, breakfasts and other feeding programs for public school  
65 children and employees.

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67 State of Connecticut, Department of Education, School Health, Nutrition and Family Services  
68 Operational Memorandum No. 11-22, “Connecticut Statutory Requirements for Unpaid Meal  
69 Charges in Public Schools,” June 15, 2022.

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71 State of Connecticut, Department of Education, Bureau of Health/Nutrition, Family Services and  
72 Adult Education Operational Memorandum No. 4-17, “Guidance on Unpaid Meal Charges and  
73 Collection of Delinquent Meal Payments,” Nov. 2, 2016.

74  
75 Federal law:

76 7 C.F.R. Part 210 National School Lunch Program.

77 7 C.F.R. Part 220 School Breakfast Program.

78 7 C.F.R. Part 245 Determining Eligibility for Free and Reduced Price Meals and Free Milk in  
79 Schools.

80 U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 46-2016, “Unpaid  
81 Meal Charges: Local Meal Charge Policy,” July 8, 2016.

82 U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 47-2016, “Unpaid  
83 Meal Charges: Clarification on Collection of Delinquent Meal Payments,” July 8, 2016.

84 U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 57-2016, “Unpaid  
85 Meal Charges: Guidance and Q&A,” Sept. 16, 2016.

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88 First Reading: April 2, 2024

89 Second Reading: April 23, 2024

**#3542.4****Lunch Charging**

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The Madison Public Schools' food services program is an essential part of the education system. By providing good-tasting, affordable, nutritious meals in pleasant surroundings; we are supporting the learning environment and helping to teach students the value of good nutrition.

The Board accepts full responsibility for providing free and reduced price meals for eligible elementary & secondary students enrolled in the district's schools.

The Board recognizes that there is no legal requirement to allow students to charge meals, and the District strongly discourages the charging of meals. However, it is understood, that an occasional emergency may occur. In the event a student has no money, or their account balance is insufficient, the student will be allowed up to \$20 in meal charges. No snack or a-la-carte items shall be charged. Parents shall be notified of any negative balance and asked for prompt payment. Adults are not allowed to charge meals and shall pay for such meals at the time of service or through pre-paid accounts.

Once a student has reached their charging limit of \$20, they will be offered an alternate meal, which will be identified at the discretion of the District. "Alternate Meals" are not clearly defined in federal and state regulations but refer to a meal served to a student that is different from the day's advertised meal. The District shall determine the alternate meal to be offered.

**Legal Reference: Connecticut General Statutes**

10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

10-215a Nonpublic school and nonprofit agency participation in feeding programs.

10-215b Duties of State Board of Education re feeding programs.  
State Board of Education Regulations

Operational Memorandum #19-10, State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education. "Unallowable Charges to No-profit School Food Service Accounts and the Serving of Meals to No-Paying Full and Reduced Price Students.

National School Lunch Program and School breakfast Program; Competitive Foods. (7 CFR Parts 210 and 220, Federal Register, Vol 45 No. 20, Tuesday, January 29, 1980, pp 6758-6772)

State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education  
Operational Memorandum No. 4-17, "Guidance on Unpaid Meal Charges and Collection of  
Delinquent Meal Payments", November 2, 2016.

USDA Guidance:

SP46-2016, "Unpaid Meal Charges: Local Meal Charge Policies"

SP47-2016, "Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payment"

SP57-2016, "Unpaid Meal Charges: Guidance Q and A"

SP58-2016, "2016 Edition: Overcoming the Unpaid Meal Challenge: Proven Strategies from our  
Nation's Schools"

Date of Adoption: October 4, 2011  
Date of Revision: October 3, 2017  
Date of Revision: January 7, 2020