

Board of Education Regular Meeting 2021

Thursday, October 7, 2021 7:00 PM

BOE Meeting Access: BOE (10/7/21 at 7 p.m.) Web:

<https://zoom.us/j/98777370566> Dial In: (929) 205-6099 Meeting ID: 987 7737 0566, 3 Brush Hill Road, New Fairfield, CT 06812

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE MINUTES

A. September 21, 2021 - Regular

IV. APPROVAL OF THE AGENDA

V. PUBLIC PARTICIPATION -The Board welcomes public participation. Pursuant to our Board Policy, public participation is limited to no more than three (3) minutes per speaker and a total of no more than fifteen (15) minutes. People who wish to speak longer are encouraged to attend any and all related subcommittee meetings where most of the board's groundwork is done. We value your input, but due to these time limitations, we ask you to be concise and to observe the rules of common courtesy. [9320(a) of Board Bylaws]

VI. BOARD AND ADMINISTRATIVE COMMUNICATIONS

A. Chairman's Report

B. Superintendent's Report

C. Student Representatives' Report

D. Committee Reports

1. Curriculum (*Dominic Cipollone*)

2. Policy (*Samantha Mannion*)

3. Special Education Ad Hoc (*Stephanie Strazza*)

4. Communications/Community Outreach Subcommittee
(*Kathy Baker*)

E. Liaison Reports

1. Safety Committee (*Ed Sbordone*)

2. School Security and Safety Committee (*Samantha Mannion*)

VII. INFORMATION ITEMS

A. Open Choice

B. Board of Education Policies *(First Reading)*

1. Policy 1120 – Public Participation at Board of Education Meetings
 2. Policy 0200 – Goals for the Public Schools
 3. Policy 3542.43 – Charging Policy
 4. Policy 4118.11/4218.11 – Nondiscrimination
 5. Policy 5113 – Attendance/Excuses/Dismissal
 6. Policy 5113.2 – Truancy
 7. Policy 5131.911 – Hazing – Bullying
 8. Policy 5141.3 - Health Assessments and Immunizations
 9. Policy 6159 – Individualized Education Program/Special Education Program
- C. COVID Update
- D. New Fairfield High School/Consolidated School Building Project Update
- E. Budget Calendar for FY 2022-2023

VIII. **ACTION ITEMS**

A. Personnel Report

- B. Custodian Leave of Absence Request *(This item will be voted on after Executive Session.)*

IX. **PUBLIC PARTICIPATION** - The Board welcomes public participation. Pursuant to our Board Policy, public participation is limited to no more than three (3) minutes per speaker and a total of no more than fifteen (15) minutes. People who wish to speak longer are encouraged to attend any and all related subcommittee meetings where most of the board's groundwork is done. We value your input, but due to these time limitations, we ask you to be concise and to observe the rules of common courtesy. [9320(a) of Board Bylaws]

X. **FUTURE AGENDA ITEMS**

XI. **BOARD MEMBER COMMENTS**

XII. **EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING CUSTODIAN LEAVE OF ABSENCE REQUEST**

XIII. **ADJOURNMENT**

**NEW FAIRFIELD BOARD OF EDUCATION
NEW FAIRFIELD, CT**

The New Fairfield Board of Education held a regular meeting on Tuesday, September 21, 2021, at 7:00 p.m. via Zoom.

MINUTES – September 21, 2021

PRESENT: Peggy Katkocin (Chairman), Kathy Baker, Dominic Cipollone, Greg Flanagan, Kimberly LaTourette, Samantha Mannion, Rick Regan, Ed Sbordone and Stephanie Strazza

ABSENT: None

ALSO PRESENT: Superintendent of Schools Dr. Pat Cosentino, Assistant Superintendent of Schools Julie Luby, Director of Business and Operations Dr. Richard Sanzo, Director of Instructional Technology and Communications Dr. Karen Fildes, Pupil Personnel Director Katherine Matz, High School Principal James D’Amico, Meeting House Hill School Principal James Mandracchia, Consolidated School Principal Rob Spino and Consolidated School Assistant Principal Karen Gruetzner, Director of Curriculum Alyce Misuraca, Special Education Supervisor Melissa Busnel

I. CALL TO ORDER: Chairman Peggy Katkocin called the meeting to order at 7:01 p.m.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

A. September 2, 2021- Regular meeting - approved by consensus

IV. APPROVAL OF AGENDA

MOTION: Ed Sbordone made a motion to add agenda item Information Item VIID “Covid Update.” Stephanie Strazza seconded the motion. **IN FAVOR:** Kathy Baker, Dominic Cipollone, Greg Flanagan, Peggy Katkocin, Kimberly LaTourette, Samantha Mannion, Rick Regan, Ed Sbordone and Stephanie Strazza

V. PUBLIC PARTICIPATION

Ashley O’Brien asked about religious exemptions for vaccinations for her children. It was decided that Mrs. O’Brien will contact Assistant Superintendent of Schools Julie Luby privately regarding this situation.

VI. BOARD AND ADMINISTRATIVE COMMUNICATIONS

A. Chairman’s Report - Peggy Katkocin spoke of the following:

- Thanked everyone involved in New Fairfield Fair Day on Saturday, September 18th. She specifically thanked Dr. Sanzo for providing pictures and diagrams regarding the building projects.

B. Superintendent’s Report - Superintendent of Schools Dr. Pat Cosentino spoke of the following:

- Thanked everyone who volunteered at New Fairfield Fair Day.
- Thanked all staff members for stepping up and putting in extra effort due to COVID. She reminded everyone that we are still in a pandemic and encouraged everyone to be flexible.

- Expressed sincere condolences and prayers to the Vengalli family on the passing of a 2012 New Fairfield Alumna Nicole Vengalli.

C. Student Representative Report

Senior Representative Cayden Walker spoke of the following:

- Reminded everyone that parking permits are required for everyone at the high school and there will be consequences for anyone who parks illegally.
- Many students with permits have noted that the parking spots at the high school have not yet been numbered which is causing some confusion.
- Student Council is planning a Homecoming Dance for some time in October. This is the first school-wide event since the pandemic has started.
- Many students and staff members sent thoughts prayers and notes of condolences to the Vengalli family on the passing of Nicole.

D. Committee Reports

1. Business Operations/Resource Management - Ed Sbordone noted that this subcommittee met on September 21st and discussed monthly summary of budget vs. actual expenditures and encumbrances report for the first two months of the fiscal year. He compared expenditures to prior years and there are no major concerns at this time. There was an update of the Capital Improvement Plan. The BOF voted to put 100% of the BOE surplus in the Cap and Non non-lapsing account. The amount of this surplus is approximately \$118,000. The current balance in the non-lapsing account is approximately \$1.41 million that can be used for future year's projects. The subcommittee also reviewed the logistics of the building projects.

E. Liaison Reports

1. Board of Finance - Ed Sbordone noted that the BOF met on September 15th and reviewed the budget surplus for the fiscal year 2020-2021. They approved the \$118,000 surplus to go to the BOE Capital and Nonrecurring account. The vote for the town surplus was tabled until a future meeting. The next meeting of the BOF will be held on October 20th.

2. Parks and Rec - Kimberly LaTourette noted that Parks and Rec met in person on September 13th. Events discussed included New Fairfield Day, Halloween Trick or Treat and the Turkey Run.

3. School Safety and Security - Samantha Mannion noted that this subcommittee will meet on Monday, September 27th.

VII. **INFORMATION ITEMS**

A. Transition Program (STRIDES Program)

Pupil Personnel Director Katherine Matz gave an overview of the Transition Program and noted that this is the first year that New Fairfield Public Schools has an in-district program.

Special Education Supervisor Melissa Busnel spoke of the STRIDES Program (Striving to Reach Individual and Diverse Education Success). She introduced the staff for this program and spoke of the events and goals for STRIDES. She thanked everyone for the support and help with getting this program started.

B. Quarantine School Update

Julie Luby shared data regarding cases of COVID in the district. She noted that so far this year, 148 students have been in quarantine school. Members of the Board asked questions of Ms. Luby regarding State COVID regulations. There was a brief update on COVID spreading due to sports. An update will be given at a future meeting.

C. New Fairfield High School/Consolidated School Building Project Update

Dr. Rich Sanzo noted that construction is moving along with both projects. There was a meeting with JCJ and the design team about furniture, fixtures and equipment for the Consolidated Project. The site clearing work at the high school has begun. The parking spots will be numbered in the near future. Logistics for a temporary bus lot is being discussed. The first meeting of OAC (Owner, Architect and Contractor) was held today.

D. COVID-19 Update - Discussed during Quarantine School Update.

VIII. ACTION ITEMS

A. Personnel Report

MOTION: Kathy Baker made a motion to recommend to the full Board the approval of the Personnel Report for September 15, 2021, as recommended by the administration. Greg Flanagan seconded the motion. **IN FAVOR:** Kathy Baker, Dominic Cipollone, Greg Flanagan, Peggy Katkocin, Kimberly LaTourette, Samantha Mannion, Rick Regan, Ed Sbordone and Stephanie Strazza

IX. PUBLIC PARTICIPATION

Amanda Lombard noted that the Meeting House Hill School PTO received a grant from Eversource that was used to provide books for each MHHS student.

Michelle O’Gara thanked the district for the STRIDES program and is looking forward to hearing updates about it.

X. FUTURE AGENDA ITEMS

Ed Sbordone asked about getting an update on the 2022-2023 budget schedule.

Dominic Cipollone asked for an update on when Curriculum will be available on the website.

XI. BOARD MEMBER COMMENTS

Rick Regan encouraged everyone to look at the new website. He thanked Dr. Fildes for including him on the website committee.

Kimberly LaTourette thanked everyone involved in the new website.

Samantha Mannion encouraged everyone to attend the Policy Subcommittee on September 22nd at 7:00 p.m. via Zoom.

Dominic Cipollone expressed condolences to the Vengalli family.

Greg Flanagan expressed condolences to the Vengalli family.

Peggy Katkocin expressed condolences to the Vengalli family.

Kathy Baker noted that a scholarship has been set up in memory of Nicole Vengalli and checks can be sent to the high school. She noted that anyone attending the home football game this Friday, September 24th, is encouraged to wear light blue in memory of Nicole. She further reminded parents to talk to their children about what is appropriate on social media.

Stephanie Strazza expressed condolences to the Vengalli family. She further spoke of the possibility that Pfizer may be approved for emergency use for children ages 5-12 by the end of October.

XII. ADJOURNMENT

MOTION: Peggy Katkocin made a motion to adjourn the meeting at 8:06 p.m. Greg Flanagan seconded the motion. **IN FAVOR:** Kathy Baker, Dominic Cipollone, Greg Flanagan, Peggy Katkocin, Kimberly LaTourette, Samantha Mannion, Rick Regan, Ed Sbordone and Stephanie Strazza

Respectfully submitted, Suzanne Kloos

Introduction

Connecticut operates a number of school choice programs, including magnet schools, technical high schools, vocational agricultural centers, charter schools, endowed private schools^A, designated high schools^B, and the Open Choice program.^{1,2} This policy brief focuses solely on the Open Choice program, and discusses its objectives, history, administration, and funding.

Open Choice is a program in which Connecticut students can attend schools in local public school districts outside the community in which they reside. Connecticut's statutes currently allow for districts in the Hartford, Bridgeport, New Haven, and New London areas to send and receive students from participating districts in their respective region.^{3,C}

Overseen by the Connecticut State Department of Education (CSDE), the primary purpose of the Open Choice program is to reduce racial, ethnic, and economic isolation for students in Connecticut's local public schools.⁴ Additionally, the Open Choice program's objectives include improving academic achievement and providing a choice of educational programs.⁵

Through the Open Choice program, receiving districts elect to offer seats to students from statutorily designated sending districts. The Regional Education Service Center (RESC) that represents the district with available Open Choice seats determines the eligibility and the feasibility for that district to receive Open Choice students.⁶ The State provides a financial incentive to local and regional boards of education that elect to receive students through the Open Choice program.⁷

In fiscal year 2018, 49 local school districts and more than 3,000 students participated in the Open Choice program.⁸

^A Connecticut has three endowed academies currently in operation (Gilbert School, Norwich Free Academy, and Woodstock Academy). With state approval, an endowed academy may serve as a town's public high school with the sending town's board of education paying the tuition costs for its students to attend the academy.

Conn. Gen. Statutes ch. 164, § 10-34.

Sullivan, M. (2016). *Models of Public High School Education in Connecticut* (2016-R-0155). Hartford, CT: Connecticut General Assembly, Office of Legislative Research. Retrieved from <https://www.cga.ct.gov/2016/rpt/pdf/2016-R-0155.pdf>.

^B "Designated high schools" are high schools that a Connecticut local public school district allows its high school age students to attend if the district does not maintain a high school. The sending district's board of education pays the tuition costs for their resident students attending the designated high schools.

Conn. Gen. Statutes ch. 164, § 10-33.

^C For the Open Choice program, a district's "region" refers to its respective Regional Educational Service Center (RESC). Connecticut is divided into six RESCs that are outlined at http://www.crec.org/docs/7056/Map_with_logos_2017.pdf.

Program History

The origin of the Open Choice program can be traced back to 1966 when Connecticut implemented an interdistrict choice program called Project Concern.⁹ Project Concern developed out of growing awareness of racial imbalances and concentrated poverty between Connecticut's suburban towns and its cities.¹⁰ Under Project Concern, a group of randomly selected students from Hartford Public Schools were sent to suburban school districts that volunteered to participate in the program. These school districts were: Bolton, Farmington, Glastonbury, Plainville, and Simsbury.¹¹

Initially, this effort was met with strong opposition from local officials in most surrounding suburban towns who were concerned the program would infringe on local autonomy and questioned the effects Hartford students would have in on their schools.¹² Eventually, these districts volunteered to receive students from Hartford.¹³ The progress of the students participating in the program was extensively tracked. Robert Crain, sociologist and lead researcher of Project Concern, reported that Hartford students who attended suburban schools were less likely to drop out of school, and were more likely to socialize with people of other races.¹⁴ These initial successes led to 10 additional suburban districts^D participating in the program.¹⁵

Between 1966-1969, approximately eight percent of Hartford students participated in the experimental phase of Project Concern. However, in 1993 the plaintiffs in the Connecticut Supreme Court Case *Sheff v. O'Neill*, which concerned racial segregation in public schools in the Hartford area, argued the program did not do enough to reduce racial segregation.¹⁶ In 1996, the Court ruled in favor of the plaintiffs finding Hartford's public schools racially segregated and in violation of the Connecticut Constitution's anti-segregation provision.¹⁷ The Court ordered the State of Connecticut to take remedial measures but deferred to the Connecticut General Assembly to develop a constitutional remedy.¹⁸

In response to the Court's 1996 ruling in *Sheff v. O'Neill*, the General Assembly passed Conn. Acts 97-290, which formally established the current Open Choice program and included provisions for the creation of magnet schools and the construction of additional public charter schools.¹⁹

Program Eligibility and Student Participation

The Open Choice program is available to students living in the Hartford, New Haven, Bridgeport, and New London^E regions. Students living in these areas may attend school in a participating suburban town in their respective region, and suburban students can elect to attend a school in one of the four identified cities.²⁰

^D The 10 additional districts were Granby, Canton, Windsor, South Windsor, Avon, West Hartford, East Hartford, Manchester, Wethersfield, and Newington.

^E Although allowed by state statute, no New London area students currently participate in the Open Choice program.

Conn. Gen. Statutes ch. 172, § 10-266aa.

However, for the purposes of reducing segregation, the proportion of non-racial minority^F students from Hartford, New Haven, Bridgeport, and New London attending school in another district may not exceed the proportion of non-racial minority students attending school in the sending districts.^{21,G} If the proportion of non-racial minority students in a sending district decreases, the commissioner of the CSDE has the authority to withhold state grants.²²

Once admitted into the Open Choice program, students must be allowed to continue their education in the receiving district until they graduate high school. In addition, students participating in the Open Choice program are considered residents of the towns in which they attend school for the purposes of statewide mastery testing.²³

Receiving districts are empowered to determine whether they will participate in Open Choice and how many seats they will make available to for the program.²⁴ If student demand for participation in the program exceeds available seats, the RESCs operate regional lotteries to determine participation.^{25,H} Lotteries are weighted to preserve or increase racial, ethnic, and economic diversity among the participating districts.²⁶ Additionally, in all lotteries, priority is given to students who have siblings in the program, and to students who would otherwise attend a school that has lost its accreditation by the New England Association of Schools and Colleges or a school that has been identified under the definitions of the federal No Child Left Behind Act as in need of improvement.^{27,I} Furthermore, a student in the same region as a Priority School District may attend a school in the Priority School District, provided the student's attendance does not increase the racial, ethnic, and economic segregation of the Priority School District.²⁸

Program Administration

The CSDE administers the Open Choice grant program, and provides administrative support to RESCs to facilitate their oversight of the Open Choice program.²⁹ State statute allows RESCs to determine the feasibility of participation for a given district in its region, and to consider available transportation options, funding, and available seats

^F For the Open Choice program, "racial minorities" are statutorily defined as "those whose race is defined as other than white, or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for use by the Bureau of Census of the United States Department of Commerce."

Conn. Gen. Statutes ch. 172, § 10-266aa.

Conn. Gen. Statutes ch. 172, § 10-226a.

^G "Receiving district" refers to any school district that accepts students participating in the Open Choice program. "Sending district" refers to any district that sends students it would legally be responsible for educating to another district.

Conn. Gen. Statutes ch. 172, § 10-266aa.

^H In the Hartford region, Open Choice selection is included in the Regional School Choice Office lottery, operated by the CSDE, which also includes all magnet schools operating to further the goal of the *Sheff v. O'Neill* stipulated agreements.

Conn. Gen. Statutes ch. 172, § 10-266aa.

^I The federal No Child Left Behind Act was replaced in 2015 by the Every Student Succeeds Act, however, the relevant Connecticut General Statute (Conn. Gen. Statutes ch. 172, § 10-266aa) has not been updated and currently references the No Child Left Behind Act.

Every Student Succeeds Act, Pub. L. No. 114-95, 129 Stat. 1802 (2015).

when making this determination. RESCs also place Open Choice students in receiving districts and oversee the placement lotteries when there are more student applications to the program than there are available seats.³⁰

Process of District Participation

Connecticut statutes only allow for districts in the Hartford, New Haven, Bridgeport, and New London regions to participate in the Open Choice program and there are no further provisions that allow for additional regions to participate.³¹

Currently, there are 49 school districts participating in the Open Choice program.³² If a district elects to receive students through the Open Choice program, the district must determine the number of available seats it has available for participating students. Connecticut's statutes do not specify who in a district is responsible for deciding whether or not to receive students through the Open Choice program, nor do the state statutes explicitly require approval from the receiving district's local or regional board of education.³³

Available seats are reported to the RESC to which the receiving district belongs. The RESC determines which districts are close enough to the sending district to receive students through the Open Choice program, and whether or not there are sufficient transportation funds in place to transport students from the sending district.³⁴ RESCs have the authority to approve new districts to receive students through the Open Choice program, with consideration to available transportation, which is largely funded through per-pupil state grants.³⁵

Funding

The CSDE distributes grants on a tiered, per-pupil basis to the local or regional boards of education that receive students through the Open Choice program. The grant amount is determined based on the percentage of Open Choice students in the receiving district's total enrollment. The per-pupil grant amount increases as the percentage of Open Choice students in the receiving district increases.³⁶ These grants are intended to incentivize greater Open Choice participation by increasing the per-pupil grant as districts increase available seats as a percent of total enrollment.³⁷

For the purpose of calculating the Education Cost Sharing (ECS) grant, the sending and receiving school districts split the ECS allocation for each student participating in the Open Choice program. This is achieved by decreasing the aggregate resident student count by one half of a student for the sending district, and increasing the aggregate resident student count by one half of a student for the receiving district, for each Open Choice student.³⁸ Figure 1 below details the funding tiers for the per-pupil grants based off of Open Choice enrollment percentages.

Figure 1³⁹

Open Choice Enrollment Percentage and Corresponding Grant Amounts Per Pupil	
Percent of Receiving District's Total Enrollment Who are Open Choice Participants	Per-pupil Grant Amount to District Receiving Open Choice Students
Less than 2%	\$3,000
2% to less than 3%	\$4,000
3% to less than 4%	\$6,000
Greater than 4%	\$8,000

Additionally, beyond the base grant amounts, a district with a total enrollment of more than 4,000 students can receive a \$6,000 per-pupil allocation for a given year if the district has increased its Open Choice enrollment by more than 50 percent over the previous fiscal year.⁴⁰ This \$6,000 per-pupil grant is a one-time incentive and districts do not receive the additional funding in the following year unless they again increase their seat allocation.⁴¹

Within available appropriations, the total amount of money received by a district receiving students through the Open Choice program is the per-pupil grant amount based on enrollment, multiplied by the district's number of Open Choice students, plus an additional per-pupil entitlement if the district has at least 10 Open Choice students in a given school.⁴² The additional entitlement is derived from the total appropriation for the Open Choice program, which is then distributed proportionally on a per-pupil basis. In FY 2018, this appropriation was \$500,000, and it is codified at \$500,000 within available appropriations.⁴³ Additionally, Hartford is eligible to receive additional grants from the CSDE for the purposes of allowing Hartford students to participate in Open Choice preschool and all-day kindergarten programs.⁴⁴

Furthermore, sending districts are responsible for additional costs associated with Open Choice students' special education services. Specifically, the sending district is responsible for the difference between the reasonable cost of special education and the Open Choice grant amount.⁴⁵

Please see Figure 4 in the Appendix for Open Choice grant calculations for each receiving district in Connecticut.

The State of Connecticut also provides grants on a per-pupil basis for the purposes of funding transportation costs for Open Choice. Per statute, all RESCs except for the Capitol Region Education Council (CREC) receive \$1,300 per pupil for transporting Open Choice students. CREC receives \$2,000 per pupil for student transportation in support of the *Sheff v. O'Neill* stipulated agreement.⁴⁶ Under the *Sheff v. O'Neill* agreement, CREC is also eligible to receive supplemental grants within available appropriations.⁴⁷

Figure 2 below shows the total Open Choice enrollment in each region, and the total state grant allocation to each RESC to support Open Choice in FY 2017.

Figure 2⁴⁸

FY 2017 Open Choice Grant Payments to Individual RESCs
(not including ECS Funds or per-pupil Open Choice enrollment grants)

RESC	Open Choice Region	Open Choice Enrollment	Open Choice Transportation	Administering Open Choice	Open Choice Support Programs	Open Choice Summer School	Open Choice Kindergarten	Total
Grant ID			11000-17053-82059-2017	11000-17053-82045-2017	11000-17053-82159-2017	11000-17053-82065-2017	11000-17053-82162-2017	
Capitol Region Education Services (CREC)	Hartford	2,340	\$12,223,214	\$539,762	\$345,771	\$300,000	\$2,276,702	\$15,685,449
Cooperative Educational Services (C.E.S.)	Bridgeport	260	\$1,178,475	\$129,234	\$0	\$0	\$0	\$1,307,709
Area Cooperative Education Services (ACES)	New Haven	455	\$2,293,563	\$181,005	\$0	\$0	\$0	\$2,474,568
LEARN	New London	0	\$0	\$0	\$0	\$0	\$0	\$0
Total		3,055	\$15,695,252	\$850,001	\$345,771	\$300,000	\$2,276,702	\$19,467,726

Appendix

The graph below details the total appropriation to the Open Choice program by fiscal year. The appropriation is the sum of the per-pupil incentive grants allocated to the participating districts and the allocations to the RESCs. There are no ECS funds included in this grant.

Figure 3⁴⁹

Total Open Choice Grant Appropriation and
Statewide Open Choice Enrollment by Fiscal Year

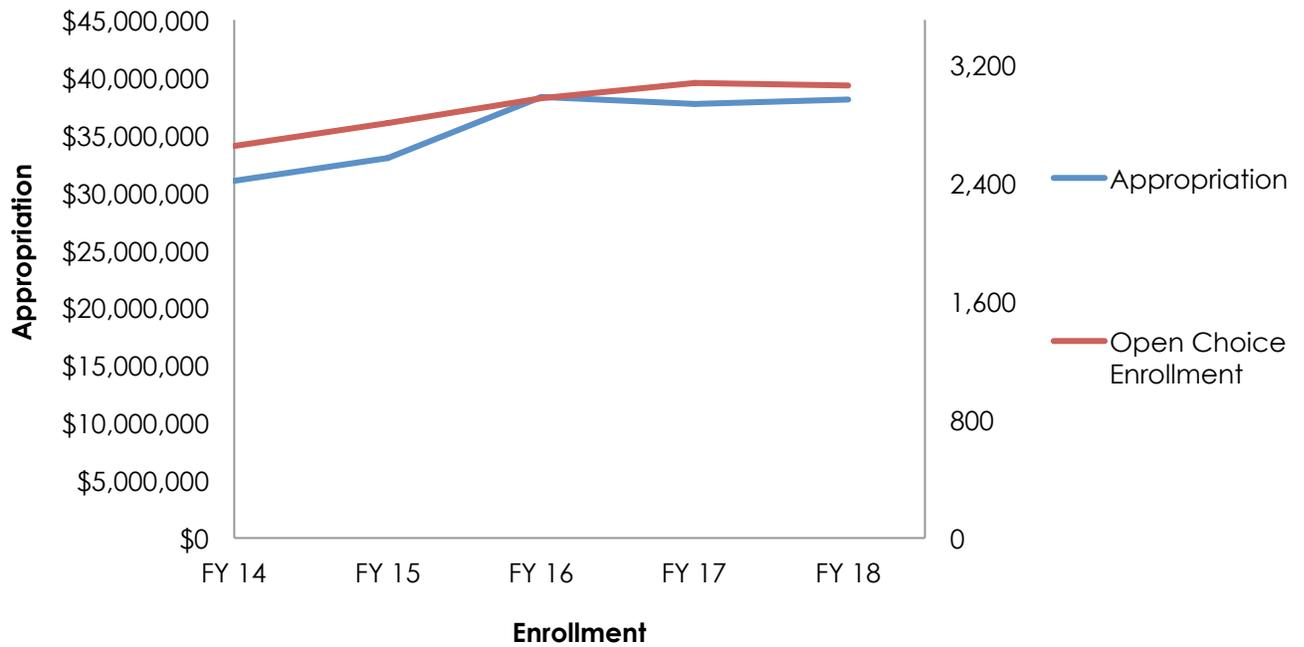


Figure 4^{50,J}

Total District Open Choice Grant to each Receiving District, FY 2018

Town	Total Open Choice Students	Receiving District Enrollment	Open Choice Enrollment %	Grant Per Student	Students Eligible for Additional Entitlement	Additional Entitlement	Total Open Choice Allocation
Ansonia	11	2,283	0.48%	\$3,000	10	\$1,948	\$34,948
Avon	131	3,208	4.08%	\$8,000	131	\$25,516	\$1,073,516
Berlin	92	2,783	3.31%	\$6,000	85	\$16,556	\$568,556
Bethany	5	364	1.37%	\$3,000	0	\$0	\$15,000
Bolton	53	808	6.56%	\$8,000	53	\$10,323	\$434,323
Branford	55	2,901	1.90%	\$3,000	50	\$9,739	\$174,739
Bridgeport	26	20,729	0.13%	\$3,000	26	\$5,064	\$83,064
Canton	111	1,601	6.93%	\$8,000	111	\$21,621	\$909,621
Cheshire	37	4,284	0.86%	\$3,000	12	\$2,337	\$113,337
Cromwell	73	1,963	3.72%	\$6,000	73	\$14,219	\$452,219
East Granby	49	840	5.83%	\$8,000	41	\$7,986	\$399,986
East Haven	16	2,853	0.56%	\$3,000	0	\$0	\$48,000
Easton	21	904	2.32%	\$4,000	13	\$2,532	\$86,532
East Windsor	48	1,071	4.48%	\$8,000	48	\$9,349	\$393,349
Ellington	83	2,685	3.09%	\$6,000	76	\$14,803	\$512,803
Enfield	115	5,188	2.22%	\$4,000	103	\$20,062	\$480,062
Fairfield	65	9,928	0.65%	\$3,000	34	\$6,623	\$201,623
Farmington	134	4,098	3.27%	\$6,000	134	\$26,101	\$830,101
Glastonbury	62	5,905	1.05%	\$3,000	51	\$9,934	\$195,934
Granby	79	1,866	4.23%	\$8,000	79	\$15,388	\$647,388
Hamden	2	5,362	0.04%	\$3,000	0	\$0	\$6,000
Hartford	132	19,563	0.67%	\$3,000	107	\$20,841	\$416,841
Milford	40	5,751	0.70%	\$3,000	14	\$2,727	\$122,727
New Haven	179	21,433	0.84%	\$3,000	162	\$31,554	\$568,554
Newington	93	4,055	2.29%	\$4,000	77	\$14,998	\$386,998
North Branford	26	1,777	1.46%	\$3,000	17	\$3,311	\$81,311
North Haven	40	3,136	1.28%	\$3,000	27	\$5,259	\$125,259
Orange	7	1,173	0.60%	\$3,000	0	\$0	\$21,000
Plainville	122	2,364	5.16%	\$8,000	122	\$23,763	\$999,763
Portland	58	1,312	4.42%	\$8,000	40	\$7,791	\$471,791
Rocky Hill	33	2,700	1.22%	\$3,000	24	\$4,675	\$103,675
Simsbury	165	4,082	4.04%	\$8,000	165	\$32,139	\$1,352,139
Somers	20	1,432	1.40%	\$3,000	0	\$0	\$60,000
Southington	92	6,463	1.42%	\$3,000	67	\$13,050	\$289,050

^J These amounts exclude the ECS grant allocation associated with increasing the receiving district's resident student count by half of a student.

Town	Total Open Choice Students	Receiving District Enrollment	Open Choice Enrollment %	Grant Per Student	Students Eligible for Additional Entitlement	Additional Entitlement	Total Open Choice Allocation
South Windsor	132	4,236	3.12%	\$6,000	123	\$23,958	\$815,958
Suffield	72	2,207	3.26%	\$6,000	72	\$14,024	\$446,024
Tolland	4	2,443	0.16%	\$3,000	0	\$0	\$12,000
Trumbull	55	6,717	0.82%	\$3,000	10	\$1,948	\$166,948
Vernon	2	3,086	0.06%	\$3,000	0	\$0	\$6,000
Wallingford	6	5,824	0.10%	\$3,000	0	\$0	\$18,000
West Hartford	196	9,679	2.03%	\$4,000	192	\$37,398	\$821,398
Weston	27	2,329	1.16%	\$3,000	11	\$2,143	\$83,143
Westport	62	5,572	1.11%	\$3,000	16	\$3,117	\$189,117
Wethersfield	92	3,577	2.57%	\$4,000	81	\$15,777	\$383,777
Windsor Locks	96	1,549	6.20%	\$8,000	96	\$18,699	\$786,699
Woodbridge	14	830	1.69%	\$3,000	14	\$2,727	\$44,727
District No. 5	17	2,197	0.77%	\$3,000	0	\$0	\$51,000
District No. 9	4	893	0.45%	\$3,000	0	\$0	\$12,000
District No. 10	1	2,335	0.04%	\$3,000	0	\$0	\$3,000
Total	3,055	210,399	N/A	N/A	2,567	\$500,000	\$16,500,000

Endnotes

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¹⁷ *Sheff v. O'Neill*, 238 Conn. 1, 678 A.2d 1267 (1996).

¹⁸ Ibid.

¹⁹ Conn. Acts 97-290.

²⁰ Conn. Gen. Statutes ch. 172, § 10-266aa.

²¹ Ibid.

²² Ibid.

²³ Ibid.

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³² Connecticut State Department of Education, Bureau of Fiscal Services. (2018). *2017-18 Open Choice Attendance Grant*. Hartford, CT: Author. Retrieved from http://portal.ct.gov/-/media/SDE/Grants-Management/Report1/opench_PDF.pdf?la=en.

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³⁴ Ibid.

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³⁷ Ibid.

³⁸ Ibid.

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18415 Sec. 401. Section 10-266aa of the general statutes is repealed and the
18416 following is substituted in lieu thereof (*Effective July 1, 2021*):

18417 (a) As used in this section:

18418 (1) "Receiving district" means any school district that accepts students
18419 under the program established pursuant to this section;

18420 (2) "Sending district" means any school district that sends students it
18421 would otherwise be legally responsible for educating to another school
18422 district under the program; and

18423 (3) "Minority students" means students who are "pupils of racial
18424 minorities", as defined in section 10-226a.

18425 (b) There is established, within available appropriations, an
18426 interdistrict public school attendance program. The purpose of the
18427 program shall be to: (1) Improve academic achievement; (2) reduce
18428 racial, ethnic and economic isolation or preserve racial and ethnic
18429 balance; and (3) provide a choice of educational programs. The
18430 Department of Education shall provide oversight for the program,
18431 including the setting of reasonable limits for the transportation of
18432 students participating in the program, and may provide for the
18433 incremental expansion of the program for the school year commencing
18434 in 2000 for each town required to participate in the program pursuant
18435 to subsection (c) of this section.

18436 (c) The program shall be phased in as provided in this subsection. (1)
18437 For the school year commencing in 1998, and for each school year
18438 thereafter, the program shall be in operation in the Hartford, New
18439 Haven and Bridgeport regions. The Hartford program shall operate as
18440 a continuation of the program described in section 10-266j. Students
18441 who reside in Hartford, New Haven or Bridgeport may attend school in
18442 another school district in the region and students who reside in such
18443 other school districts may attend school in Hartford, New Haven or
18444 Bridgeport, provided, beginning with the 2001-2002 school year, the

18445 proportion of students who are not minority students to the total
18446 number of students leaving Hartford, Bridgeport or New Haven to
18447 participate in the program shall not be greater than the proportion of
18448 students who were not minority students in the prior school year to the
18449 total number of students enrolled in Hartford, Bridgeport or New
18450 Haven in the prior school year. The regional educational service center
18451 operating the program shall make program participation decisions in
18452 accordance with the requirements of this subdivision. (2) For the school
18453 year commencing in 2000, and for each school year thereafter, the
18454 program shall be in operation in New London, provided beginning with
18455 the 2001-2002 school year, the proportion of students who are not
18456 minority students to the total number of students leaving New London
18457 to participate in the program shall not be greater than the proportion of
18458 students who were not minority students in the prior year to the total
18459 number of students enrolled in New London in the prior school year.
18460 The regional educational service center operating the program shall
18461 make program participation decisions in accordance with this
18462 subdivision. (3) The Department of Education may provide, within
18463 available appropriations, grants for the fiscal year ending June 30, 2003,
18464 to the remaining regional educational service centers to assist school
18465 districts in planning for a voluntary program of student enrollment in
18466 every priority school district, pursuant to section 10-266p, which is
18467 interested in participating in accordance with this subdivision. For the
18468 school year commencing in 2003, and for each school year thereafter, the
18469 voluntary enrollment program may be in operation in every priority
18470 school district in the state. Students from other school districts in the
18471 area of a priority school district, as determined by the regional
18472 educational service center pursuant to subsection (d) of this section, may
18473 attend school in the priority school district, provided such students
18474 bring racial, ethnic and economic diversity to the priority school district
18475 and do not increase the racial, ethnic and economic isolation in the
18476 priority school district. (4) For the school year commencing July 1, 2022,
18477 there shall be a pilot program in operation in Danbury and Norwalk.
18478 The pilot program shall serve (A) up to fifty students who reside in

18479 Danbury, and such students may attend school in the school districts for
18480 the towns of New Fairfield, Brookfield, Bethel, Ridgefield and Redding,
18481 and (B) up to fifty students who reside in Norwalk, and such students
18482 may attend school in the school districts for the towns of Darien, New
18483 Canaan, Wilton, Weston and Westport. School districts which receive
18484 students from Danbury and Norwalk under the pilot program during
18485 the school year commencing July 1, 2022, shall allow such students to
18486 attend school in the district until they graduate from high school.

18487 (d) School districts which received students from New London under
18488 the program during the [2000-2001] school year commencing July 1,
18489 2000, shall allow such students to attend school in the district until they
18490 graduate from high school. The attendance of such students in such
18491 program shall not be supported by grants pursuant to subsections (f)
18492 and (g) of this section but shall be supported, in the same amounts as
18493 provided for in said subsections, by interdistrict cooperative grants
18494 pursuant to section 10-74d to the regional educational service centers
18495 operating such programs.

18496 (e) Once the program is in operation in the region served by a
18497 regional educational service center pursuant to subsection (c) of this
18498 section, the Department of Education shall provide an annual grant to
18499 such regional educational service center to assist school districts in its
18500 area in administering the program and to provide staff to assist students
18501 participating in the program to make the transition to a new school and
18502 to act as a liaison between the parents of such students and the new
18503 school district. Each regional educational service center shall determine
18504 which school districts in its area are located close enough to a priority
18505 school district to make participation in the program feasible in terms of
18506 student transportation pursuant to subsection (f) of this section,
18507 provided any student participating in the program prior to July 1, 1999,
18508 shall be allowed to continue to attend the same school such student
18509 attended prior to said date in the receiving district until the student
18510 completes the highest grade in such school. If there are more students
18511 who seek to attend school in a receiving district than there are spaces

18512 available, the regional educational service center shall assist the school
18513 district in determining attendance by the use of a lottery or lotteries
18514 designed to preserve or increase racial, ethnic and economic diversity,
18515 except that the regional educational service center shall give preference
18516 to siblings and to students who would otherwise attend a school that
18517 has lost its accreditation by the New England Association of Schools and
18518 Colleges or has been identified as in need of improvement pursuant to
18519 the No Child Left Behind Act, P.L. 107-110. The admission policies shall
18520 be consistent with section 10-15c and this section. No receiving district
18521 shall recruit students under the program for athletic or extracurricular
18522 purposes. Each receiving district shall allow out-of-district students it
18523 accepts to attend school in the district until they graduate from high
18524 school.

18525 (f) The Department of Education shall provide grants to regional
18526 educational service centers or local or regional boards of education for
18527 the reasonable cost of transportation for students participating in the
18528 program. For the fiscal [years ending June 30, 2015, to June 30, 2017,
18529 inclusive] year ending June 30, 2022, and each fiscal year thereafter, the
18530 department shall provide such grants within available appropriations,
18531 provided the state-wide average of such grants does not exceed an
18532 amount equal to three thousand two hundred fifty dollars for each
18533 student transported, except that the Commissioner of Education may
18534 grant to regional educational service centers or local or regional boards
18535 of education additional sums from funds remaining in the
18536 appropriation for such transportation services if needed to offset
18537 transportation costs that exceed such maximum amount. The regional
18538 educational service centers shall provide reasonable transportation
18539 services to high school students who wish to participate in supervised
18540 extracurricular activities. For purposes of this section, the number of
18541 students transported shall be determined on October first of each fiscal
18542 year.

18543 (g) (1) Except as provided in [subdivision] subdivisions (2) and (3) of
18544 this subsection, the Department of Education shall provide, within

18545 available appropriations, an annual grant to the local or regional board
18546 of education for each receiving district in an amount not to exceed two
18547 thousand five hundred dollars for each out-of-district student who
18548 attends school in the receiving district under the program.

18549 (2) For the fiscal year ending June 30, 2013, and each fiscal year
18550 thereafter, the department shall provide, within available
18551 appropriations, an annual grant to the local or regional board of
18552 education for each receiving district if one of the following conditions
18553 are met as follows: (A) Three thousand dollars for each out-of-district
18554 student who attends school in the receiving district under the program
18555 if the number of such out-of-district students is less than two per cent of
18556 the total student population of such receiving district, (B) four thousand
18557 dollars for each out-of-district student who attends school in the
18558 receiving district under the program if the number of such out-of-
18559 district students is greater than or equal to two per cent but less than
18560 three per cent of the total student population of such receiving district,
18561 (C) six thousand dollars for each out-of-district student who attends
18562 school in the receiving district under the program if the number of such
18563 out-of-district students is greater than or equal to three per cent but less
18564 than four per cent of the total student population of such receiving
18565 district, (D) six thousand dollars for each out-of-district student who
18566 attends school in the receiving district under the program if the
18567 Commissioner of Education determines that the receiving district has an
18568 enrollment of greater than four thousand students and has increased the
18569 number of students in the program by at least fifty per cent from the
18570 previous fiscal year, or (E) eight thousand dollars for each out-of-district
18571 student who attends school in the receiving district under the program
18572 if the number of such out-of-district students is greater than or equal to
18573 four per cent of the total student population of such receiving district.

18574 (3) (A) For the fiscal year ending June 30, 2023, the department shall
18575 provide a grant to the local or regional board of education for each
18576 receiving district described in subdivision (4) of subsection (c) of this
18577 section in an amount of four thousand dollars for each out-of-district

18578 student who resides in Danbury or Norwalk and attends school in the
18579 receiving district under the pilot program.

18580 (B) For the fiscal year ending June 30, 2024, and each fiscal year
18581 thereafter, the department shall provide an annual grant to the local or
18582 regional board of education for each receiving district described in
18583 subdivision (4) of subsection (c) of this section for each out-of-district
18584 student who resides in Danbury or Norwalk and attends school in the
18585 receiving district under the pilot program in accordance with the
18586 provisions of subdivisions (1) and (2) of this subsection.

18587 (C) Not later than January 1, 2025, the department shall submit a
18588 report on the pilot program in operation in Danbury and Norwalk,
18589 pursuant to subdivision (4) of subsection (c) of this section, to the joint
18590 standing committees of the General Assembly having cognizance of
18591 matters relating to education and appropriations, in accordance with the
18592 provisions of section 11-4a. Such report shall include, but need not be
18593 limited to, the total number of students participating in the pilot
18594 program, the number of students from each town participating in the
18595 pilot program, the total amount of the grant paid under the pilot
18596 program and the amount of the grant paid to each town participating in
18597 the pilot program.

18598 [(3)] (4) Each town which receives funds pursuant to this subsection
18599 shall make such funds available to its local or regional board of
18600 education in supplement to any other local appropriation, other state or
18601 federal grant or other revenue to which the local or regional board of
18602 education is entitled.

18603 (h) Notwithstanding any provision of this chapter, each sending
18604 district and each receiving district shall divide the number of children
18605 participating in the program who reside in such district or attend school
18606 in such district by two for purposes of the counts for subdivision (22) of
18607 section 10-262f and subdivision (2) of subsection (a) of section 10-261.

18608 (i) In the case of an out-of-district student who requires special

18609 education and related services, the sending district shall pay the
18610 receiving district an amount equal to the difference between the
18611 reasonable cost of providing such special education and related services
18612 to such student and the amount received by the receiving district
18613 pursuant to subsection (g) of this section and in the case of students
18614 participating pursuant to subsection (d) of this section, the per pupil
18615 amount received pursuant to section 10-74d. The sending district shall
18616 be eligible for reimbursement pursuant to section 10-76g.

18617 (j) Nothing in this section shall prohibit school districts from charging
18618 tuition to other school districts that do not have a high school pursuant
18619 to section 10-33.

18620 (k) On or before March first of each year, the Commissioner of
18621 Education shall determine if the enrollment in the program pursuant to
18622 subsection (c) of this section for the fiscal year is below the number of
18623 students for which funds were appropriated. If the commissioner
18624 determines that the enrollment is below such number, the additional
18625 funds shall not lapse but shall be used by the commissioner in
18626 accordance with this subsection.

18627 (1) Any amount up to five hundred thousand dollars of such
18628 nonlapsing funds shall be used for supplemental grants to receiving
18629 districts on a pro rata basis for each out-of-district student in the
18630 program pursuant to subsection (c) of this section who attends the same
18631 school in the receiving district as at least nine other such out-of-district
18632 students, not to exceed one thousand dollars per student.

18633 (2) Any amount of such nonlapsing funds equal to or greater than
18634 five hundred thousand dollars, but less than one million dollars, shall
18635 be used for supplemental grants, in an amount determined by the
18636 commissioner, on a pro rata basis to receiving districts that report to the
18637 commissioner on or before March first of the current school year that the
18638 number of out-of-district students enrolled in such receiving district is
18639 greater than the number of out-of-district students enrolled in such

18640 receiving district from the previous school year.

18641 (3) Any remaining nonlapsing funds shall be used by the
18642 commissioner to increase enrollment in the interdistrict public school
18643 attendance program described in this section.

18644 (l) For purposes of the state-wide mastery examinations under
18645 section 10-14n, students participating in the program established
18646 pursuant to this section shall be considered residents of the school
18647 district in which they attend school.

18648 (m) Within available appropriations, the commissioner may make
18649 grants to regional education service centers which provide summer
18650 school educational programs approved by the commissioner to students
18651 participating in the program.

18652 (n) The Commissioner of Education may provide grants for children
18653 in the Hartford program described in this section to participate in
18654 preschool and all day kindergarten programs. In addition to the subsidy
18655 provided to the receiving district for educational services, such grants
18656 may be used for the provision of before and after-school care and
18657 remedial services for the preschool and kindergarten students
18658 participating in the program.

18659 (o) Within available appropriations, the commissioner may make
18660 grants for academic student support for programs pursuant to this
18661 section that assist the state in meeting [the goals of the 2008 stipulation
18662 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended,
18663 or the goals of the 2013 stipulation and order for Milo Sheff, et al. v.
18664 William A. O'Neill, et al., as extended, as determined by the
18665 commissioner] its obligations pursuant to the decision in Sheff v.
18666 O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect,
18667 as determined by the Commissioner of Education.

18668 Sec. 402. Section 10-17g of the general statutes is repealed and the
18669 following is substituted in lieu thereof (*Effective July 1, 2021*):

EVALUATING THE ACADEMIC PERFORMANCE OF CHOICE PROGRAMS IN CONNECTICUT:

A Pretest-Posttest Evaluation Using Matched
Multiple Quasi-Control Comparison Groups



Connecticut State Department of Education
March 2015

EVALUATING THE ACADEMIC PERFORMANCE OF CHOICE PROGRAMS IN CONNECTICUT:

A Pretest-Posttest Evaluation Using Matched
Multiple Quasi-Control Comparison Groups



Connecticut State Department of Education
March 2015

Dr. R. F. Mooney, Principal Investigator
Ajit Gopalakrishnan, Interim Chief Performance Officer
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Kenneth Imperato, Education Consultant, Bureau of Choice Programs

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PREFACE

The Connecticut State Department of Education commissioned this evaluation to study if Choice programs were effective in raising academic achievement. Conducting an analysis of educational program outcomes is an inherently complex endeavor. This study also serves to illustrate the limitations of commonly drawn inferences made using annual assessment results. The CSDE appreciates the passion, commitment, and dedication of its former employee, Dr. Richard Mooney, for his continued partnership in designing and conducting this study.

ACKNOWLEDGMENTS

The State Department of Education wishes to acknowledge former Commissioner of Education Stefan Pryor and Chief Operating Officer Charlene Russell-Tucker for supporting the efforts required to conduct this study. We also wish to recognize the invaluable contributions made by Dr. Richard Mooney, former State Department of Education staff member, who served as principal investigator. We thank him for his continued partnership on this project. We acknowledge Ajit Gopalakrishnan, Interim Chief Performance Officer; Mark Linabury, chief of the Bureau of Choice Programs; and education consultant Dr. Kenneth Imperato, also of the Choice bureau, for their contributions to this project, as well. In addition, we thank Drs. Mohamed Dirir and Norma Sinclair from the Academic Office's Psychometric Analysis and Support Unit for sharing their expertise and for helping shape this project.

We also wish to extend special thanks to Professor H. Swaminathan of Connecticut's Neag School of Education for his review of the methodology for this analysis and helpful critique of the findings and interpretations.

EXECUTIVE SUMMARY

Public charter schools, interdistrict magnet schools, and the Open Choice program are collectively called Choice programs. One of their key missions is to improve educational outcomes of historically underperforming students from Connecticut’s urban public schools. This analysis examines the academic growth and outcome performance based on the Connecticut Mastery Tests (CMT) for Choice program attendees from Connecticut’s four largest cities—Bridgeport, Hartford, New Haven, and Waterbury—over a two-year period (2010 to 2012).

To conduct the most effective examination of ex post facto or pre-existing data where random assignment is either impossible or unethical (Murnane, R.J. and Willett, J.B., 2011), 30 stratified random samples of quasi-controls were generated from the co-present population of CMT test-takers. Then, the academic results for urban Choice program attendees were compared with results from the 30 samples. To counter known biasing influences such as higher baseline test performance, these quasi-control samples were matched with their respective Choice program “treatment group” on baseline test performance as well as on student background characteristics known to be related to test performance (Behuniak, P., Mooney, R. F., Cloud, R., 1990).

Results for each Choice program group and its respective quasi-control groups were tracked and compared longitudinally for the same students in two grade cohorts:

1. Grade 3 in 2010 to Grade 5 in 2012
2. Grade 6 in 2010 to Grade 8 in 2012

The use of longitudinal data allows us to ascribe academic performance gains over time to the educational interventions that have taken place; additionally, comparing gains achieved by the Choice program groups to their respective quasi-control groups enables us to control for gains that might have occurred naturally due to student maturation.

In the Grades 3 to 5 cohort, the analysis reveals statistically meaningful gains at or above the CMT Proficient level in interdistrict magnet schools operated by regional educational service centers (RESCs) and for the Open Choice program, and nearly statistically meaningful gains at or above the CMT Goal level for the RESC-operated interdistrict magnet schools.

In the Grades 6 to 8 cohort, public charter schools alone showed statistically meaningful gains at or above Proficient *and* Goal levels on the CMT.

This study remains an ex post facto, or “after the fact” analysis, thus not allowing causal attribution of the program outcomes. Hence, in practice it cannot be said with certainty that clones of these Choice programs, or an exportation of specific pedagogical techniques and strategies used, will necessarily ensure similar performance successes for urban students in general.

INTRODUCTION

Public charter schools, interdistrict magnet schools, and the Open Choice program are collectively called Choice programs. One of their key missions is to improve educational outcomes of historically underperforming students from Connecticut's urban public schools. The purpose of this evaluation is to answer a specific question: Are Connecticut's Choice programs succeeding in helping urban students (i.e., students from Connecticut's major cities of Bridgeport, Hartford, New Haven, and Waterbury) to close the academic achievement gap by enabling them to make greater academic gains as compared with peers who did not participate in these programs?

Four distinct Choice programs will be evaluated separately: public charter schools, interdistrict magnet schools operated by regional educational service centers (RESCs), interdistrict magnet schools operated by local school districts, and the Open Choice program. The academic outcomes used for this evaluation were based on results from the Connecticut Mastery Test (CMT).

Statement of the Problem: The central challenge in this study is that the performance of students attending these Choice programs tends not to be representative of the general urban population. As compared with neighborhood peers, urban students who choose to attend Choice program schools tend to reflect higher performance at baseline on standardized academic assessments. They also may differ in terms of background characteristics that are known to predict better test performance; for instance, Choice program attendees tend to have fewer special education students (SPED) or English language learner students (ELL). In order to conduct a fair, balanced, and meaningful evaluation, the key concern is to find an appropriate comparison group. So, who are the comparable peers?

DESIGN AND METHODOLOGY

Overview: To evaluate Choice programs in a fair, unbiased way, a carefully considered methodology is critical. The attribution of cause remains a major obstacle in the evaluation of any study where the treatment has occurred in the past (Campbell, D.T. and Stanley, J.C., 1963). A study that takes place after the fact is technically known as an ex post facto study. A traditional experimental research design using random assignment of subjects to an experimental and a control group prior to the treatment intervention is the only legitimate way to claim causal inference. Nevertheless, it is important to recognize the need for more effective examinations of ex post facto studies—as in the case of this Choice program evaluation—where random assignment is either impossible or unethical (Murnane, R.J. and Willett, J.B., 2011). Hence, we seek to conduct the best possible investigations, and draw the best possible conclusions despite the inherent limitations of ex post facto research. In other words, we should strive to do post hoc investigations in the spirit of sound scientific inquiry in spite of the fact that true causal conclusions are not possible.

Back in 1972, Harvard statisticians Frederick Mosteller and Senator Daniel Patrick Moynihan expressed frustration with the conclusions of the famous Coleman Report. They called for “better research designs” and “representative prospective longitudinal data in order to understand more comprehensively the impacts on children of investments in schooling” (Murnane, R.J. and Willett, J. B., 2011, p.6). Therefore, a good first step is to use pretest-posttest longitudinal academic assessment data. Measuring growth over time allows us to ascribe any performance gains to the educational interventions that have taken place from time 1 to time 2. A pretest-posttest only design is shown in figure 1:

Figure 1: Pretest-Posttest Only Design

O1 X O2, where

- O1 = pretest group performance
- X = treatment, i.e., Choice program
- O2 = posttest group performance

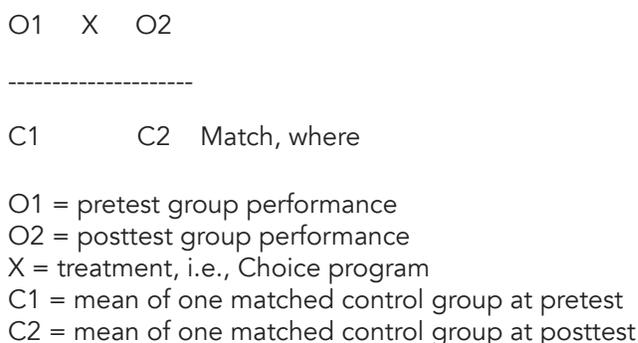
Such a pretest-posttest design has important benefits over single-point-in-time studies because academic test-score gains can be directly attributed to educational teaching and learning that occurred during the period of study. While this design is preferable to a static or single-point-in-time analysis, one important limitation is that it does not control for student maturation (Campbell, D.T. and Stanley, J.C., 1963). Maturation refers to the relative educational test performance gains of students who attended a regular neighborhood school and did not attend a Choice program. Thus, it becomes impossible to tell what academic test performance gains might have occurred for Choice program attendees had they not received any treatment intervention. Therefore, to better understand what normal gains might have occurred without any intervention, an untreated and unbiased control group is needed.

Matching: Although a true random control group cannot be obtained after the fact, the next best option is to define a matched group of students who possess comparable academic achievement and background characteristics at baseline. We can do this by identifying student test-takers who are very similar to choice program attendees at baseline based on standardized test performance and performance related background characteristics. We can then use this information to track their performance and compare those results to Choice program attendees at outcome. Such a sample is intended to reflect a meaningful “quasi-control” comparison group.

Thus, in order to counter known biasing influences such as higher educational skills and abilities at baseline, the quasi-control group must be matched with the Choice treatment group on both baseline test performance and background characteristics known to be related to test performance.

To improve on the pretest-posttest only design (shown in figure 1), a matched quasi-control group can be added to help control for these known biasing influences and the maturational effects. Because it is not a true experimental design with random assignment to experimental and control groups prior to the introduction of the experimental intervention, it is known as a “quasi experimental” design (Campbell, D.T. and Stanley, J.C., 1963). Figure 2 (below) displays the structure of the pretest-posttest design with the addition of a matched quasi-control group:

Figure 2: Pretest-Posttest Quasi-Control Group Design



The dotted line in figure 2 represents the fact that the treatment and control groups, although matched across critical attributes, are nonetheless not randomly assigned to treatment and control groups *prior* to the treatment intervention. This design is more powerful than the pretest-posttest only design shown in figure 1, but still cannot explain other possible underlying causal differences between students who opt to enlist in the Choice programs and those who do not—for example, student motivational factors.

While this design does not support causal interpretations concerning program outcomes, the addition of a matched quasi-control group nevertheless strengthens the pretest-posttest only design significantly because it allows for comparisons between the treatment group and untreated students with similar performance and background characteristics. It provides a meaningful lower-bound expectation of the outcome performance of very similar matched students who did not enter a choice program, *provided* the control group is a sufficiently valid representation of the treatment group at baseline.

Finally, we need a way to identify meaningful performance differences at outcome between the Choice program attendees and the quasi-control group. While many true experimental studies are faulted for basing conclusions on tiny samples that are insufficient to achieve statistical significance, an equally important practical problem in ex post facto studies is that comparisons can be identified as significant, regardless of their practical or substantive meaning, due to large samples. Technically, this somewhat obscure statistical problem is known as “inflation of the type 1 error rate.” This very real technical problem occurs when researchers apply standard statistical tests intended for true experimental studies based on random samples to studies of large extant groups (Henkel, R.E., 1976).

What this means in practice is that the application of standard statistical tests can increase the potential for finding “statistical significance” even when such differences are trivial or not meaningful. Thus, ex post facto evaluations such as this Choice study, which has relatively large groups, can yield false-positive findings if standard statistical tests are applied. While these problems may seem exotic to the nontechnical reader, they are nevertheless legitimate and have been cited in critiques of recent national investigations of charter school performance (see Maul, A. and McClelland, A., 2013).

To resolve these problems, a novel strategy employed in this study is to use “matched *multiple* quasi-control groups” rather than just one matched quasi-control group. Thirty stratified random samples of students were selected from the regular test-taking population of CMT archives that match both the overall test performance *and* performance related background characteristics of each individual Choice program group. Figure 3 (below) shows the diagram of the design used in this study. It differs from figure 2 only because it uses *multiple* matched quasi-control samples. These are identified by the number “30” in parentheses after each representation of the matched quasi-control groups (see figure 3).

Figure 3: Pretest Posttest Design with Multiple Quasi-Control Groups Design

O1 X O2

C1(30) C2(30) Match, where

O1 = pretest group performance

O2 = posttest group performance

X = intervention, i.e., a Choice program

C1(30) = means of 30 matched control groups at pretest

C2(30) = means of 30 matched control groups at posttest

This approach has two critical benefits. First, it stabilizes the performance estimates for students in the general population who share the same performance and performance-related background characteristics for each of the Choice group comparisons; these estimates in total—the grand mean obtained from the assembled distribution of 30 means—best reflects the true population mean *and* provides a greater degree of stability for the performance estimates. Second, having 30 sample means rather than just one describes the empirical sampling error and, therefore, provides a practical and meaningful empirical benchmark of expected performance for students of similar background and ability against which to compare specific treatment group outcomes. The range of those sample means will be normally distributed, regardless of the shape of the parent distributions from which the samples were derived (Kerlinger, F.N., 1973). By establishing a predetermined cutoff value on the sample distribution at outcome and without resorting to standard statistical procedures, the two groups—those who attend the Choice programs and those who do not—can be compared with statistical rigor, while avoiding the type 1 error rate problem.

Stated differently, the matched quasi-control groups can thus be considered “virtual peers” and their performance at outcome will help level the playing field so that comparisons between treatment and controls can be both fair *and* meaningful. The virtual peers established at baseline are tracked co-presently over the same grade levels and time as the Choice program attendees and used to compare the relative test performance results at outcome or posttest. The specific detailed steps for obtaining the virtual peer samples are presented in appendix A.

Operational Definitions:

Cohorts: This study is based on a longitudinal matched pretest-posttest quasi-experimental design using two matched cohorts of students. Cohort 1 includes students in the Choice programs from pretest at Grade 3 in 2010 to posttest at Grade 5 in 2012. Cohort 2 includes students in the Choice programs from pretest at Grade 6 in 2010 to posttest at Grade 8 in 2012.

Dependent Measures: All student results reported in this study will be based strictly on matched student test records from 2010 to 2012 with valid pretest and posttest CMT results. Given that mobility tends to occur more frequently among urban students, this study moderately under-represents this group. Because the achievement gap affects both mathematics and reading performance, the dependent measure for this study is based on combining the results from both of these CMT tests. Thus, to achieve proficiency (which is achievement level 3 of 5), a student must be at or above the Proficient level in *both* mathematics *and* reading, abbreviated as MARD. Similarly, to achieve Goal level performance (which is achievement level 4 of 5), a student must be at or above the Goal level of performance in *both* mathematics *and* reading. Each program assessment will therefore be based on change in the percentage of students who have achieved these performance levels (henceforth referred to as Proficient and Goal) in both reading and math.

Performance over Time: To measure academic gains, it is first necessary to assess performance over time (Behuniak, P., Mooney, R.F. and Cloud, R, 1990). That is, to ascribe program gains or losses to academic treatments that have taken place, first baseline performance must be established and then, after a period of treatment—for example, membership in a specific Choice program—performance must be evaluated again at outcome. Only then is it possible to ascribe the educational activities from the treatment to the performance of the treatment group at outcome. For this analysis, student performance on the CMT is tracked from 2010 to 2012.

Achievement Gap: For this study, the achievement gap is defined as the academic test performance differential between urban and nonurban students. This achievement gap has been a critical issue for educators in Connecticut and throughout the country (Behuniak et al., 1990). For this study, the achievement gap is operationalized as a specific score range obtained from the test results stored in the CMT archives. The lower-bound estimate of the achievement gap is based on the longitudinal matched urban achievement results from the CMT for students who attended the same local school in the target districts at pretest in 2010 and posttest in 2012. The corresponding upper-bound estimate of the achievement gap is based on the summary test performance outcomes for all nonurban students (i.e., excluding students from all seven of Connecticut's largest cities) with valid CMT test results who attended the same school for the pretest/posttest period.

Hypotheses: A hypothesis is a formal assertion written in the form of a question that is central to the evaluation of a specifically defined research outcome. In this case, the hypothesis focuses on the determination of whether the Choice programs help students demonstrate better academic gains at outcome and achieve higher academic performance on MARD at posttest, over and above the benefits of attending a traditional urban neighborhood school.

A statistical test is fundamentally rooted in sampling theory and incorporates a concept known as the standard error. The standard error is a measure of variability that takes into account normal sample fluctuations.

Thus, if a particular experimental outcome exceeds the results of the control groups at posttest this in itself may not be meaningful, but if the difference also exceeds the extreme range of the empirical sampling error then the finding is considered statistically robust or “significant.” In this evaluation, the interpretation that a particular finding is “statistically meaningful” describes cases where a particular Choice program exceeds the benchmark expectations or distribution of mean outcomes for the quasi-control groups.

There are two statistical tests of central importance in this study:

Hypothesis 1: Gains Test

Do the treatment gains at outcome exceed control gains in a statistically meaningful way? These gains¹ are diagrammed in the hypotheses depicted below. This hypothesis asks whether the treatment gains from baseline to outcome ($T2 - T1$) exceed quasi-control gains at outcome ($C2 - C1$).

Ho 1: $T2 - T1 \leq C2 - C1$ (Treatment gains are less than or equal to Control gains)

Ha 1: $T2 - T1 > C2 - C1$ (Treatment gains exceed Control gains)

Hypothesis 2: Outcome Test

Does the MARD performance of the treatment group exceed the control group at outcome? This answers the question: how did Choice program students perform at posttest compared with virtual peers who remained in their local neighborhood schools? This hypothesis and the alternative hypothesis are shown below.

Ho 2: $T2 \leq C2$ (Treatment outcome is less than or equal to Control outcome)

Ha 2: $T2 > C2$ (Treatment outcome exceeds Control outcome)

1. It should be noted that the pretest and the posttest measures based on CMT results (MARD) are derived from tests of different levels of difficulty (grade levels), and in this case the test performance levels have not been vertically equated on the measures of interest (i.e., mathematics and reading). The content of the tests reflects increasing pedagogical expectations from the lower to the higher grades. That said, this gains test is a good, practical way to measure student gains from grade to grade based on the Proficient and Goal levels. For example, if the percentage of students who are at or above the Proficient level at pretest are greater at posttest, and they exceed quasi-control peer samples by a meaningful extent, then this argues that academic growth has occurred for the treatment group over and above the expected growth for the quasi-control peers.

Statistical Analysis: Due to limitations related to ex post facto research designs, classical statistical tests are generally not appropriate for comparing group performance (Henkel, R.D., 1976). Instead, a novel strategy developed in this analysis is to use empirical tests using the empirical overall sample average and the empirical standard error of 30 quasi-control matched samples to determine statistical meaningfulness. An overriding principle of this study is to conduct all the statistical tests using the most conservative procedures. Hence, all tests will be conducted as if the comparisons at pretest and posttest are independent, and the p value² will be set at two standard deviations, which reflects the 95th percentile point of the normal null distribution of deviates. Thus, without resorting to the usual statistical procedures, the groups who attended the Choice programs and those who did not can be compared with statistical rigor. A detailed explanation of the empirical statistical testing approach is included in appendix B.

Reattribution: To counter the argument that Choice programs may be driving away lower performing students in order to bolster their test scores, the outcome scores of students who leave the Choice programs and go on to attend other Connecticut schools and take valid CMT tests in mathematics and reading are reattributed to the Choice programs at outcome. Unless the leavers are very high or very low performing at posttest (i.e., biased), this should have a neutral influence on outcome performance. Students who cannot be traced to Connecticut public schools will be regarded as cases of normal attrition. This approach is intended to be consistent with the overarching policy of conservative performance assessment decisions in this study. See appendix C for the attrition rates and the students reattributed.

2. P value is the probability or level of significance for rejecting a null hypothesis. In this instance, if a choice program evidences gains that are two standard deviations greater than the gains evidenced by the 30 quasi-control matched samples, then one can conclude with high confidence that the gains of the choice program were not by chance.

FINDINGS AND INTERPRETATIONS

The purpose of this report was to compare each of the Choice programs in order to determine their relative effectiveness at closing the achievement gap for students in Bridgeport, Hartford, New Haven, and Waterbury. Importantly, both the direct observation of the performance scores and gap indicators, as well as the development of statistical cut scores based on virtual peer samples converged and were in agreement in this analysis. A more detailed and technical discussion of the results is contained in appendix D.

Cohort 1 Findings: For cohort 1 (Grade 3 2010 to Grade 5 2012) the RESC magnet group performed best at closing the gap at both the Proficient level and the Goal level compared with the other Choice programs. The RESC magnet group made statistically meaningful gains over time of 25.4% at the Proficient level from pretest to posttest that exceeded the standard set by the virtual peer samples. In absolute terms, the RESC magnet group score at outcome was 83.6% at Proficient, coming to within -1.6% of closing the posttest achievement gap at the Proficient level on MARD.

Table 1. Cohort 1 CMT Growth (Grades 3 to 5) at Proficient level

	N	% Proficient on 2010 CMT	2010 gap %	% Proficient on 2012 CMT	2012 gap %	Change in % Proficient
Nonurban schools	18,318	78.9	--	85.2	--	6.3
Urban students						
Urban schools (non-Choice)	2,496	43.9	-35.0	48.3	-36.9	4.4
Public charter schools	184	63.6	-15.3	58.2	-27.0	-5.4
Magnet schools operated by local districts	353	48.4	-30.5	58.1	-27.1	9.7
Magnet schools operated by RESCs	55	58.2	-20.7	83.6†	-1.6	25.4†
Open Choice program	89	47.2	-31.7	66.3‡	-18.9	19.1†

† Exceeds empirical cut value ‡ Near empirical cut value

Furthermore, performance for the RESC magnet group at the higher Goal level of achievement was also very nearly statistically meaningful, attaining an absolute score of 56.4% at Goal and an absolute gap closure to within -14.9% of the majority for closing the gap at Goal (see Table 2). This reflects a substantial gain in goal performance of 21.9% for the RESC magnets. Goal level achievement is particularly important, because it demonstrates a higher level of learning and understanding.

The Open Choice group exceeded the statistical cut off compared with their virtual peer samples in terms of performance gains over time, which were 19.1% in absolute terms from pretest to posttest at the Proficient level (see Table 1). Open Choice also performed well for cohort 1 in terms of closing the gap at the Proficient level—although not doing as well as the RESC magnets. The Open Choice students very nearly exceeded the statistical cutoff value for the virtual peer samples in terms of overall MARD performance at posttest by achieving 66.3% of the students at the Proficient level. None of the other Choice programs met or exceeded these performance results for cohort 1. These findings are interpreted to mean that urban students in cohort 1 benefited more from the RESC magnet and Open Choice programs than from the other Choice programs based on MARD performance at outcome. The Open Choice program did not achieve a statistically meaningful level of performance at the Goal level for cohort 1.

Table 2. Cohort 1 CMT Growth (Grades 3 to 5) at Goal level

	N	% Goal on 2010 CMT	2010 gap %	% Goal on 2012 CMT	2012 gap %	Change in % Goal
Nonurban schools	18,318	59.1	--	71.3	--	12.2
Urban students						
Urban schools (non-Choice)	2,496	21.6	-37.5	29.8	-41.5	8.2
Public charter schools	184	39.7	-19.4	41.3	-30.0	1.6
Magnet schools operated by local districts	353	26.6	-32.5	38.0	-33.3	11.4
Magnet schools operated by RESCs	55	34.5	-24.6	56.4†	-14.9	21.9†
Open Choice program	89	24.7	-34.4	36.0	-35.3	11.3

† Near empirical cut value

An overall caution in interpreting the findings in cohort 1 is to bear in mind that the statistically meaningful findings for RESC magnet and Open Choice programs were based on rather small groups of urban attendees. The sample size of the programs was taken into account by the quasi-control statistical sampling procedure that was used, so this in no way reflects on the meaningfulness or robustness of the findings themselves. Nevertheless, as a practical consideration it has to be taken into account that smaller sized groups of urban students could potentially have received specialized educational support or interventions that might not be possible were these programs replicated to include larger numbers of urban students.

A second consideration in interpreting these cohort 1 results is to point out that the Open Choice program does not reflect a single unified educational program, but is actually a kind of omnibus “treatment” that allows urban students to volunteer to attend nonurban schools. Another confounding factor is that the number of urban students attending each individual school varies from school to school. Each school, therefore, may have somewhat different approaches to teaching and learning as well as variable levels of educational support and interventions. Again as a practical consideration, it is therefore difficult to say whether the Open Choice option can be precisely replicated or if the program would have the same successes if these schools had larger numbers of urban students in Grades 3 through 5.

Cohort 2 Findings: For cohort 2 (Grade 6 2010 to Grade 8 2012), the results demonstrate that public charter schools did best at closing the gap both at the Proficient level and at the Goal level on MARD by a statistically meaningful margin. Gains at Proficient for the charters in cohort 2 were 8.0%, widely outperforming the other Choice programs (see Table 3). The charter schools in cohort 2 posted an absolute performance score of 81.3% at the Proficient level at posttest and also demonstrated an absolute Proficient level gap closure of within -9.5% at posttest compared with the nonurban majority. These findings exceeded the empirical cut value for the virtual peer samples at posttest and also in terms of performance gains over time.

Table 3. Cohort 2 CMT Growth (Grades 6 to 8) at Proficient level

	N	% Proficient on 2010 CMT	2010 gap %	% Proficient on 2012 CMT	2012 gap %	Change in % Proficient
Nonurban schools	19,246	89.0	--	90.8	--	1.8
Urban students						
Urban schools (non-Choice)	2,352	61.3	-27.7	59.6	-31.2	-1.7
Public charter schools	326	73.3	-15.7	81.3†	-9.5	8.0†
Magnet schools operated by local districts	512	69.9	-19.1	69.3	-21.5	-0.6
Magnet schools operated by RESCs	96	75.0	-14.0	75.0	-15.8	0.0
Open Choice program	76	72.4	-16.6	75.0	-15.8	2.6

† Exceeds empirical cut value

Even more importantly, the performance at the higher Goal level showed that the public charter schools demonstrated a higher level of learning and understanding compared with the other Choice programs in cohort 2 (see Table 4). Gains at Goal for the charters in cohort 2 (10.7%) were even higher than that at Proficient (8.0%), again widely outperforming the other Choice programs. The absolute Goal performance on MARD was 60.1% at Goal, demonstrating a performance gap closure at the Goal level at posttest of -15.1% compared with the nonurban majority. This is nearly two or more times better than any of the other Choice programs at Goal for cohort 2. Furthermore, none of the other Choice programs approached a statistically meaningful outcome for cohort 2 at either the Proficient or Goal levels on MARD. This is interpreted to mean that the urban students in public charter schools benefitted more than urban students in the other Choice programs and therefore may be assumed to be better prepared for the academic demands of high school.

Table 4. Cohort 2 CMT Growth (Grades 6 to 8) at Goal level

	N	% Goal on 2010 CMT	2010 gap %	% Goal on 2012 CMT	2012 gap %	Change in % Goal
Nonurban schools	19,246	73.6	--	75.2	--	1.6
Urban students						
Urban schools (non-Choice)	2,352	37.8	-35.8	32.9	-42.3	-4.9
Public charter schools	326	49.4	-24.2	60.1†	-15.1	10.7†
Magnet schools operated by local districts	512	39.5	-34.1	34.2	-41.0	-5.3
Magnet schools operated by RESCs	96	42.7	-30.9	45.8	-29.4	3.1
Open Choice program	76	40.8	-32.8	31.6	-43.6	-9.2

† Exceeds empirical cut value

Interaction Effects for Cohorts 1 and 2: The inconsistent findings between cohort 1 and cohort 2 are puzzling. In research, this is known as an interaction effect. Once again, it is important to note that these findings showed a convergence of results for the descriptive test performance scores—such as in absolute performance terms at Proficient or Goal or on the gap closure index—as well as in terms of the findings for the empirical cut-value technique based on comparisons with random samples of matched quasi-control peers. Therefore, it seems that these overall findings support an interpretation of meaningful program performance differences. More investigations are required to draw conclusions about this interaction effect confidently. One possible explanation for the disparity is that strategies that work best for the younger students in cohort 1 may not be as effective for the slightly more mature students in cohort 2, and vice versa. Nevertheless, this is conjecture. Closer examination of these circumstances and a more complete understanding of the teaching methods and support environment would be helpful in interpreting these phenomena.

How can this study be used? This analysis provides an important benchmark for evaluating Connecticut’s Choice programs. The methodology provided several ways to view performance comparisons, as well as including an innovative method of comparing program performance results at outcome to the results of matched multiple samples of quasi-control peers. These quasi-controls, or virtual peer samples, were derived from selecting matched random samples at pretest, tracking them over the same time as the treatment group, and comparing those findings at posttest with the Choice program attendees. The purpose of the quasi-controls is thus to adjust or control for baseline performance disparities or bias among the Choice programs and to provide a way to estimate the benefits of natural maturation for nonprogram attendees during the period of study (i.e., from 2010 to 2012).

This study demonstrates that pretest-posttest comparisons are clearly a superior method over traditional single-point-in-time or cross-sectional analyses for evaluating program effectiveness. Second, using matched multiple quasi-controls appears to be a useful enhancement to the traditional pretest-posttest quasi-experimental design.

Empirically determined performance benchmarks provide a useful way to compare the relative performance of the matched cohorts to help interpret the influence of normal student maturation effects and also to help determine robust and statistically meaningful program differences at outcome while controlling for type 1 errors. Short of employing true experimental designs with random assignment of subjects to treatment and control groups, replications of the analysis across different times would be a useful way of confirming the findings in this report.

Note that this study does not attend to other intangible gains that may be derived from attendance at these programs, including benefits to students that are not measured by the CMT. More needs to be known about the potential benefits of these programs beyond the limits of academic test performance alone.

A more detailed follow-up, school-level analysis of the best-performing programs is needed to determine the relative stability of these findings from school to school because higher overall program performance generally does not ensure that all schools are applying the model equally well. A school-level study can determine in more detail precisely what specific pedagogical or programmatic methods yield the observed performance gains in the better performing programs.

CONCLUDING OBSERVATIONS

This study examined the achievement of urban students from Bridgeport, Hartford, New Haven, and Waterbury attending Connecticut's Choice programs from 2010 to 2012 from several different perspectives. The primary finding is that urban students in cohort 1 (Grade 3 2010 to Grade 5 2012) benefitted more in terms of MARD test gains and performance at outcome from the RESC magnet schools at the Proficient level. These results in terms of absolute gap closure were consistent with comparisons with mean performance results for matched groups of virtual peer samples.

The Open Choice program also benefitted cohort 1 students on MARD at the Proficient level only in terms of performance gains. The RESC magnet program achieved near statistically meaningful performance at the Goal level as well. While demonstrating good performance gains and gap closure at the Proficient level is important, Goal level achievement is interpreted as reflecting a higher level of learning and understanding. It was noted that both of these programs are relatively small compared with some of the other Choice programs and, furthermore, that the Open Choice program actually reflects a broad diversity of treatments because each receiving school may be quite different. These issues raise questions about the broader applicability of these models.

In addition, the urban students in cohort 2 (Grade 6 2010 to Grade 8 2012) benefitted more from public charter schools both in terms of performance gains and absolute gap closure at Proficient as well as at Goal on MARD, and also exceeded the cut value established by the combined performance of matched groups of randomly selected peers. The charter performance effects at outcome demonstrated statistically meaningful performance outcomes at the Goal level of achievement, reflecting a substantially higher level of learning and understanding than achievement at the Proficient level. This is notably important for urban students because the middle school years are a gateway to high school, and this is the critical period urban students tend to decline in academic performance as compared with their nonurban peers.

An important caveat is that this study remains an *ex post facto* or "after the fact" analysis, thus prohibiting causal attribution for these program outcomes. This may in turn affect program transferability. Therefore, it cannot be said with certainty, for example, that clones of these choice programs, or a piecemeal exportation of the pedagogical techniques and strategies used, will necessarily ensure similar performance successes for urban students generally. Validation of these findings by identifying key elements of the programs and randomly assigning some or all of these programmatic or pedagogical methods of these programs to other urban schools would be a very helpful way to crosscheck these results further.

Also note that the Choice programs vary widely in terms of students' test performance at baseline compared with the neighborhood urban target districts examined in this study. Nevertheless, regardless of the causal reasons behind these baseline performance disparities, higher overall group performance at baseline was not always shown to result in better performance at outcome. Therefore, selecting students for admission to Choice programs based solely on better baseline achievement should not be considered a substitute for effective teaching and learning strategies.

This study is an example of a longitudinal pretest posttest study of student performance that compares the same students from time 1 to time 2. This study built on and extended the work of a prior report (Behuniak et al., 1990) by not only examining student performance over time, but also using several novel and innovative strategies for examining, reporting, and interpreting student performance. These include the development of absolute gap indicators as well as the development of a newly developed statistical test strategy based on empirical student performance of matched cohorts of students with similar baseline performance

and performance-related characteristics. This study therefore represents a new standard for innovation and thoroughness regarding the evaluation of programs designed to improve student performance.

Although this work provides a very important perspective on urban student performance in the various Choice programs, it is equally important to consider a number of issues not included in this study as these findings are reviewed and considered. For instance, while all the Choice programs showed improved performance over the students who remained in their urban local schools, these differences were not always statistically meaningful after taking into account baseline test performance and normal maturational effects using quasi-control groups, but may still have important long term benefits for urban student attendees above and beyond test performance alone.

In addition, apart from test performance outcomes alone, it is also important to take into account other practical considerations that could not be included in this study but which may also affect student achievement in the longer term. For example, the Choice programs may have many important long-term benefits for student participants, including social integration factors and elements other than academic test performance as measured on the CMT. Finally, in interpreting these results, keep in mind that prior program experience in the Choice programs occurring before the measured periods of cohort 1 and cohort 2 may help to explain cases of higher test performance at baseline.

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**APPENDIX A — QUASI-CONTROL SELECTION AND MATCHED TEST
PERFORMANCE COMPARISONS ON PRETEST IN MATH AND READING (MARD)**

Cohort 1 Grades 3 to 5

Title	sampcnt	mard_n	prespedpct	preellpct	prelunchpc	minorpct	preedfac	presocfac	prepardp
1.0 CITIES OUT	--	18318	5.8	4.0	19.6	20.2	9.5	17.8	78.9
2.0 LOCAL DIST	--	2496	3.6	14.3	93.0	86.3	17.4	85.0	43.9
3.0 CHARTER DIST	--	184	1.6	1.1	68.5	98.4	2.7	97.3	63.6
3.1 RANDOM	373	185	1.6	1.1	71.5	97.9	2.7	97.9	60.4
4.0 MAG NOT RESC	--	353	2.5	7.9	81.3	82.7	10.5	80.7	48.4
4.1 RAND	132	349	2.6	8.0	68.5	88.2	10.6	88.0	51.6
5.0 MAG RESC	--	55	3.6	0.0	45.5	92.7	3.6	92.7	58.2
5.1 RAND	704	55	3.6	0.0	56.6	93.6	3.6	93.5	57.8
6.0 OPEN CHOICE	--	89	6.7	2.2	68.5	94.4	7.9	94.4	47.2
6.1 RAND	63	93	6.5	2.2	70.5	93.2	8.6	93.1	48.4

Cohort 2 Grades 6 to 8

Title	sampcnt	mard_n	prespedpct	preellpct	prelunchpc	minorpct	preedfac	presocfac	prepardp
1.0 CITIES OUT	--	19246	7.1	1.8	17.3	16.4	8.8	14.4	89.0
2.0 LOCAL DIST	--	2352	4.3	11.4	90.6	85.8	15.2	84.3	61.3
3.0 CHARTER DIST	--	326	3.1	5.2	73.9	99.4	8.0	99.4	73.3
3.1 RANDOM	86	351	2.8	4.8	72.2	96.8	7.7	96.7	69.6
4.0 MAG NOT RESC	--	512	2.3	7.0	84.8	93.0	9.4	91.8	69.9
4.1 RAND	57	532	2.3	6.8	71.9	94.6	9.0	94.4	67.9
5.0 MAG RESC	--	96	2.1	5.2	62.5	88.5	5.2	88.5	75.0
5.1 RAND	59	95	2.1	5.3	68.3	93.9	7.4	93.8	73.3
6.0 OPEN CHOICE	--	76	14.5	3.9	57.9	93.4	17.1	93.4	72.4
6.1 RAND	46	88	12.5	3.4	63.0	85.8	15.9	85.6	71.2

Specific Steps for Determining the Stratified Virtual Peer Samples — The test-performance-related background characteristics for population and random sample groups for the Grades 3 to 5 cohorts and the Grades 6 to 8 cohorts are displayed above. The key to this strategy lies in the ability to obtain fair representation of the quasi-control group performance and background characteristics at baseline in order to properly assess the performance outcome of quasi-control peers who did not attend the Choice programs. The challenge is to tailor the quasi-control groups to each of the experimental or Choice program groups that received the educational treatments because each program had somewhat different combinations of baseline performance and background characteristics that could influence performance at outcome. The problem is that the total census distribution of test scores also reflects the students' background social disadvantage factors. Specifically, this means that the urban students as a subpopulation tend to have lower than average test scores as well as higher socio-economic factors. Therefore, selecting on social disadvantage factors tends to limit the range of test scores and selecting on test scores limits the range of social disadvantage factors.

This range restriction or sampling problem was resolved using a stratified sampling technique that blended both univariate and multivariate sampling techniques. Univariate sampling means simply that examinees were selected for a single trait, whereas multivariate sampling means that examinees were selected on multiple traits simultaneously. By combining these two strategies, it is possible to select quasi-control groups based on key background traits effectively. First, because the Choice program samples had relatively few students with disabilities as compared with the urban subsample generally, these two groups were randomly sampled from the general population as if they were independent, univariate samples. For example, if 1% of a given Choice program group were special education students, then an equivalent 1% of special education students who were not Choice program attendees were randomly sampled from the general population and retained. A similar univariate subsample of English language learners were also randomly obtained from the general population.

After obtaining the two small samples of students with disabilities and English language learners, and retaining those, a much larger multivariate sample of students who were either jointly or independently either eligible for free/reduced-priced school lunch and/or from minority racial/ethnic backgrounds was randomly sampled from the general population. This was the largest sample because it reflected the majority of the subset of urban Choice program attendees. The reason for doing this sample jointly is to more accurately reflect the reality that most urban students attending the Choice programs are either minority, school-lunch eligible, or both. Next, another relatively small group of nonminority, non-school lunch students was also sampled from the general population. In the last step, all four of these random subsamples were combined together to create one complete, random quasi-control group "candidate" sample. This candidate sample was then tested and compared with the true Choice program group. If the baseline test performance for the candidate quasi-control group was within 5% of the true Choice program group test performance and the background characteristics were within 15% of the true program group background characteristics, then the summarized candidate results are retained. If the criteria are not met, the results are discarded and another random sample sequence begins. The process continues until 30 summarized samples are obtained.

APPENDIX B – STATISTICAL TESTING APPROACH

Empirical Statistical Testing: The multiple quasi-control matched group samples used in this study are intended to establish a concrete and meaningful statistical performance benchmark in order to fairly assess the relative test performance of the Choice program participants at outcome or posttest. That is, each of the random sample quasi-control groups that are matched or tailored to each of the four individual Choice program groups at pretest become, in effect, a test-performance benchmark of virtual urban peers. Then by tracking these same quasi-control sample groups from pretest to posttest, the summarized results of the test performance for the quasi-control groups therefore provide a valid and meaningful point of comparison for each of the appropriate Choice program test results at outcome.

A related issue has to do with determining a proper statistical test for deciding whether a Choice group has meaningful performance increases on the CMT over and above the matched quasi-control groups at outcome. Using normal statistical tests for ex post facto analyses of census data such as this is improper because these tests are based on the assumption of random assignment at baseline (Henkel, 1976). This leads to two problems: First, the distributional assumptions required in classical statistical analysis may not be appropriate and, second, larger groups tend to be found “statistically significant” due purely to the precision of the statistic. “[F]inding or failing to find a significant result is often more a function of sample size than the intrinsic truth or falsity of the null hypothesis” (Henkel, p. 82, 1976). These are problems with statistical tests per se, but they are concerns relevant to the proper interpretation of the findings of an ex post facto analysis when employing classical statistical tests.

To resolve these issues, a novel strategy is employed in this analysis. Instead of sampling just one group of quasi-control “peers” 30 valid or viable samples of peer groups were sampled from the CMT archives for each group comparison of interest. Each one of these was subsequently summarized and compiled for each Choice program comparison. That is, the results for each viable sample were first individually summarized at the group level and then those summarized results were compiled together and summarized again. This process has two purposes: First, this compilation of summarized results serves to stabilize the outcome performance for the benchmark comparison groups. Second, it also provides a “null” performance distribution, which can be used to establish a robust empirical estimate of sampling error, while avoiding well-known problems associated with using traditional inferential statistics for census data.

Choosing an Appropriate Cut-Score Value: In order to decide whether a Choice program performance difference exceeds the matched null distribution, a cut value needs to be determined. Although the random samples may or may not be normally distributed, sampling theory dictates that the averaged and compiled performance levels derived from the 30 random samples of quasi-control test takers should be. Accordingly, a cutoff value of two standard deviations from the mean of the Proficient or Goal scores was selected. This choice is based on the expectation that the properties of the normal distribution can be evoked when the n-count for the number of samples is 30. Thus, although the Proficient or Goal performance of the individual sample groups may not be normally distributed, the means of the performance distributions should be. Therefore, 2 standard deviations reflect a very stringent benchmark standard that corresponds to exceeding approximately the 95th percentile of the one-tailed normal z-score distribution (Ferguson F.N. 1973). Thus, without resorting to the usual statistical testing procedures using theoretical distributions, the matched treatment and control groups can be compared with statistical rigor.

Interpretation of Statistical Cut Values: What this cut-score value means in practice is that if a Choice group performance is in the lower or middle range of the “null” distribution, then the findings imply that the program performance is not meaningfully different from the peers, but if the Choice group performance is at the extreme outer limit of this “null” distribution, then the findings imply that those results are so extreme that we say that they are probably from a completely different population. Thus, we can think of each Choice program assessment as a comparison of that single outcome to a distribution of outcomes for 30 same-sized groups of comparable controls, so the notion of a sampling distribution of these 30 samples is relevant.

Exceeding this cut value compared with a normal z-score distribution reflects a conservative, robust, and meaningful way to detect performance differences at outcome for the Choice programs over and above equivalent samples of students who did not attend the Choice programs. The advantages of this model are two: First, it attempts to take into account the critical issue of differential baseline test performance for the Choice program groups due to selection bias. Second, it provides a benchmark performance level at outcome that helps to control for or explain the effects of student maturation over time.

In summary, the proper understanding and interpretation of the benefits of the random peer group results in this study is that the statistical cut value measure establishes what might be called a lower-bound performance expectation at outcome for assessing Choice program effects, although this model does not control for the hidden effects of confounding factors such as student motivation. Also, because this study is not a true experimental design with random assignment of subjects to treatment and controls at baseline, it is not possible to attribute cause to the observed program effects. Hence, if one or more of the Choice programs are observed to be effective at closing the gap in this study, this alone will not be sufficient proof that transferring these strategies to other schools and educational programs is necessarily going to lead to similar positive findings in the future.

Statistical Analyses: To assess the above hypotheses for the four Choice program options, student performance outcomes based on the combined MARD performance metric will be investigated in multiple ways. These include examining baseline percentage at Proficient and Goal, outcome percentage at Proficient and Goal, and percentage of gains over time (the difference between pretest and posttest performance) for each of the programs.

Descriptive Comparisons: The first and most fundamental descriptive index in this analysis is the degree to which these programs help students from Bridgeport, Hartford, New Haven, and Waterbury close the achievement gap in an absolute sense. This statistic will be presented directly by subtracting the performance group outcome to the upper-bound estimate of the gap. This will express in absolute terms the percentage that remains between the program performance result and the gap target index. The index reflects an upper-bound performance expectation that will always be in the negative unless a Choice program result exceeds the overall nonurban (see equation 1, below).

Equation 1: Descriptive Gap Index

$$\text{Gap index} = \text{PostMARD } i - \text{UpperBoundGap (Cities Out)}, i = 1,2,3,4 .$$

Next the gain index for each of the four Choice programs will be examined. Normally, a dependent pretest-posttest analysis will compare each individual student’s score at pretest and posttest, which is the most sensitive way to detect change. However, this test is more conservative because it will compare

independent pretest-posttest gains. The pretest and the posttest measures based on CMT results (MARD) are derived from tests of different levels of difficulty (grade levels) and in this case the test performance levels have not been vertically equated on the measures of interest (i.e., mathematics and reading). The content of the tests reflect increasing pedagogical expectations from the lower to the higher grades. That said, this gains test is a good, practical way to measure student gains from grade to grade based on the Proficiency and Goal levels in a relative way. For example, if the percentage of students who are at or above the Proficient level at pretest is greater at posttest, and they exceed quasi-control peer samples by a meaningful extent, then this argues that academic growth has occurred for the treatment group over and above the expected growth for the quasi-control peers. Accordingly, the raw gains are calculated for each program as follows (see equation 2, below):

Equation 2: Descriptive Gain Index

$$\text{Gain index} = \text{PstMARD } i - \text{PreMARD } i, i = 1,2,3,4 .$$

Cut-value Comparisons: Equation 3 (below) describes the cut value for the outcome test comparing actual performance of the Choice groups to the virtual peer results. These tests mirror the descriptive tests above, except that they compare the actual posttest results for the Choice programs to the matched results for the 30 samples of virtual peers. Accordingly, this comparison to the null distribution reflects the combined results for the matched and combined virtual program groups. This allows the cut value to be more representative of the population for these particular test-takers and also makes it possible to assess a meaningful standard error derived from the 30 samples. Therefore, the cut values represent a meaningful and robust statistical comparison at outcome.

Equation 3: Empirical Benchmark Outcome Test

$$\text{Cut value} = \text{Avg}(\text{PostMARDRand}) + 2.0 \times (\text{SD}(\text{PostRand } i)), i = 1,2,3,4 .$$

Besides the direct outcome comparison at posttest, we are also interested in the relative gains of the Choice groups over time. To do this, we compare the pretest results for each group with the average group difference from the posttest outcome scores on MARD, and compare those quasi-control group independent gain findings to the Choice group's independent gains for the same period (see equation 4, below):

Equation 4: Empirical Benchmark Gain Test

$$\text{Cut value} = \text{Avg}(\text{PostMARDRand}) - \text{Avg}(\text{PreMARDRand}) + 2.0 \times \{ \text{SD}(\text{PreMARDRand } i) + \text{SD}(\text{PostMARDRand } i) / 2 \}, i = 1,2,3,4 .$$

Note that this test for independent groups is less sensitive (more conservative) than the two sample gains test, where the error term is 2 standard deviations of the gains rather than the pooled total group standard deviation.

APPENDIX C — ATTRITION COUNTS BY CHOICE PROGRAM

Grades 3 to 5 Cohort

Program	Attrition <i>n</i>	MARD_ <i>n</i>	% Attrition
-----	-----	-----	-----
3.0 CHARTER	18	184	9.8%
4.0 MAG NOT RESC	12	353	3.4%
5.0 MAG RESC	*	55	*
6.0 OPEN CHOICE	*	89	*

Grades 6 to 8 Cohort

Program	Attrition <i>n</i>	MARD_ <i>n</i>	% Attrition
-----	-----	-----	-----
3.0 CHARTER	25	326	7.7%
4.0 MAG NOTRESC	21	512	4.1%
5.0 MAG RESC	*	96	*
6.0 OPEN CHOICE	*	76	*

*Attrition *n* is less than 6; therefore, *n* and % attrition suppressed to protect student confidentiality.

APPENDIX D — DETAILED DISCUSSION OF RESULTS

Descriptive Comparisons: Each of the following four results tables will present the descriptive analysis for each population parameter and the cut-value comparisons as appropriate. The tables include the performance of the state as a whole (excluding the seven major Connecticut cities) to provide an upper-bound estimate of the performance gap based on MARD. The lower-bound estimate will be based on MARD performance for the four targeted districts of Bridgeport, Hartford, New Haven, and Waterbury. These indices will be calculated both at pretest and posttest. Next the summary population performance for the local schools in the four urban districts is presented, which will provide a lower-bound estimate of the performance gap.

The individual programs that were analyzed were the public charter schools, the non-RESC magnet schools, the RESC magnet schools, and finally the Open Choice program results. To reduce the size of the tables, the percentage of special education and English language learner program attendees will be combined into one index called Education Factors. A second index called Social Factors will combine the percentage of students who are minorities and/or those eligible for free or reduced priced meals.

Quasi-Control Comparisons: The total sample count in each table representing the four Choice program assessment findings reflects the total number of samples needed to obtain 30 viable quasi-control group comparison samples (see table 5). Samples of the virtual peers met the following criteria: First, they must have been within 15% of the school-lunch eligibility percentage for each specific Choice program at baseline, and second their baseline Proficient level scores had to be within 5% of the baseline test performance results on the combined mathematics and reading results (i.e., MARD).

The results for the virtual peers are reported immediately following each listing of the Choice program group results. Samples that do not meet these criteria for inclusion in the comparison groups will be counted but not included in any outcome comparisons. The reason for counting the total number of samples taken is to provide a way to gauge the relative degree of difficulty in obtaining viable random samples. The larger the total number of samples, the more difficult it was to obtain 30 viable samples. This can occur, for example, when the baseline program selects a high percentage of students with higher baseline performance on MARD.

Student performance outcomes based on the combined MARD performance metric will be investigated in multiple ways: Baseline percentage at Proficient and Goal, Outcome percentage at Proficient and Goal, Percentage of Gains over time (the difference between pretest and posttest), and relative Percentage Closing the Achievement Gap. A key descriptive index in this analysis is the degree to which these programs help students from Bridgeport, Hartford, New Haven, and Waterbury close the achievement gap in an absolute sense. This statistic will be presented directly, subtracting the performance group outcome to the upper-bound estimate of the gap. This will express in absolute terms the percentage that remains between the program performance result and the gap target index. This index will always be in the negative, unless Choice program results exceed the results for the nonurban majority.

Cohort 1 Results: Table 5 (below) displays the pretest/posttest results for cohort 1 for Grade 3 2010 to Grade 5 2012 at the Proficient level or higher. The chief benefit of a pretest-posttest analysis is that it better enables us to ascribe observed change to academic program effects, without confounding the findings with the test results from outgoing or incoming students. Hence, all students reported in table 5 had valid test results on the CMT mathematics and reading subtests (MARD) in Grade 3 and also in Grade 5. In addition, two different kinds of results are displayed in each table: census results and empirical random sample results.

The whole number rows in each table display the pretest-posttest census results for all valid MARD test-takers for the appropriate performance level. Thus, row 1.0 shows the findings for all Connecticut's students excluding the seven major cities while row 2.0 shows the combined results for the four target urban districts (Bridgeport, Hartford, New Haven, and Waterbury). The decimalized rows list the findings for the combined, randomly selected quasi-control groups, which are matched to each individual Choice program group. Thus, row 3.0 describes the census charter results and row 3.1 describes the results for the combined 30 quasi-control samples that are matched to the census charter group.

Besides the performance scores listed in table 5, descriptive performance-related background characteristics are also listed for each group. For this analysis, the critical performance related background factors have been combined for compactness. (More detailed descriptions for each of the key data elements are described in appendix A.) Hence, in table 5 the column labeled SocFac, or social factors, describes the percentage of students in each row listing with both minority status and/or eligible for the School Lunch Program.

The column labeled EdFac, or educational factors, shows corresponding percentage of students who are special education and/or English language learners. The baseline test results on table 5 are labeled Prof1 and display the combined percentage of students meeting or exceeding proficiency on both the mathematics and reading CMT subtests in Grade 3 of 2010. The field labeled Prof2 corresponds to MARD test results for the same students at Proficient or higher at outcome in Grade 5 of 2012. The column labeled ProfGain describes the difference between Prof1 and Prof2 group scores, which is an indicator of relative gain.

The absolute gap closure index on table 5 is labeled Gap1 at pretest and Gap2 at posttest. This is the percentage difference between each Choice program performance on MARD at each test-reporting level compared with the overall statewide performance for nonurban students in Connecticut. These indicators are calculated for both the Proficient level or higher in table 5 and for Goal level or higher in table 6 for cohort 1. The "Valid N" is the record count for those students with valid results in both subtests who remained in the same school from the pretest to the posttest. Line 1 reflects the overall statewide results for the nonurban students and reflects the upper-bound limit or target goal for the gap indicator.

The results for each Choice program group will be followed by the results for a matched sample results found in the decimalized rows.

Recall that the matched sample is the summary of 30 subsamples, matched on relative baseline MARD performance and on the four background characteristics of interest (i.e., school lunch eligibility, minority status, special education status plus English language learner status). The relative comparability of these groups is reflected on both the education factors and the social factors indices as well as on pretest MARD performance.

The Samp_n field denotes the total number of samples required to obtain 30 viable samples where the background parameters were held to within 15% of the true population parameter of the Choice program and the baseline test performance at pretest were held to within 5% of the true population parameter of the Choice program. The higher the Samp_n, therefore, the more difficult it was to obtain 30 viable samples. What this means in practical terms is that higher Samp_n counts reflect a higher degree of difficulty in finding sample matches that are closely matched to the census choice program groups. This occurs most typically when the program groups enroll students of higher baseline performance compared with expected performance level of the four target districts.

Row 1.0 of table 5 labeled Cities Out displays the overall results for nonurban Connecticut test-takers at the Proficient level (or higher) on MARD. Row 1.0 provides the background and performance information for the group ($n = 18,318$) who had valid test results from pretest of Grade 3 of 2010 to posttest in Grade 5 in 2012. The education factors for this group is 9.5% and the social factors is 17.8%. Pretest proficiency is at 78.9% and posttest proficiency is 85.2%, a proficiency gain of 6.3% (see ProfGain). The results for the target districts of Bridgeport, Hartford, New Haven, and Waterbury ($n = 2,496$), excluding Choice program participants, shows 17.4% of these students have education factors and 85.0% have social factors.

More importantly, table 5 also reveals the widely disproportionate academic performance disparities between the urban target districts and non-urban students in Connecticut. Row 1.0 reflects the nonurban students and thus corresponds to the upper boundary of the academic performance gap on MARD, while row 2.0 reflects the target urban districts described in the lower boundary. The column labeled Prof1 shows the Proficient level or higher performance for the Grades 3 to 5 cohort at Grade 3 in 2010. Row 1.0 shows the nonurban results at Proficient level or higher performance on MARD and for Grade 3 students in 2010, which is nearly 80% (78.9%) for most Connecticut students. Meanwhile for the target districts in row 2.0, the Prof1 result shows that only a little less than half (43.9%) of the urban target district students achieve proficiency at pretest. This reflects a performance gap of -35.0% at pretest (see Gap1 on table 5).

Prof2 in table 5 corresponds to Prof1 and shows the posttest or outcome performance on MARD two years later for the same students tracked over time at Grade 5 of 2012. Here the overall statewide performance on MARD for nonurban students has gone up from 78.9% at pretest in Grade 3 of 2010 to 85.2% at Grade 5 in 2010, a performance gain of 6.3% from Grade 3 to Grade 5 (see ProfGain in table 5). For Connecticut's urban target group, the posttest performance is up from 43.9% in Grade 3 of 2010 to 48.3% proficiency or higher by Grade 5 of 2012 (see Prof2 of table 5), and the performance gap has actually increased to -36.9% (see Gap2 of table 5).

This disparity on the achievement gap has grown worse at posttest because the gains for the targeted urban students have only grown by 4.4% for the urban target group in row 2.0, compared with 6.3% for the nonurban students displayed in row 1.0. Taken as a whole, these performance disparities reflect a troubling situation, which is that not only are the target urban students behind academically as early as Grade 3, but that that gap has increased after two years.

Rows 3.0, 4.0, 5.0, and 6.0 describe the census population results for students from the targeted four urban districts attending the Choice programs. For example, row 3.0 is the results for the 184 urban students from the target districts who had valid pretest and posttest results on MARD who attended the same charter school from Grade 3 of 2010 to Grade 5 of 2012; it also includes the exited students who were reattributed (appendix C). These students reported 2.7% of the group had education factors while 97.3% had social factors. Therefore, the urban charter attendees from Bridgeport, Hartford, New Haven, and Waterbury had fewer education factors than the student peers attending local schools but about the same level of social factors (97.9% versus 97.3%). Notably, these urban charter students were much better performers on MARD at pretest, performing at 63.6% Proficient at pretest compared with urban peers who only scored at 43.9% at pretest. Hence the performance gap at pretest (i.e., see Gap1 on table 5) is only -15.3% versus -35.0% for the local urban school attendees (see Local).

The posttest gap of -36.9% (see Gap2 of row 1.0, LOCAL DIST, table 5) for the LOCAL DIST group performance is lower than any of the Choice programs, suggesting that all the programs are beneficial to some degree. However, at outcome the posttest charter performance drops to 58.2% for a proficiency gain of

-5.4% on MARD, hence showing an increase in the proficiency gap as compared with the rest of the state of -27.0% at posttest (from -15.3 at pretest). Table 5 also displays the results for the matched random charter samples in row 3.1. Note that it took 373 samples to obtain 30 valid comparison samples for the charter group (see table 5, row 3.1 RANDOM). This reflects the relative difficulty of finding students with background characteristics at pretest sufficiently similar to the urban charter students who also had similar pretest scores on MARD at Proficient. In addition, the relative performance at proficiency for the quasi-control peer was only 60.4% for the random samples compared with 63.6% Proficient for charter students.

This finding is interpreted to reflect the fact that it was difficult to obtain 30 valid random samples of students with about 2.7% EdFac and 97.3% SocFac and comparable test performance characteristics. Nevertheless, although the random samples had lower performance at baseline compared with the charter students, at outcome the random quasi-control group did better than the charter students, achieving 64.6% Proficient on MARD at posttest versus 58.2% for the charter group.

This means that while the charter student group did better than the local urban students at posttest, this outcome performance was not statistically meaningful after taking into account the high relative baseline performance and the particular background composition of the charter group at baseline compared with the results for the charter matched random samples (see table 5, row 3.1). In more detail, the charter random samples had an outcome score of 64.6% Proficient (see table 5, row 3.0 column Prof2) with a standard deviation of 2.5% (see StdPst in table 5). Therefore, by looking at the Proficient population parameter of 64.6% for the charters, the expected outcome performance comparison cutoff score derived from the results of the quasi-random yields a comparison benchmark of 69.6% (see table 5, row 3.1, PostCut), which is over 10% above the charter Prof2 Proficient level of 58.2%.

Empirical Cut-Value Assessment for Table 5: Thus the charter population group for the Grades 3 to 5 cohort would have to have achieved a population outcome score over 69.6% at Proficient or higher on MARD to have met or exceeded the statistical cutoff level. Unfortunately, the charter schools performance on MARD at posttest was below this cut value (58.2%), and hence these results are not meaningfully different from the quasi-control outcome after taking into account the random fluctuations of the sample groups. Furthermore, the gains cutoff for meaningful departure from the empirical random samples for the charters is 8.5% (see GainCut in table 5) but the actual population gains were only -5.4% (see ProfGain in table 5). We can therefore conclude that the urban charter attendees would not exceed the expected cutoff scores on performance gains on MARD.

The results for the non-RESC magnets displayed in row 4.0 of table 5 show that these students performed only slightly higher at baseline compared with the LOCAL DIST students (see row 2.0 of table 5). The baseline results on the MARD at Proficient show 48.4% Proficient for the non-RESC magnets compared with 43.9% Proficient for the LOCAL DIST results. Therefore, the non-RESC magnet group at baseline was far more consistent with local student performance than the charter group. This is also reflected in the background characteristics for this group.

Table 5: Cohort 1 Proficient Level or Higher (Grade 3 2010 to Grade 5 2012)

Title	Samp_n	MARD_n	EdFac	SocFac	Prof1	StdPre	Gap1	Prof2	Gap2	StdPst	PstCut	ProfGain	GainCut
1.0 CITIES OUT	--	18318	9.5	17.8	78.9	--	--	85.2	--	--	--	6.3	--
2.0 LOCAL DIST	--	2496	17.4	85.0	43.9	--	-35.0	48.3	-36.9	--	--	4.4	--
3.0 CHARTER DIST	--	184	2.7	97.3	63.6	--	-15.3	58.2	-27.0	--	--	-5.4	--
3.1 RANDOM	373	185	2.7	97.9	60.4	1.7	-18.5	64.6	-20.6	2.5	69.6	4.2*	8.5
4.0 MAG NOT RESC	--	353	10.5	80.7	48.4	--	-30.5	58.1	-27.1	--	--	9.7	--
4.1 RANDOM	132	349	10.6	88.0	51.6	1.4	-27.3	59.6	-25.6	1.7	63.0	8.0	11.1
5.0 MAG RESC	--	55	3.6	92.7	58.2	--	-20.7	83.6†	-1.6	--	--	25.4†	--
5.1 RANDOM	704	55	3.6	93.5	57.8	2.2	-21.1	65.0	-20.2	4.7	74.4	7.2	14.1
6.0 OPEN CHOICE	--	89	7.9	94.4	47.2	--	-31.7	66.3‡	-18.9	--	--	19.1†	--
6.1 RANDOM	63	93	8.6	93.1	48.4	2.0	-30.5	57.7	-27.5	4.5	66.7	9.3	15.8

† Exceeds empirical cut value

‡ Near empirical cut value

* Figures not exact due to rounding

The EdFac index is 10.5% for the MAG NOT RESC program compared with 17.4% for the LOCAL DIST students. However, SocFac is somewhat

lower at 80.7% for MAG NOT RESC compared with 85.0% for the LOCAL DIST students. Nevertheless, this better balance of baseline conditions more closely reflects the overall profile of the target urban districts as a group. This is also reflected in the smaller number of random samples needed to achieve a viable group of 30 samples, which is 132 for the MAG NOT RESC random group (see row 4.1 in table 5) versus nearly triple that ($\text{Samp}_n = 373$) needed for the charter random group (see row 3.1 of table 5).

Despite a baseline profile for MAG NOT RESC group that is more consistent with urban students generally (see row 4.0 of table 5), the PstCut estimated cutoff score for the random groups is 63.0%, while the performance for the MAG NOT RESC group was below this cut point at 58.1%. Hence, these results are also not statistically meaningful after taking into consideration the statistical cut point. As for the gain score cut-point comparison, the pretest to posttest Proficient gains for MAG NOT RESC were 9.7% (see table 5, row 4.0, ProfGain), which did not exceed the estimated cutoff value of 11.1% for the random quasi-control samples (see row 4.1 of table 5, GainCut), and again, this was not a statistically meaningful gain on proficiency. As was the case with the charters analysis for cohort 1, the MAG NOT RESC group also did not demonstrate sufficient performance increases at posttest on proficiency to overcome the GainCut level.

However, the picture is sharply different for the MAG RESC group displayed on row 5.0 of table 5. The MAG RESC group performance shows a meaningful departure from the cut value at posttest as well as on performance gains. The posttest cutoff score (PstCut) was 74.4% for the random samples (see table 5, row 5.1) and this was exceeded by the MAG RESC group performance of 83.6%. Notably, a substantial 704 samples were required to obtain 30 valid random samples matching the MAG RESC group's baseline performance of 58.2%.

Once again, this difficulty of obtaining 30 viable samples of students with MARD performance above the expected for students with a level of social and educational factors for the program group is explained by the fact that most urban students in the target districts are achieving at only 43.9% proficiency on average (see row 2.0, LOCAL DIST Prof1). Therefore, finding 30 random samples of students from the general population who match the profiles reflected by the MAG RESC students required many samples to be discarded.

The gains for the MAG RESC are substantial at 25.4% at proficiency (compare table 5, row 5.1, GainCut versus row 5.0, MAG RESC, ProfGain), and exceed the gains of all the Choice programs compared in table 5. In addition, these gains exceed the expected random quasi-control group gains cutoff at 14.1% and therefore can be considered statistically meaningful. This impressive level of performance gains can also be observed in the Gap2 column of table 5 for this program, which shows that MAG RESC came to within -1.6% of closing the gap completely (see table 5, row 5.0, Gap2), a result that exceeds all the cohort 1 Choice programs displayed on table 5. One drawback of this impressive performance for the MAG RESC group was that it had only 55 urban students (see table 5, MARD_n). That is, with such a small subgroup of urban students in the group, it is also possible that special resources could be brought to bear that might not be available for larger numbers of students.

The Open Choice program also performed favorably at the Proficient level from Grade 3 of 2010 to Grade 5 of 2012 (see table 5, rows 6.0 and 6.1). Baseline profiles compared favorably to the LOCAL DIST profiles, particularly for the baseline proficiency results on MARD (47.2% proficiency at baseline compared with 43.9% for the LOCAL DIST group). Posttest results were nearly statistically meaningful for the Open Choice group, where the random group cutoff of 66.7% at posttest was nearly exceeded by a score of 66.3% Proficient (See table 5, row 6.0, OPEN CHOICE, Prof2 and row 6.1, RANDOM PstCut).

Furthermore, the gains results for the Open Choice program group were 19.1%, which was beyond the cutoff of 15.8% for the quasi-control groups (see table 5, row 6.0, OPEN CHOICE ProfGain versus row 6.1, GainCut). It is noteworthy that only 63 samples were required to obtain 30 viable samples for the Open Choice random group. This is interpreted to reflect that the lower baseline or pretest Proficient level of 47.2% for the Open Choice students is more consistent with students reflecting the background profiles exhibited by the LOCAL DIST's MARD proficiency of 43.9% (see table 5, row 6.0 versus row 2.0). This suggests that the pretest performance and background characteristics are a better match for the Open Choice students for the urban population compared with those of some of the other programs.

Table 6 reflects the same students' performance but at the Goal level rather than at the Proficient level. Note however that the performance matching for the groups only occurred at baseline proficiency. Table 6 shows that the LOCAL DIST Goal performance at pretest in Grade 3 is only 21.6% on the MARD composite index. This means that only 21.6% of the local urban students in Bridgeport, Hartford, New Haven, and Waterbury with matching valid test results from Grade 3 of 2010 to Grade 5 of 2012 met or exceeded the Goal level in both mathematics and reading on the CMT in 2010.

The pretest gap for LOCALDIST students as a group is -37.5%, which is the highest pretest gap although Open Choice approaches this at -34.4% and MAG NOT RESC at -32.5%. In other words, these programs appear to be reflections of the true LOCAL DIST population than the other Choice programs. Meanwhile, the posttest gap for the LOCAL DIST group is -41.5% with a goal of 29.8%, which is lower than all the Choice programs. Hence, the implication is that all of the Choice programs are beneficial to urban students.

Continuing to look at the column describing the pretest Gap in table 6, it is evident that the charter group in line 4.0 have the lowest baseline gap at -19.4%, but this gap has increased at posttest to -30.0%, indicating that performance ground is being lost. MAG RESC has the second smallest pretest gap at -24.6% but has the lowest gap performance at posttest, which is -14.9%.

Table 6: Cohort 1 Goal Level or Higher (Grade 3 2010 to Grade 5 2012)

Title	Samp	MARD	EdFac	SocFac	Goal1	StdPre	Gap1	Goal2	Gap2	StdPst	Cut2	Goalgain	gaincut
1.0 CITIES OUT	--	18318	9.5	17.8	59.1	--	--	71.3	--	--	--	12.2	--
2.0 LOCAL DIST	--	2496	17.4	85.0	21.6	--	-37.5	29.8	-41.5	--	--	8.2	--
3.0 CHARTER	--	184	2.7	97.3	39.7	--	-19.4	41.3	-30.0	--	--	1.6	--
3.1 RANDOM	373	185	2.7	97.9	32.5	2.8	-26.6	43.7	-27.6	2.5	48.7	11.3	16.6
4.0 MAG NOT RESC	--	353	10.5	80.7	26.6	--	-32.5	38.0	-33.3	--	--	11.4	--
4.1 RAND	132	349	10.6	88.0	28.9	1.7	-30.3	39.9	-31.4	2.0	43.9	11.1	14.8
5.0 MAG RESC	--	55	3.6	92.7	34.5	--	-24.6	56.4†	-14.9	--	--	21.9†	--
5.1 RAND	704	55	3.6	93.5	34.3	5.4	-24.8	45.8	-25.5	5.4	56.6	11.5	22.3
6.0 OPEN CHOICE	--	89	7.9	94.4	24.7	--	-34.4	36.0	-35.3	--	--	11.3	--
6.1 RAND	63	93	8.6	93.1	26.5	3.3	-32.6	37.6	-33.7	3.9	45.4	11.1	18.3

† Near empirical cut value

Empirical Cut-Value Assessment for Table 6: Table 6 shows no statistically meaningful posttest findings at Goal, implying that performance at Goal was not enhanced by any of the Choice programs over the matched quasi-random groups. However, the MAG RESC program performed at 56.4%, which is nearly exceeding the posttest cutoff value of 56.6% (see table 6, row 5.0, Goal2” and row 5.0, RAND, Cut2). This can also be observed by looking at the gap closure index, which is substantially the lowest of all the Choice programs at -14.9%, meaning that the Goal performance for MAG RESC is within 15% of closing the gap at goal. In addition, the performance gains from Grade 3 to Grade 5 for MAG RESC are also nearly exceeding the cut value (see table 6). The performance result is 21.9% gains for the MAG RESC group, while the cutoff point is 22.3%. Therefore, the MAG RESC program has been found to yield statistically meaningful posttest outcome and gains at Proficient (see table 5) and nearly statistically meaningful outcome and gains at the Goal level (see table 6).

Cohort 2 Results: Table 7 compares Proficient level performance for the Grade 6 2010 to Grade 8 2012 cohort. This cohort is of particular importance because it leads up to the critical high school years. Students who perform better during this period can potentially be better prepared for the more challenging curricular demands of high school. The pretest performance gap between 1.0 CITIES OUT ($n = 19,246$) and LOCAL DIST ($n = 2,352$) is -27.7% meaning that, all other things held equal, the LOCAL DIST schools are nearly 30% below the majority of Connecticut nonurban schools on the combined reading and mathematics performance (MARD).

Furthermore, comparing these same students at posttest in Grade 8, observe that the MARD gap increases to -31.2%, meaning that the performance gap actually increases slightly during the critical pre-high school Grades of 6 to 8. In addition, the education factors are much higher in the four target districts of Bridgeport, Hartford, New Haven, and Waterbury at 15.2% compared with 8.8% for the nonurban districts (see table 7, rows 1.0 and 2.0). Similarly, the social factors that reflect a combination of minority status and school lunch program eligibility are 84.3% of the four target district students compared with only 14.4% for the nonurban students. Again, this reflects a wide disparity between urban student populations and the nonurban student majority in Connecticut.

EVALUATING THE ACADEMIC PERFORMANCE OF CHOICE PROGRAMS IN CONNECTICUT:
 A Pretest-Posttest Evaluation Using Matched, Multiple Quasi-Control Comparison Groups

Table 7: Cohort 2 Proficient Level or Higher (Grade 6 2010 to Grade 8 2012)

Title	Sampn	MARD	EdFac	SocFac	Prof1	StdPre	Gap1	Prof2	Gap2	StdPst	Cut2	Profgain	gaincut
1.0 CITIES OUT	--	19246	8.8	14.4	89.0	--	--	90.8	--	--	--	1.8	--
2.0 LOCAL DIST	--	2352	15.2	84.3	61.3	--	-27.7	59.6	-31.2	--	--	-1.7	--
3.0 CHARTER	--	326	8.0	99.4	73.3	--	-15.7	81.3†	-9.5	--	--	8.0†	--
3.1 RANDOM	86	351	7.7	96.7	69.6	1.0	-19.4	69.3	-21.5	2.1	73.5	-0.3	2.8
4.0 MAG NOT RESC	--	512	9.4	91.8	69.9	--	-19.1	69.3	-21.5	--	--	-0.6	--
4.1 RANDOM	57	532	9.0	94.4	67.9	1.4	-21.1	68.6	-22.2	1.6	71.8	0.7	3.7
5.0 MAG RESC	--	96	5.2	88.5	75.0	--	-14.0	75.0	-15.8	--	--	0.0	--
5.1 RANDOM	59	95	7.4	93.8	73.3	1.9	-15.7	73.3	-17.5	4.4	82.1	0.0	6.3
6.0 OPEN CHOICE	--	76	17.1	93.4	72.4	--	-16.6	75.0	-15.8	--	--	2.6	--
6.1 RANDOM	46	88	15.9	85.6	71.2	2.5	-17.8	71.3	-19.6*	3.4	78.1	0.1	6.0

† Exceeds empirical cut value

* Figures not exact due to rounding

Note that these background circumstances shown in table 7 are quite similar to the results for cohort 1 displayed in tables 5 and 6. Most of the Choice programs continue to exhibit lower than expected educational factors. The exceptions are the Open Choice program at 17.1% EdFac compared with 15.2% for the LOCAL DIST group and, to a lesser extent, the MAG NOT RESC program at 9.4% (see table 7).

The gap index in table 7 is once again a good descriptive indicator of relative differential performance status at pretest as well as posttest for cohort 2, just as it was for cohort 1. However it is apparent from examining the pretest gap (Gap1) that there is considerable variability in baseline performance among the Grades 6 to 8 Choice programs, just as was the case for cohort 1, and once again, none of these programs is performing on MARD as poorly as the LOCAL DIST target neighborhood urban schools, which indicate a baseline gap of nearly 30% (-27.7% see table 7, row 2.0, Gap1).

It is evident from this discussion that the baseline performance for students attending choice programs is typically higher than their peers who attend schools in their home districts, although this could once again be related to prior program exposure. As we found in the Grades 3 to 5 performance comparisons for cohort 1, the charter and MAG RESC programs have the best pretest performance on MARD at Proficient. The charter schools had a baseline gap score of -15.7% and the MAG RESC group posts the lowest gap pretest score at -14.0% Proficient.

The posttest gap indicator in table 7 tells a different story. First, the difference in scores for the Choice programs are much better than those of the LOCAL DIST posttest gap performance at -31.2%, implying that all the Choice programs are making gains or maintaining performance for their students (see table 7, row 2.0, Gap2). Compared with that standard, the posttest gap is lowest for the charter group at -9.5%, which is a substantial departure from any of the other Choice programs (see table 7, row 3.0, Gap2). Both MAG RESC and Open Choice are tied for the next best posttest gap performance at -15.8% (see table 7). By comparison, MAG NOT RESC program is lagging behind the other Choice programs, showing a posttest gap of -21.5% below the nonurban majority group.

Empirical Cut Value Assessment for Table 7: The dramatic findings for table 7 show the charter schools to be statistically meaningful on the Proficient level, both at posttest and also in terms of performance gains for the Grade 6 2010 to Grade 8 2012 Cohort. The charter random group predicts an outcome or posttest score of 73.5% Proficient taking into account the standard error for the 30 matched random sample comparison groups. Meanwhile, the charter school results stand at 81.3% Proficient at posttest (see table 7), and thus the findings are statistically meaningful. None of the other programs demonstrated a meaningful departure from the empirical cut value at posttest for cohort 2. In addition, the charter group also posted statistically meaningful pretest-posttest gains of 8.0%, where the random comparison group predicted 2.8% gains after taking into account the standard error.

Table 8 (below) presents the findings for the Grades 6 to 8 cohort results at Goal. Note that the pretest gap at the Goal level for charters is lowest among all Choice programs at -24.2%, but that the posttest gap is a relatively dramatic -15.1%. The other posttest gap results for the remaining Choice programs are approximately twice as low on the gap indicator, with the next best score posted by MAG RESC at -29.4%. This presents an important piece of information. It says that the charter schools are not only achieving well at the Proficient level, but in addition program attendees are also doing much better than the other Choice programs at closing the gap at the Goal level.

EVALUATING THE ACADEMIC PERFORMANCE OF CHOICE PROGRAMS IN CONNECTICUT:
A Pretest-Posttest Evaluation Using Matched, Multiple Quasi-Control Comparison Groups

Table 8: Cohort 2 Goal Level or Higher (Grade 6 2010 to Grade 8 2012)

Title	SAmpn	MARD	EdFac	SocFac	Goal1	StdPre	Gap1	Goal2	Gap2	StdPst	Cut2	Goalgain	gaincut
1.0 CITIES OUT	--	19246	8.8	14.4	73.6	--	--	75.2	--	--	--	1.6	--
2.0 LOCAL DIST	--	2352	15.2	84.3	37.8	--	-35.8	32.9	-42.3	--	--	-4.9	--
3.0 CHARTER	--	326	8.0	99.4	49.4	--	-24.2	60.1†	-15.1	--	--	10.7†	--
3.1 RANDOM	86	351	7.7	96.7	42.6	2.3	-31.0	40.9	-34.3	2.4	45.7	-1.7	3.0
4.0 MAG NOT RESC	--	512	9.4	91.8	39.5	--	-34.1	34.2	-41.0	--	--	-5.3	--
4.1 RAND	57	532	9.0	94.4	42.1	1.8	-31.5	41.0	-34.2	1.5	44.0	-1.1	2.2
5.0 MAG RESC	--	96	5.2	88.5	42.7	--	-30.9	45.8	-29.4	--	--	3.1	--
5.1 RAND	59	95	7.4	93.8	47.3	3.8	-26.3	45.0	-30.2	4.9	54.8	-2.3	6.4
6.0 OPEN CHOICE	--	76	17.1	93.4	40.8	--	-32.8	31.6	-43.6	--	--	-9.2	--
6.1 RAND	46	88	15.9	85.6	43.5	4.6	-30.1	43.8	-31.5*	4.7	53.2	0.3	9.6

† Exceeds empirical cut value

* Figures not exact due to rounding

Empirical Cut Value Assessment for Table 8: Again, the posttest Goal results exceed the empirical cut value for the charter schools only (see table 8, rows 3.0 and 3.1). The expected performance based on the 30 random samples matched to the charter group at baseline and including the standard error is 45.7% at Goal, compared with 60.1% at Goal for the charter schools' performance at posttest. This is approximately double the expected outcome for the LOCAL DIST urban Cohort as a whole at 32.9% (see row 2.0 at Goal 2) and 20 to 30 percentage points above all the other Choice programs. Most notable is the fact that at Goal, the gains at posttest for the charter group are 10.7% (see table 8, row 3.0, GoalGain), which also exceeds in a statistically meaningful way the expected outcome for the random samples at 3.0% (see table 8, row 3.1, GoalGain). Hence, the charter group has obtained a meaningful departure from the empirical cut values at posttest and for both the Proficient and Goal levels.

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What is Open Choice?

The Open Choice program was established by legislation in 1997 and is intended to reduce racial, ethnic, and economic isolation among students. Through Open Choice, students in the C.E.S. region who are Bridgeport residents have the opportunity to attend school in participating school districts when space is available, and students in surrounding towns have the opportunity to attend school in Bridgeport (Hartford and New Haven have similar programs). Open Choice is funded by the State Department of Education.

What are the purposes of the program?

To improve academic performance; to reduce racial, ethnic and economic isolation; and to provide a choice of educational programs.

What role does the Regional Educational Service Center (RESC) play in this program?

The RESC manages the acceptance and placement process, provides transportation services, and provides as needed support to schools and families. [[CGS § 10-266aa \(c\)](#)]

How do students enroll in the Open Choice Program?

Applications for students entering grades PK-12 are available from mid-January through mid-March for the upcoming school year.

Preschool and Kindergarten participation depends heavily on the models of instructional delivery employed by districts. Transportation is complicated by varied models (e.g., full-day every day, partial day every day, full-day some days, ...)

How are spaces for students determined?

Participating districts are determined by the feasibility of transportation between the sending district and the receiving district. The RESC coordinates with the superintendents in participating districts each spring to confirm what openings they will offer for the upcoming year. Open Choice is a voluntary program, so a district can offer as few or as many openings as they choose.

How are students chosen for the openings that are offered?

Once the RESC determines openings for a grade level, a random number generator is used to rank order the applicants for that grade level, and offer the opening to the parents based on the ordering.

How long do students remain in the Open Choice Program?

Once enrolled in Open Choice, a student has the same rights and responsibilities as any other student enrolled in the school, and they are treated in the same manner as any other student. They remain with the district until they graduate, unless they move from the urban community. In that case they enroll in the schools in their new town.

How are students transported to school?

The RESC receives transportation funding from the state, and the coordinator for Open Choice works with the contracted bus company and the families to provide bus service. Since students are not generally from one neighborhood, students usually receive bus service to and from their home address. [[CGS § 10-266aa \(f\)](#)]

Can Open Choice students participate in athletic and/or extra-curricular activities?

Open Choice students may participate in athletic and/or extra-curricular activities with the same conditions and responsibilities that a resident student would have. Transportation for athletics and extra-curricular activities is not provided by the RESC.

What if a student requires special education services?

If the costs are below the student grant, the receiving district pays the cost. If the costs are over the grant, the sending district is billed for and pays the cost. [[CGS § 10-266aa \(i\)](#)]

How is student discipline addressed?

Open Choice students are students of the receiving district and are subject to the same behavioral expectations as resident students.

Can an Open Choice student be “returned” to the sending district?

No. Open Choice students are students of the receiving district, and they remain with the district until they graduate, unless they move from the urban community.

What are the costs to the district?

There is no direct cost to the district. The receiving district receives a grant of \$3,000 per Open Choice student per year which may be used to cover unusual costs. The per student grant rises as the number of Open Choice students as a percentage of the district student population increases [[CGS §10-266aa \(g\)\(2\)](#)]

Enrollment	Lower %	Upper %	% INCR	\$/Student
N/A	0.0	1.99	N/A	\$3000
N/A	2.0	2.99	N/A	\$4000
N/A	3.0	3.99	N/A	\$6000
4000	N/A	N/A	50	\$6000
N/A	4.0	N/A	N/A	\$8000

What does current participation look like in Connecticut districts?

According to 2018-2019 data released by the Connecticut State Department of Education, **47** districts participate in the Open Choice Program.

Of the 47 participating districts, the average percentage of Open Choice students compared to October 1 district enrollment is **2.34%** (maximum = 7.76% [East Windsor]; minimum = 0.03% [Vernon]). **Twenty-six (26)** districts are reimbursed at the \$3000/student rate; **Seven (7)** at the \$4000/student rate; **Four (4)** at the \$6000/student rate; and, **Ten (10)** at the \$8000/student rate.

What is the Supplemental Reimbursement?

Supplemental funding is built into the annual Open Choice appropriation in accordance with [CGS §10-266aa \(k\)\(1\)](#). In 2018-2019, this amount was approximately \$192 per student for districts with at least ten (10) Open Choice students in the same school.

What happens to the district ECS funding?

For each Open Choice participant, the sending district receives 50% of its regular per-student ECS grant, while the receiving district receives 50% of its regular per-student ECS grant.

How are Open Choice students considered with regards to State Testing?

Open Choice students are considered to be residents of the receiving district in all respects, including reporting as it applies to state-wide mastery examinations [[CGS §10-266aa \(l\)](#)].

Does the sending district pay tuition to the receiving district?

No.

What if a student moves from the sending district (and not into the receiving district)?

Student residency issues would be addressed for an Open Choice student just as they would for any other student in the receiving district.

Sec. 10-266aa. State-wide interdistrict public school attendance program. (a) As used in this section:

(1) “Receiving district” means any school district that accepts students under the program established pursuant to this section;

(2) “Sending district” means any school district that sends students it would otherwise be legally responsible for educating to another school district under the program; and

(3) “Minority students” means students who are “pupils of racial minorities”, as defined in section 10-226a.

(b) There is established, within available appropriations, an interdistrict public school attendance program. The purpose of the program shall be to: (1) Improve academic achievement; (2) reduce racial, ethnic and economic isolation or preserve racial and ethnic balance; and (3) provide a choice of educational programs. The Department of Education shall provide oversight for the program, including the setting of reasonable limits for the transportation of students participating in the program, and may provide for the incremental expansion of the program for the school year commencing in 2000 for each town required to participate in the program pursuant to subsection (c) of this section.

(c) The program shall be phased in as provided in this subsection. (1) For the school year commencing in 1998, and for each school year thereafter, the program shall be in operation in the Hartford, New Haven and Bridgeport regions. The Hartford program shall operate as a continuation of the program described in section 10-266j. Students who reside in Hartford, New Haven or Bridgeport may attend school in another school district in the region and students who reside in such other school districts may attend school in Hartford, New Haven or Bridgeport, provided, beginning with the 2001-2002 school year, the proportion of students who are not minority students to the total number of students leaving Hartford, Bridgeport or New Haven to participate in the program shall not be greater than the proportion of students who were not minority students in the prior school year to the total number of students enrolled in Hartford, Bridgeport or New Haven in the prior school year. The regional educational service center operating the program shall make program participation decisions in accordance with the requirements of this subdivision. (2) For the school year commencing in 2000, and for each school year thereafter, the program shall be in operation in New London, provided beginning with the 2001-2002 school year, the proportion of students who are not minority students to the total number of students leaving New London to participate in the program shall not be greater than the proportion of students who were not minority students in the prior year to the total number of students enrolled in New London in the prior school year. The regional educational service center operating the program shall

make program participation decisions in accordance with this subdivision. (3) The Department of Education may provide, within available appropriations, grants for the fiscal year ending June 30, 2003, to the remaining regional educational service centers to assist school districts in planning for a voluntary program of student enrollment in every priority school district, pursuant to section 10-266p, which is interested in participating in accordance with this subdivision. For the school year commencing in 2003, and for each school year thereafter, the voluntary enrollment program may be in operation in every priority school district in the state. Students from other school districts in the area of a priority school district, as determined by the regional educational service center pursuant to subsection (d) of this section, may attend school in the priority school district, provided such students bring racial, ethnic and economic diversity to the priority school district and do not increase the racial, ethnic and economic isolation in the priority school district.

(d) School districts which received students from New London under the program during the 2000-2001 school year shall allow such students to attend school in the district until they graduate from high school. The attendance of such students in such program shall not be supported by grants pursuant to subsections (f) and (g) of this section but shall be supported, in the same amounts as provided for in said subsections, by interdistrict cooperative grants pursuant to section 10-74d to the regional educational service centers operating such programs.

(e) Once the program is in operation in the region served by a regional educational service center pursuant to subsection (c) of this section, the Department of Education shall provide an annual grant to such regional educational service center to assist school districts in its area in administering the program and to provide staff to assist students participating in the program to make the transition to a new school and to act as a liaison between the parents of such students and the new school district. Each regional educational service center shall determine which school districts in its area are located close enough to a priority school district to make participation in the program feasible in terms of student transportation pursuant to subsection (f) of this section, provided any student participating in the program prior to July 1, 1999, shall be allowed to continue to attend the same school such student attended prior to said date in the receiving district until the student completes the highest grade in such school. If there are more students who seek to attend school in a receiving district than there are spaces available, the regional educational service center shall assist the school district in determining attendance by the use of a lottery or lotteries designed to preserve or increase racial, ethnic and economic diversity, except that the regional educational service center shall give preference to siblings and to students who would otherwise attend a school that has lost its accreditation by the New England Association of Schools and Colleges or has been identified as in need of improvement pursuant to the No Child Left Behind Act, P.L. 107-110. The admission policies shall be consistent

with section 10-15c and this section. No receiving district shall recruit students under the program for athletic or extracurricular purposes. Each receiving district shall allow out-of-district students it accepts to attend school in the district until they graduate from high school.

(f) The Department of Education shall provide grants to regional educational service centers or local or regional boards of education for the reasonable cost of transportation for students participating in the program. For the fiscal years ending June 30, 2015, to June 30, 2017, inclusive, the department shall provide such grants within available appropriations, provided the state-wide average of such grants does not exceed an amount equal to three thousand two hundred fifty dollars for each student transported, except that the Commissioner of Education may grant to regional educational service centers or local or regional boards of education additional sums from funds remaining in the appropriation for such transportation services if needed to offset transportation costs that exceed such maximum amount. The regional educational service centers shall provide reasonable transportation services to high school students who wish to participate in supervised extracurricular activities. For purposes of this section, the number of students transported shall be determined on October first of each fiscal year.

(g) (1) Except as provided in subdivision (2) of this subsection, the Department of Education shall provide, within available appropriations, an annual grant to the local or regional board of education for each receiving district in an amount not to exceed two thousand five hundred dollars for each out-of-district student who attends school in the receiving district under the program.

(2) For the fiscal year ending June 30, 2013, and each fiscal year thereafter, the department shall provide, within available appropriations, an annual grant to the local or regional board of education for each receiving district if one of the following conditions are met as follows: (A) Three thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is less than two per cent of the total student population of such receiving district, (B) four thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to two per cent but less than three per cent of the total student population of such receiving district, (C) six thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to three per cent but less than four per cent of the total student population of such receiving district, (D) six thousand dollars for each out-of-district student who attends school in the receiving district under the program if the Commissioner of Education determines that the receiving district has an enrollment of greater than four thousand students and has increased the number of students in the program by at least fifty per cent from the

previous fiscal year, or (E) eight thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to four per cent of the total student population of such receiving district.

(3) Each town which receives funds pursuant to this subsection shall make such funds available to its local or regional board of education in supplement to any other local appropriation, other state or federal grant or other revenue to which the local or regional board of education is entitled.

(h) Notwithstanding any provision of this chapter, each sending district and each receiving district shall divide the number of children participating in the program who reside in such district or attend school in such district by two for purposes of the counts for subdivision (22) of section 10-262f and subdivision (2) of subsection (a) of section 10-261.

(i) In the case of an out-of-district student who requires special education and related services, the sending district shall pay the receiving district an amount equal to the difference between the reasonable cost of providing such special education and related services to such student and the amount received by the receiving district pursuant to subsection (g) of this section and in the case of students participating pursuant to subsection (d) of this section, the per pupil amount received pursuant to section 10-74d. The sending district shall be eligible for reimbursement pursuant to section 10-76g.

(j) Nothing in this section shall prohibit school districts from charging tuition to other school districts that do not have a high school pursuant to section 10-33.

(k) On or before March first of each year, the Commissioner of Education shall determine if the enrollment in the program pursuant to subsection (c) of this section for the fiscal year is below the number of students for which funds were appropriated. If the commissioner determines that the enrollment is below such number, the additional funds shall not lapse but shall be used by the commissioner in accordance with this subsection.

(1) Any amount up to five hundred thousand dollars of such nonlapsing funds shall be used for supplemental grants to receiving districts on a pro rata basis for each out-of-district student in the program pursuant to subsection (c) of this section who attends the same school in the receiving district as at least nine other such out-of-district students, not to exceed one thousand dollars per student.

(2) Any amount of such nonlapsing funds equal to or greater than five hundred thousand dollars, but less than one million dollars, shall be used for supplemental grants, in an amount determined by the commissioner, on a pro rata basis to receiving

districts that report to the commissioner on or before March first of the current school year that the number of out-of-district students enrolled in such receiving district is greater than the number of out-of-district students enrolled in such receiving district from the previous school year.

(3) Any remaining nonlapsing funds shall be used by the commissioner to increase enrollment in the interdistrict public school attendance program described in this section.

(l) For purposes of the state-wide mastery examinations under section 10-14n, students participating in the program established pursuant to this section shall be considered residents of the school district in which they attend school.

(m) Within available appropriations, the commissioner may make grants to regional education service centers which provide summer school educational programs approved by the commissioner to students participating in the program.

(n) The Commissioner of Education may provide grants for children in the Hartford program described in this section to participate in preschool and all day kindergarten programs. In addition to the subsidy provided to the receiving district for educational services, such grants may be used for the provision of before and after-school care and remedial services for the preschool and kindergarten students participating in the program.

(o) Within available appropriations, the commissioner may make grants for academic student support for programs pursuant to this section that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the commissioner.

07/15/21

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Community Relations

Public Participation at Board of Education Meetings

~~The Board encourages public participation during the public comment portion of the meeting. The Chairperson reserves the right to limit public comment. Furthermore, the public is encouraged to attend the Board of Education subcommittee meetings where public discussion of issues is welcomed.~~

~~Each speaker, Board of Education and public, should try to speak directly to the point in as concise a manner as possible and should not repeat a previous comment. Pursuant to our Board Policy, public participation is limited to no more than three (3) minutes per speaker and a total of no more than fifteen (15) minutes. Individuals who wish to speak longer are encouraged to attend any and all related subcommittee meetings where most of the Board's groundwork is done. Persons wishing to address the Board should give their names.~~

Board meetings are meetings held in public and are not open hearings. Participation by the general public in debate at regular meetings of matters before the Board of Education shall be permitted. Furthermore, the public is encouraged to attend the Board of Education subcommittee meetings where public discussion of issues is welcomed.

Public participation at regular meetings shall be subject to the provisions enumerated below. On issues where there is strong public interest is evident, the Board should, whenever possible, schedule a special meeting or hold a hearing limited to that subject. The Board Chairperson reserves the right to limit public discussion and/or comment at any time. However, in order to limit or close debate discussion on any subject, a majority vote of those Board members in attendance will be required.

1. Everyone is required to address the Chair for recognition.
2. Each speaker must state his/her full and complete name and address first and last name and street and town.
3. All speakers must observe rules of common etiquette. Personal attacks on Board members and employees shall not be permitted, and it is expected that all speakers will conduct themselves appropriately, and with decorum. Anyone violating the rules of etiquette will be denied the floor, unless waived by either the Chairperson, or a majority vote of the Board.
4. Each speaker is limited to a maximum of five three (3) minutes, and the total amount of meeting time dedicated to public comment shall not exceed fifteen (15) thirty (30) minutes. A speaker will not be recognized for a second time unless time remains after all have been heard. Speakers are requested to avoid redundancy, and not repeat a previous comment. The Board may modify these limitations at the beginning of the meeting if the number of persons wishing to speak makes it advisable to do so.
5. Each speaker should must limit their comments to items on the agenda, and/or items under discussion at the meeting. The Chair reserves the right to limit public comment that is untimely or off-topic, and rule the speaker out of order.
6. Following each vote on a motion, the Chairperson will announce the decision of the Board and announce its import.

Community Relations

Public Participation at Board of Education Meetings

7. Lengthy written statements should not be read during public comment. Written statements and any supporting materials should be made available in advance for distribution to Board members.
8. Speakers shall clearly state their positions on the subject being discussed. Those who have questions shall, whenever possible, submit them in writing in advance of the meeting.
9. Speakers are asked to express themselves in a civil manner, with due respect for the dignity and privacy of others who may be affected by their comments. While it is not the Board's intent to stifle public comment, speakers should be aware that if their statements violate the rights of others under the law of defamation or invasion of privacy, the speaker may be held legally responsible. Speakers unsure of the legal ramification of what they are about to say are urged to consult first with their legal advisor.

(cf. 1312 Public Complaints)

Legal Reference: Connecticut General Statutes

1-225 Meetings of government agents to be public. Recording of votes. Schedule and agenda of meetings to be filed. Notice of special meetings. Executive sessions.

1-226 Broadcasting or photographing meetings.

19a-342 Smoking in public meetings in rooms of public building prohibited.

1-227 Mailing of notice of meetings to persons filing written request. Fees.

1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.

1-232 Conduct of meeting.

1-206 Denial of access to public records or meetings.

10-238 Petition for hearing by board of education.

Policy adopted: June 21, 2007
Policy revised: June 18, 2015
Policy revised: January 7, 2016
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with required modification due to P.A. 21-46.

Purposes-Goals-Objectives

Goals for the Public Schools

Introduction: The terms “goal”, “objective”, and “performance objective” parallel those given in an American Association of School Administrators Handbook¹.

Goal: “A goal statement is one step more precise than a mission statement. Many goal statements may come out of a mission declaration. Each describes a desired terminal point to be reached sometime in the future to fulfill the mission, and general directions to pursue the mission. A goal statement, likewise, remains too broad to be useful in identifying specific operational activities. A goal is seen by some as a “broad objective”. It must be broken down further if its declarations and outcomes are to serve as guides to action.”

Objective: “An objective is an outcome statement that is consistent with and grows out of a related goal statement. It is a more specific expression of a position, behavior, process, or product to be achieved by a major operational division of an organization over a shorter time period. It is a desired outcome that is capable of being measured with specificity.”

Performance Objective: “Performance objectives are more sharply focused on specific objectives. Usually they describe outcomes that are measurable and achievable relatively quickly. They are likely to be set primarily for categories, departments, or units within an organization for specific administrators.”

These goals are presented with the full realization that the school is only one of several social institutions or influences affecting the child. Its contribution is modified by the intellectual, social, emotional, and affective potentialities that each child brings to the school environment. Our intent is that the school should contribute as fully as possible to the development of each child in the directions indicated by the goals stated.

It is the responsibility of the School Administration and Staff to delineate and update those educational objectives and performance objectives which at each school level will best achieve the goals as stated, together with the means to evaluate periodically the attainment of such objectives. Only then will these goals have full meaning.

To implement the Philosophy of the New Fairfield Public Schools, we accept this charge:

1. to enable students to grow academically, socially, and emotionally by encouraging them to accept responsibility and to understand the consequences of their decisions;

¹ Management by Objectives and Results - a guidebook for today's school executive, American Association of School Administrators, Arlington, VA., 1973: pp. 36-37.

Purposes-Goals-Objectives

Goals for the Public Schools (continued)

2. to provide students with opportunities to master basic skills essential to competent functioning in society, including the ability to read, write, listen, and speak ~~and view~~ proficiently; to understand basic mathematical concepts; and to acquire a general knowledge of the sciences;
3. to enable students to apply knowledge, problem-solving techniques, creativity, and current technology from the various disciplines to the challenges presented by our changing society and physical environment;
4. to enable students to pursue independent thought and research through both assigned and self-initiated projects;
5. to enable students to explore the world's cultural heritage through experiences which help to broaden social awareness;
6. to provide curricular and co-curricular activities which will give students the opportunity to grow aesthetically, emotionally, intellectually, physically, and socially through interaction with others;
7. to provide appropriate programs and services for students with special intellectual, physical, and emotional needs;
8. to enable students to develop aesthetic appreciation through integral experiences in art, music, science, literature, and languages;
9. to enable students to develop as healthy individuals by providing life skills through health and physical education programs and health services;
10. to enable students to develop personal and vocational skills through appropriate **grade-level** experiences in foreign language, practical, and technical arts;
11. to enable students to meet their academic, personal, social, emotional, and vocational needs through guidance, counseling, and special services;
12. to enable students to learn the responsibilities of citizenship in a democracy, emphasizing participation in global, national, and community affairs through practical curricula and co-curricular activities in the social sciences;
13. to enhance the capabilities of the staff by setting expectations and by providing opportunities for growth through professional development and other experiences;

Purposes-Goals-Objectives

Goals for the Public Schools (continued)

14. to foster greater community understanding and support by encouraging citizen involvement in school activities and programs;
15. to provide a safe and orderly environment conducive to the learning process.
16. to equip students with the knowledge and skills necessary to pursue the future of their choice and to prepare students to function effectively in various life roles.
17. to provide support and opportunities necessary to ensure that all students are college and/or career ready.
18. to provide a well-balanced and appropriate curriculum to all students through which students will be prepared to succeed in a variety of postsecondary activities, including employment and/or enrollment in an institution of higher education.
19. to integrate the principles and practices of social-emotional learning into the District's required professional development program pursuant to C.G.S. 10-148a.

(cf. 0100 - Philosophy of the Public Schools)

Legal References: Connecticut General Statutes

10-4(c) Duties of boards. Reports. Comprehensive plan for elementary, secondary, vocational, career and adult education.

10-220(b) Duties of boards of education (as amended by P.A. 19-58 and P.A. 21-46, Section 13)

P.A. 21-46 An Act Concerning Social Equity and the Health, Safety, and Education of Children.

Policy adopted: June 7, 2007
Policy revised: March 5, 2020
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with modification based on P.A. 21-46.

Business/Non-Instructional Operations

Food Service

Charging Policy

The school lunch program is an extension of the Board of Education's educational programs. It is the Board's vision to have a partnership among students, staff, school, family and community in offering access to, and providing, nutritious meals which are attractively presented at a reasonable price.

The Board of Education has an agreement with the Connecticut State Department of Education to participate in the school-based Child Nutrition Program. The Board accepts full responsibility for adhering to federal and state guidelines and regulations pertaining thereto. Program meals are planned to meet nutrient standards for children as specified by the United States Department of Agriculture in accordance with their age or grade group. All applications for free and reduced price lunch and any related information will be considered strictly confidential and not to be shared outside of the District's food services program.

Although not required by law, but due to its participation in the Child Nutrition Program, the Board approves the establishment of a system to permit students to charge a meal in certain situations.

First, the Board recognizes that funds from the non-profit School Food Service account, according to federal regulations, cannot be used to cover the cost of charged meals that have not been paid.

Moreover, federal funds are intended to subsidize the meals of children, and these funds may not be used to subsidize meals for teachers, staff or visitors. Therefore, adults are not permitted to charge meals and shall pay for such meals at the time of service or through prepaid accounts.

~~Charging is not encouraged by the Board, but on those occasions that a student does not have lunch money, s/he will be permitted to charge a standard Type A meal. Once a student has reached her/his charging limit, s/he will be offered an alternate meal.~~

~~An alternate meal is any meal that differs from the day's advertised, reimbursable Type A meal. The district will determine the alternate meal to be offered. Examples of alternate meals include, but are not limited to, the following:~~

- ~~• a fruit and/or vegetables and milk, or~~
- ~~• a tuna salad sandwich and milk, or~~
- ~~• a cheese sandwich and milk.~~

~~The Board prohibits the public identification or shaming of a child/student for any unpaid charges, including, but not limited to, the following:~~

Business/Non-Instructional Operations

Food Service

Charging Policy (continued)

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

A student needing to charge a meal will be informed of his/her right to purchase a meal, which may exclude a la carte items, for any school breakfast, lunch or other feeding.

~~The cost for providing such alternate meals cannot be incurred by the School Food Service, and the charge for such alternate meals will be the same amount as the standard Type-A or reimbursable meal.~~ All charges must be paid within ten (10) business days following notification of the initial charge.

In order to sustain the District's food services program, the District cannot permit the excessive charging of student meals. Therefore, any charging of meals must be consistent with this policy and any accompanying regulations. The Superintendent or his/her designee shall develop regulations designed to effectively and respectfully address family responsibility for unpaid meals.

Any parent/guardian who anticipates a problem with paying for meals is encouraged to contact the Food Services Manager/Director and/or the applicable school Principal for assistance. The Board encourages all families who may have a child eligible for free or reduced price lunch to apply.

In summary, the Board's policy regarding meal charging is as follows:

1. Students may not charge more than ~~three (3)~~ thirty (30) Type-A reimbursable meals.
2. The School Food Service will inform students verbally when they have a low account balance, or when they have begun charging.
3. A la carte menu items cannot be charged.
4. **Parents/guardians** of elementary school students who charge will be notified by a letter given to the student by her/his classroom teacher or by telephone or email that their child has received charged meals. Middle and High School students' **parents/guardians** will receive a notification letter through email, or they will be contacted via telephone.
- ~~5. After the third charged meal, the School Food Service will provide an alternate meal. Parents will be notified that an alternate meal has been provided.~~
- ~~6. Alternate meals will be provided until all charged amounts, including full pricing for alternate meals, are paid.~~
- ~~7. The Board reserves the option to discontinue alternate meals should payment not be forthcoming within ten (10) school days' time.~~
5. In the event of hardship situations, parents/guardians may contact the Board's business office to discuss application for free or reduced price meals.

Business/Non-Instructional Operations

Food Service

Charging Policy (continued)

Elementary Students

Communications with parents/guardians regarding collection of a child's unpaid meal charges shall include information on local food pantries, application for free or reduced price meals and the Department of Social Services' supplemental nutrition assistance program and a link to the District's website that lists any community services available to town/city residents.

The Board will accept gifts, donations, or grants from any public or private sources for the purpose of paying off any unpaid charges for school meals.

Delinquent Debt and Bad Debt

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 school food authority is encouraged to consider whether the benefits of potential collections outweigh the costs which would be incurred to achieve those collections.

Money owed because of unpaid meal charges shall be considered "delinquent debt," as defined, as long as it is considered collectable and reasonable efforts are being made to collect it. Such debt must be paid by June 30, effective with the 2017-2018 school year.

After reasonable attempts are made to collect the delinquent debt, and it is determined that further collection efforts are useless or too costly, the debt must be reclassified as "bad debt." Such debt shall be written off as an operating loss not to be absorbed by the nonprofit school food service account but must be restored using non-federal funds.

This policy shall be included in **student/parent/guardian** handbooks, placed on the Board's website and the website of each school, and it shall be published at the beginning of each school year at the time information is distributed regarding free and reduced price meals.

This policy shall be provided to all school staff and/or school food authority staff responsible for its enforcement. In addition, school social workers, nurses, the homeless liaison, and other staff members assisting children in need or who may be contacted by families with unpaid meal charges also should be informed of this policy.

The District's school food authority shall maintain, as required, documentation of the methods used to communicate this policy to households and school or school food authority-level staff responsible for policy enforcement.

[September 2011 implementation]

Business/Non-Instructional Operations

Food Service

Charging Policy (continued)

(cf. 3542 – Food Service)

(cf. 3542.31 – Free or Reduced Price Lunch Program)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees. (as amended by PA 21-46)

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

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,” Nov. 2, 2016.

State Board of Education Regulations (continued)

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.

USDA Guidance:

- SP 46-2016, “Unpaid Meal Charges: Local Meal Charge Policies”
- SP 47-2016, “Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payment”
- SP 57-2016 “Unpaid Meal Charges: Guidance and Q and A”
- SP 58-2016 “2016 Edition: Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation’s Schools”

Policy adopted: May 19, 2011

Policy revised: June 15, 2017

Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS

New Fairfield, Connecticut

Existing policy with modification based on P.A. 21-2, Section 441.

Personnel - Certified/Non-Certified

Nondiscrimination

The conditions or privileges of employment in the school district, including the wages, hours, terms and benefits, shall be applied without regard to race, color, religion, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information, except in the case of a bona fide occupational qualification. The Board of Education seeks to extend the advantages of public education with full equality of educational opportunity to all students and personnel. For purposes of this policy, “genetic information” means the information about genes, gene products, or inherited characteristics that may derive from an individual or family member.

“Race” is inclusive of ethnic traits historically associated with race, including, but not limited to, hair texture and 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.

Association Membership

No employee shall suffer any professional disadvantage by reason of the employee's membership in an employee association or participation in its lawful activities.

Grievances

No employee, employee association representative, member of any employee organization or any other participant in a grievance procedure shall suffer reprisals in any other way or suffer any professional disadvantage by reason of their opposition to any unfair labor practices or because of participation in the processing of any grievance. The Superintendent will provide procedures for alleged violations of Board policies, administrative regulations, and school district operations in general when not otherwise covered in employee organization agreements.

(cf. 4111 - Recruitment and Selection)

(cf. 4111.1 - Affirmative Action)

(cf. 4118.112/4218.112 - Sexual Harassment)

(cf. 4135 - Organizations/Units)

Legal References: Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127)

46a-81a Discrimination on the basis of sexual orientation

10-15c Discrimination in public schools prohibited. School attendance by five-year olds (as amended by PA 21-2 §441.)

Personnel - Certified/Non-Certified

Nondiscrimination

Legal References: Connecticut General Statutes (continued)

P.A. 11-55 An Act Concerning Discrimination

10-153 Discrimination on account of marital status.

10-153a Rights concerning professional organization and regulations.

Public Act 07-62 An Act Concerning the Deprivation of Rights on Account of Sexual Orientation

Public Act 07-245 An Act Concerning Family and Medical Leave for Municipal Employees and the Applicability of Certain Statutory Provisions to Civil Union Status

Federal Law:

Title VI of the Civil Rights Acts of 1964, 42 USC 2000d, et seq.

Title VII of the Civil Rights Acts of 1964, 42 USC 2000e et seq.

Title IX of the Educational Amendments of 1972, 20 USC 1681, et seq.

Age Discrimination in Employment Act, 29 USC 621

Americans with Disabilities Act, 42 USC 12101, as amended

Section 504 of the Rehabilitation Act of 1973, 29 USC 794

Policy adopted: June 1, 2006
Policy revised: August 19, 2010
Policy revised: November 17, 2011
Policy revised: March 1, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

No change necessary.

Personnel - Certified/Non-Certified

Nondiscrimination

It is the express policy of the New Fairfield Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information. In order to facilitate the timely resolution of such complaints and/or grievances, any employee who feels that he/she has been discriminated against on the basis of these protected characteristics should file a written complaint with:

Office of the Superintendent of Schools
New Fairfield Board of Education
3 Brush Hill Road
New Fairfield, CT 06812

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints and/or grievances facilitates the investigation and resolution of such complaints and/or grievances.

Complaints and/or grievances will be investigated promptly and corrective action will be taken when allegations are verified.

Specifically, upon receipt of a written complaint of discrimination, the Superintendent and/or his or her designee should:

1. offer to meet with the complainant to discuss the nature of his/her complaint;
2. provide the complainant with a copy of the Board's anti-discrimination policy and accompanying regulations;
3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. conduct the investigation in a confidential manner, to the extent practicable, adhering to the requirements of state and federal law;
5. communicate the findings and/or results of any investigation to the complainant;
and
6. take appropriate corrective and disciplinary action, as deemed appropriate by the Superintendent and/or his or her designee.

Personnel - Certified/Non-Certified

Nondiscrimination

If the complaint involves an allegation of discrimination based on disability or sex, the complainant should be referred to the Board's policies and procedures related to Section 504 of the Rehabilitation Act (for claims of discrimination and/or harassment based on disability) and Sex Discrimination/Sexual Harassment. (for claims of discrimination and/or harassment based on sex).

For allegations pertaining to race, color or national origin discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

Boston Office
Office of Civil Rights
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Tel. (617) 289-0111

If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than one hundred eighty (180) days after the occurrence of the alleged discrimination.

A complainant may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 1229 Albany Avenue, Hartford, CT 06112 (860 566-7710) and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (617-565-3200).

(cf. 4118.112 – Sexual Harassment)
(cf. 5145.4 – Nondiscrimination on the Basis of Disability)
(cf. 5145.5 – Exploitation: Sexual Harassment)

Regulation approved: August 19, 2010
Regulation revised: November 17, 2011
Regulation revised: March 1, 2018
Regulation reviewed:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

**NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut 06312**

DISCRIMINATION COMPLAINT FORM

(For Complaints Based on race, color, religion, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment. _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment

Existing policy with modification based on P.A. 21-46.

Students

Attendance/Excuses/Dismissal

Attendance

Connecticut state law requires parents to cause their children, ages five through eighteen inclusive, to attend school regularly during the hours and terms the public school is in session. Parents or persons having control of a child five years of age have the option of not sending the child to school until ages six or seven. Mandatory attendance terminates upon graduation or withdrawal with written parent/guardian consent at ages sixteen or seventeen.

A student is considered to be “in attendance” if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent.

Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity. The Board of Education requires that accurate records be kept of the attendance of each child, and students should not be absent from school without parental knowledge and consent.

Definitions (related to chronic absenteeism)

Chronically absent child: An enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

Absence: An excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to C.G.S. 10-198b.

District chronic absenteeism rate: The total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

School chronic absenteeism rate: The total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Excuses

Note: *The use of the state approved definitions of “excused” and unexcused” absences are for state purposes for the reporting of truancy. Districts are not precluded from using separate definitions of such absences for their internal uses such as involving decisions on areas such as promotion and grading.*

Students

Attendance/Excuses/Dismissal

Excuses (continued)

A student's absence from school shall be considered "excused" if written documentation of the reason for such absence has been submitted within ten (10) school days of the student's return to school and meets the following criteria:

- A. For absences one through nine, a student's absences from school are considered "excused" when the student's parent/guardian approves such absence and submits appropriate documentation to school officials.
- B. A student's engagement in remote classes, remote meetings, activities on time-logged electronic systems, and completion and submission of assignments, if such engagement accounts for not less than one-half of the school day during remote learning is excluded from the definitions of "excused absence" and "unexcused absence."
- C. Absence resulting from a student enrolled in grades K-12, taking two mental health days during the school year. Such absence is to permit the student to attend to his/her emotional and psychological well-being in lieu of attending school.

The student shall not be required to present documentation or parental/guardian consent. For purposes of school year limitation, such absence shall be identified as a "mental health wellness day."

A student cannot take these mental health days during consecutive school days.

Such documentation includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. Documentation should explain the nature of and the reason for the absence as well as the length of the absence. Separate documentation must be submitted for each incidence of absenteeism.

- D. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:
 - 1. Student illness (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);
 - 2. Student's observance of a religious holiday;
 - 3. Death in the student's family or other emergency beyond the control of the student's family;
 - 4. Mandated court appearances (documentation required);

Students

Attendance/Excuses/Dismissal

Excuses (continued)

5. The lack of transportation that is normally provided by a district other than the one the student attends (no parental/guardian documentation required);
 6. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with Connecticut State Department of Education guidance.
- E. A student's absence from school shall be considered unexcused unless:
1. The absence meets the definition of an excused absence and meets the documentation requirements; or
 2. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and by mail such parent or other person having control of the child.

Students who plan to be absent for reasons other than those listed above, should seek approval by presenting a note from home to the Principal. Responsibility for completion of missed classwork lies with the student, not the teacher. Unless a student has an extended illness, all make-up work will be complete within five days after the student returns to school.

Excused Absences for Children of Service Members

An enrolled student, age five to eighteen, inclusive, whose parent or legal guardian is an active duty member of the armed forces, as defined in section 27-103, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten days of excused absences in any school year and, at the discretion of the Board of Education, additional excused absences to visit such child's parent or legal guardian with respect to such leave or deployment of the parent or legal guardian. In the case of such excused absences such child and parent or legal guardian shall be responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by such child prior to his or her return to school from such period of excused absence.

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

Students

Attendance/Excuses/Dismissal

Chronic Absenteeism (continued)

1. A team for the District must be established when the District chronic absenteeism rate is 10 percent or higher.
2. A team for the school must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each established attendance review team shall meet at least monthly, referencing the chronic absenteeism prevention and intervention plan developed by the State Department of Education. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and students with disabilities.

The District shall annually include in information for the Profile and Performance report for each school and the District that is submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. *(An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)*

Dismissal

No school, grade, or class may be dismissed before the regularly scheduled dismissal time without the approval of the Superintendent or his/her designee.

No teacher may permit any individual student to leave school prior to the regular hour of dismissal without the permission of the Principal.

Students

Attendance/Excuses/Dismissal

Dismissal (continued)

No student may be permitted to leave school at any time other than at regular dismissal without the approval of the student's parent/guardian. If a court official with legal permission to take custody of a child, or if a police officer arrests a student, the parent/guardian should be notified of these situations by the administration.

(cf. 5142 - Student Safety)

(cf. 5113.2 - Truancy)

(cf. 6113 - Released Time)

Legal Reference: Connecticut General Statutes
10-184 Duties of parents (as amended by PA 98-243 and PA 00-157)
10-185 Penalty
10-198a Policies and procedures concerning truants (as amended by P.A.11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members, and PA 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee.)
10-198b State Board of Education to define "excused absence," "unexcused absence," and "disciplinary absence" (as amended by PA 21-46, Section 19)
10-198d Chronic absenteeism (as amended by PA 17-14 and PA 18-182)
10-199 through 10-202 Attendance, truancy - in general
Action taken by State Board of Education on January 2, 2008, to define "attendance."
Action taken by State Board of Education on June 27, 2012, to define "excused" and "unexcused" absences.
PA 17-14 An Act Implementing the Recommendations of the Department of Education
PA 21-46 An Act Concerning Social Equity and the Health, Safety and Education of Children

Policy adopted: November 17, 2011
Policy revised: March 7, 2013
Policy revised: April 21, 2015
Policy revised: March 2, 2017
Policy revised: March 1, 2018
Policy revised: December 6, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with modification based on P.A. 21-46.

Students

Tuancy

Introduction and Definitions

The District's policy on student truancy shall stress early prevention and inquiry leading to remediation of absences rather than imposition of punitive measures for students. Referral to legal authorities normally shall be made only when local resources are exhausted. For purposes of implementing this policy and for reporting purposes regarding truancy, the District will utilize the State Board of Education approved definitions of "excused" and "unexcused" absences.

"Truant" shall mean a student age five to eighteen, inclusive, who has four unexcused absences in any one month, or ten unexcused absences in one school year.

"Unexcused Absence" Board policy with respect to unexcused absences stresses prevention and inquiry leading to remediation of absences. The schools will make all reasonable efforts to help students improve their attendance when such improvement is warranted. When all local resources are exhausted referral to legal authorities is recommended.

"In attendance" shall mean a student is present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent.

"Chronically absent child" is an enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

"Absence" means an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to C.G.S. 10-198b.

"Mental health wellness day" means a school day during which a student attends to his/her emotional and psychological well-being in lieu of attending school. Such days must be nonconsecutive.

"District chronic absenteeism rate" means the total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

"School chronic absenteeism rate" means the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Students

Truancy (continued)

Remediation of Truancy

School personnel shall seek cooperation from parents or other persons having control of such child and assist them in remedying and preventing truancy. The Superintendent of Schools shall develop regulations which will detail the following school district obligations under the district's truancy policy:

1. Notify parents annually of their obligations under the attendance policy.
2. Obtain telephone numbers for emergency record cards or other means of contacting parents or other persons having control of the child during the school day.
3. Establish a system to monitor student attendance.
4. Make a reasonable effort by telephone and by mail to notify parents or other persons having control of the child enrolled in grades one through eight, inclusive, when a child does not arrive at school and there has been no previous approval or other indication which indicates parents are aware of the absence.
5. Identify a student as "truant" when the student accumulates four unexcused absences in any month or ten in a school year.
6. Identify a student as "chronically absent" when the student accumulates a total number of absences at any time during a school year that is equal to or greater than ten percent of the total number of days that such student has been enrolled at the school during the school year.
7. Appropriate school staff meet with parents of a child identified as truant or chronically absent to review and evaluate the situation, within ten days of such designation. Such meeting may involve the school or District Attendance Team.

Students so identified may be subject to:

- (a) retention in the same grade to acquire necessary skills for promotion.
 - (b) a requirement to complete a summer school program successfully before being promoted to the next grade.
8. When a petition is filed, an educational evaluation of the truant student shall be done by appropriate school personnel if no such evaluation has been performed within the preceding year.
 9. Provide coordination of services and refer "truants" to community agencies which provide family services.
 10. If in existence, refer the child to the children's probate court truancy clinic.

Students

Truancy

Remediation of Truancy (continued)

The Board, ~~on or before 8/15/18~~, shall implement a truancy intervention model identified by the Connecticut State Department of Education (SDE) for any school within the District that has a disproportionately high rate of truancy, as identified by the Commissioner of Education. The intervention models must also address the needs of students with disabilities. Parents or other persons having control of each child shall be notified of such truancy model. ~~(Note: The SDE is required to identify these effective truancy intervention models by 8/15/18.)~~

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

1. A District team must be established when the District's chronic absenteeism rate is 10 percent or higher.
2. A school team must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

The membership of attendance review teams may consist of school administrators, guidance counselors, school social workers, teachers, chronically absent children, parents or guardians of chronically absent children, and representatives from community-based programs who address issues related to student attendance by providing programs and services to truants.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each attendance review team shall meet at least monthly.

~~In the calculation of the District's chronic absenteeism rate and the school chronic absenteeism rate, a student's engagement, in grades 9-12, in remote virtual learning shall be excluded if such engagement accounts for not less than one-half of the school day. In addition, the calculation of chronic absenteeism rates shall exclude absence resulting from a student taking a mental health day pursuant to P.A. 21-46.~~

Students

Truancy

Chronic Absenteeism (continued)

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education when it becomes available. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and students with disabilities.

The District shall annually include in information for the Profile and Performance report for each school and the District that submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. (An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)

(cf. 5113 – Attendance)

Legal Reference: Connecticut General Statutes

10-184 Duties of parents. (as amended by PA 98-243 and PA 00-157)

10-198a Policies and procedures concerning truants (as amended by PA 00-157, P.A. 11-136 and PA 16-147)

10-198b State Board of Education to define “excused absence”, “unexcused absence”, and “disciplinary absences” (as amended by PA 21-46)

10-198c Attendance review teams (as amended by PA 17-14)

10-198d Chronic absenteeism (as amended by PA 18-182)

10-198e Identification of truancy identification models (as amended by PA 18-182)

10-199 through 10-202 Attendance, truancy in general. (Revised, 1995, PA 95-304)

Students

Truancy

Legal Reference: Connecticut General Statutes (continued)

45a-8c Truancy clinic. Administration. Policies and procedures. Report.
(as amended by PA 15-225)

10-220(c) Duties of boards of education (as amended by PA 15-225)

10-202e-f Policy on dropout prevention and grant program.

10-221(b) Board of education to prescribe rules. *Campbell v New Milford*,
193 Conn 93 (1984).

*Action taken by the State Board of Education on January 2, 2008, to
define "attendance."*

*Action taken by the State Board of Education on June 27, 2012, to define
"excused" and "unexcused" absences.*

Policy adopted: December 4, 2008
Policy revised: November 17, 2011
Policy revised: March 7, 2013
Policy revised: December 17, 2015
Policy revised: March 2, 2017
Policy revised: March 1, 2018
Policy revised: December 6, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with modification based on P.A. 21-95, Section 14.

Students

Hazing

Bullying

The Board of Education (Board) promotes a secure and happy school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. Therefore, it shall be the policy of the Board that bullying of a student by another student is prohibited.

The Board believes that a school environment in which students feel safe, supported, engaged and helpfully challenged is optimal for learning and healthy development. The Board seeks an environment in which students and adults feel socially, emotionally, intellectually and physically safe; an environment that is free of harassment, intimidation and bullying.

Definitions

“Bullying” means an act that is direct or indirect and severe, persistent or pervasive which:

- A. causes physical or emotional harm to an individual,
- B. places an individual in reasonable fear of physical or emotional harm, or,
- C. infringes on the rights and opportunities of an individual at school.

Bullying shall include, but need not be limited to, a written, oral, or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. *(The student against whom the activity is directed must be attending school in the same district as the students engaged in the activity.)*

“Cyberbullying” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

“Teen dating violence” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening that occurs between two students who are currently in or have recently been in a dating relationship.

Students

Hazing

Bullying

Definitions (continued)

“Mobile electronic device” means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.

“Electronic communication” means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system.

“Hostile environment” means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.

“Outside of the school setting” means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education.

“School employee” means (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (b) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

“School climate” means the quality and character of school life based on patterns of students’, parents’ and guardians’ and school employees’ experiences of school life, including, but not limited to, norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures.

“Positive school climate” means (A) a school climate in which the norms, values, expectations and beliefs that support feelings of social, emotional and physical safety are promoted, (B) students, parents and guardians of students and school employees feel engaged and respected and work together to develop and contribute to a shared school vision, (C) educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning, and (D) each person feels comfortable contributing to the operation of the school and care of the physical environment of the school.

“Emotional intelligence” means the ability to (A) perceive, recognize and understand emotions in oneself or others, (B) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communication, (C) understand and identify emotions, and (D) manage emotions in oneself and others.

Students

Hazing

Bullying

Definitions (continued)

“Social and emotional learning” means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills and responsible decision-making.

Examples of bullying include, but are not limited to:

1. physical violence and attacks
2. verbal taunts, name-calling and put-downs including ethnically-based or gender-based verbal put-downs
3. threats and intimidation
4. extortion or stealing of money and/or possessions
5. exclusion from peer groups within the school
6. The misuse of electronic communications for the purpose of bullying, harassing, or sexually harassing other students within school or out of school (“cyberbullying”)
7. Targeting of a student based on the student’s actual or perceived “differentiating” characteristics such as race; color; religion; ancestry; national origin; gender; sexual orientation; gender identity or expression; socioeconomic or academic status; physical appearance; or mental, physical, developmental, or sensory disability.

Such conduct is disruptive of the educational process and, therefore, bullying is not acceptable behavior in this district and is prohibited.

Students who engage in any act of bullying, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

1. creates a hostile environment at school for the victim,
2. infringes on the rights of the victim at school, or
3. substantially disrupts the education process or the orderly operation of a school,

are subject to appropriate disciplinary action up to and including suspension, expulsion and/or referral to law enforcement officials.

A comprehensive program, to improve the school climate, involving everyone in the schools and the community, to address bullying at all school levels is essential to reducing incidences of bullying. Such a program must involve interventions at all levels, school wide, classroom and individual.

Students

Hazing

Bullying (continued)

The District's program: (*Also outlined in the section pertaining to the "Safe School Climate Plan."*)

1. Requires the development and implementation of a safe school climate plan by the Board of Education to address the existence of bullying and teen dating violence in its schools and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;
2. Permits anonymous reports of bullying by students to school employees and written reports of suspected bullying by parents or guardians and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;
3. Requires school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying and to file a written report not later than two school days after making such an oral report;
4. Requires the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written report, and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
5. Requires the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
6. Requires each school to have a prevention and intervention strategy, as defined by statute, as amended, for school employees to deal with bullying or teen dating violence, including language about bullying in student codes of conduct and in all student handbooks;
7. Provides for the inclusion of language in student codes of conduct concerning bullying;

Students

Hazing

Bullying (continued)

8. Requires each school to notify parents or guardians of all students involved in a verified act of bullying not later than forty-eight hours after the completion of the investigation of the results of such investigation and verbally and by electronic mail, that such parents/guardians may refer to the plan language explanation of the rights and remedies posted on the district's website. (available under CGS 10-4a and 10-4b);
9. Requires each school to invite the parents/guardians of a student against whom such act was directed to a meeting to communicate to such parents/guardians the measures being taken by the school to ensure the safety of the students against whom such act of bullying was directed and the policies and procedures in place to prevent further acts of bullying;
10. Requires each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting of the parents/guardians of the student against whom the act of bullying was directed, to discuss specific interventions undertaken by the school to prevent further acts of bullying and teen dating violence;
11. Establishes a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and—make such list publicly available; and report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
12. Requires the development of case-by-case interventions for addressing reported incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
13. Prohibits discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
14. Requires the development of student safety support plans for students against whom an act of bullying was directed that addresses safety measures the school will take to protect such students against further acts of bullying or teen dating violence;
15. Requires the principal of a school or the principal's designee, to notify the appropriate local law enforcement agency when such principal or the principal's designee believes that any acts of bullying constitute criminal conduct;

Students

Hazing

Bullying (continued)

16. Prohibits bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
17. Requires, at the beginning of each school year, for each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
18. Requires all school employees to annually complete the training required by C.G.S. 10-220a, as amended. Such training shall include identifying and responding to bullying and preventing and responding to youth suicide;

Note: *Certified employees are required to complete annual training on the prevention and identification of bullying and response to bullying and the prevention and response to youth suicide.*

The State Department of Education, within available appropriations, is required to provide annual training to non-certified school employees.

19. Requires students and the parents/guardians of students to be notified at the beginning of the school year of the process by which they may make reports of bullying or teen dating violence;
20. As required, the Board of Education shall approve the safe school climate plan developed pursuant to statute and submit such plan to the Department of Education for its review, analysis, cooperative assistance and approval not later than July 1, 2014; and
21. Requires that not later than thirty calendar days after approval by the State Department of Education, the safe school climate plan shall be made available on the Board's and each individual school in the District's Internet website and such plan is to be included in the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Students

Hazing

Bullying (continued)

The Board expects prompt and reasonable investigations of alleged acts of bullying and teen dating violence. The safe school climate specialist of each school is responsible for handling all complaints of alleged bullying and teen dating violence. The safe climate specialist shall investigate or supervise the investigation of all reports of bullying and teen dating violence promptly.

In addition, the norms that are established by adults through consistent enforcement of all policies pertaining to conduct and modeling appropriate behavior at school and at home will reduce the instances and damage of bullying and teen dating violence. It is necessary for students to promote the concept that caring for others is a valued quality, one that is accepted and encouraged.

Prevention and Intervention Strategy

The District shall implement, as required by C.G.S. 10-222d, as amended, a prevention and intervention strategy which may include, but is not limited to:

1. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence identified by the Department of Education.
2. School rules prohibiting bullying, teen dating violence, harassment, and intimidation and establishing appropriate consequences for those who engage in such acts.
3. Adequate adult supervision of outdoor areas, hallways, the lunchroom, and other specific areas where bullying or teen dating violence is likely to occur.
4. Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school.
5. Individual interventions with the bully or student who commits teen dating violence, parents and school employees and interventions with the students against whom the acts of bullying and teen dating violence are directed, parents, and school employees.
6. School wide training related to safe school climate.
7. Student peer training, education and support.
8. Promotion of parent involvement in bullying and teen dating violence prevention through individual or team participation in meetings, trainings, and individual interventions.
9. Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.

Students

Hazing

Bullying

Prevention and Intervention Strategy (continued)

Note: Funding for the school-based bullying intervention and school climate improvement may originate from public, private, or philanthropic sources. For purposes of this section, “interventions with the bullied child” includes referrals to a school counselor, psychologist or other appropriate social or mental health service, and periodic follow-up by the safe school climate specialist with the bullied child.

District Safe School Climate Coordinator

~~For the school year commencing July 1, 2012, and each school year thereafter,~~ Each school year, the Superintendent of Schools shall appoint, from among existing District staff, a District Safe School Climate Coordinator.

The Coordinator shall:

1. Implement the District’s safe school climate plan;
2. Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify, and respond to bullying and teen dating violence in the schools of the district.
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent to the Department of Education;
4. Respond to bullying and teen dating violence in District schools;
5. Meet with the safe school climate specialists at least twice during the school year to discuss bullying and teen dating violence issues in the District and make recommended changes to the District’s safe school climate plan.
6. Successfully complete, ~~for the school year commencing July 1, 2014,~~ the mental health first aid training provided by the Commissioner of Mental Health and Addiction Services. (Such training only required once.)

Safe School Climate Specialist

~~For the school year commencing July 1, 2012, and each school year thereafter,~~ Each school year, each school Principal shall serve, or designate someone to serve, as the Safe School Climate Specialist for the school.

Students

Hazing

Bullying

Safe School Climate Specialist (continued)

The Specialist in each school shall:

1. Investigate or supervise the investigation of reported acts of bullying or teen dating violence in the school in accordance with the District's Safe School Climate Plan;
2. Collect and maintain records of reports and investigations of bullying and teen dating violence in the school; and
3. Act as the primary school official responsible for preventing, identifying and responding to bullying and teen dating violence reports in the school.

Safe School Climate Committee

~~For the school year commencing July 1, 2012, and each school year thereafter,~~ **Each school year,** the Principal of each District school shall establish a new committee or designate at least one existing committee that is responsible for developing and fostering a safe school climate and addressing issues related to bullying in the school. The committee must include at least one parent/guardian of a student enrolled in the school, appointed by the Principal.

Beginning July 1, 2021 and each school year thereafter, such committee shall also include: (a) school personnel, including, but not limited to, at least one teacher selected by the exclusive bargaining unit representative for certified employees, (b) medical and mental health personnel assigned to such school, and (c) at the high school level at least one student enrolled at the school. The student is to be selected by the students in a manner determined by the school Principal.

The Safe School Climate Committee shall:

1. Receive copies of completed reports following investigations of bullying and teen dating violence;
2. Identify and address patterns of bullying and teen dating violence among students in the school;
3. Implement the provisions of the school security and safety plan, (developed pursuant to Section 87 of PA 13-3) regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying or teen dating violence (defined in Connecticut General Statutes 10-222d) and report such information, as necessary, to the District Safe School Climate Coordinator and to the school's security and safety committee;

Students

Hazing

Bullying

Safe School Climate Committee (continued)

4. Review and amend school policies relating to bullying and teen dating violence;
5. Review and make recommendation to the District Safe School Climate Coordinator regarding the District's Safe Climate Plan based on issues and experiences specific to the school;
6. Educate students, school employees and parents and guardians of students on issues relating to bullying and teen dating violence;
7. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying and teen dating violence; and
8. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying and teen dating violence for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #3 or any other activity that may compromise the confidentiality of a student.

Safe School Climate Plan

The Board of Education shall develop and implement a Safe School Climate Plan to address the existence of bullying and teen dating violence in its schools. Such plan shall:

1. Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually of the process by which they may make such reports;
2. Enable the parents or guardians of students to file written reports of suspected bullying;
3. Require school employees who witness acts of bullying or receive reports of bullying to orally notify the Safe School Climate Specialist, or another school administrator if the Safe School Climate Specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
4. Require the Safe School Climate Specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed to receive prompt notice that such investigation has commenced;

Students

Hazing

Bullying

Safe School Climate Plan (continued)

5. Require the Safe School Climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
6. Include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;
7. Provide for the inclusion of language in student codes of conduct concerning bullying;
8. Require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation of the results of such investigation, and verbally and/or by electronic mail, if such parents or guardians electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under C.G.S. 10-4a and 10-4b published on the District's website;
9. Require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed, to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the student's safety and to prevent further acts of bullying;
10. Establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education, and in such manner as prescribed by the Commissioner of Education;
11. Direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
12. Prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
13. Direct the development of student safety support plans for students against whom an act of bullying was directed that addresses safety measures the school will take to protect such student against further acts of bullying or teen dating violence;
14. Require the Principal of a school, or the Principal's designee, to notify the appropriate local law enforcement agency when such Principal, or the Principal's designee, believes that any acts of bullying constitute criminal conduct;

Students

Hazing

Bullying

Safe School Climate Assessment (continued)

15. Prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
16. Require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's Safe School Climate Plan; and
17. Require that all school employees annually complete the training described in C.G.S. 10-220a, as amended.

(cf. 0521 – Nondiscrimination)

(cf. 4131 – Staff Development)

(cf. 5114 – Suspension and Expulsion/Due Process)

(cf. 5131 – Conduct)

(cf. 5131.21 – Violent and Aggressive Behavior)

(cf. 5131.8 – Out-of-School Misconduct)

(cf. 5131.912 – Aggressive Behavior)

(cf. 5131.913 – Cyberbullying)

(cf. 5131.91 – Hazing)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

(cf. 6121 – Nondiscrimination)

(cf. 6121.1 – Equal Educational Opportunity)

Legal Reference: Connecticut General Statutes

10-15b Access of parent or guardian to student's records. Inspection and subpoena of school or student records.

10-222d Policy on bullying behavior as amended by PA 08-160, P.A. 11-232, P.A. 14-172 and PA 18-15 and PA 19-166.

10-222K District safe school climate coordinator. Safe school climate specialist. Safe school climate committee (as amended by PA 21-95, Section 14.)

Students

Hazing

Bullying

Legal Reference: Connecticut General Statutes (continued)

P.A. 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.

P.A. 11-232 An Act Concerning the Strengthening of School Bullying Laws.

P.A. 13-3 An Act Concerning Gun Violence Protection and Safety

P.A. 14-172 An Act Concerning Improving Employment Opportunities through Education and Ensuring Safe School Climates.

P.A. 14-234 An Act Concerning Domestic Violence and Sexual Assault.

P.A. 19-166 An Act Concerning School Climates

Policy adopted: November 17, 2011
Policy revised: November 21, 2013
Policy revised: October 30, 2014
Policy revised: December 1, 2016
Policy revised: August 13, 2020
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

No revision necessary.

Students

Bullying

Model Safe School Climate Plan

Purpose/Priority Statement

The New Fairfield School District is committed to providing all students with a safe learning environment that is free from bullying, cyberbullying, and teen dating violence. The goal is the establishment of a positive school climate in which norms, values, and expectations make students and adults feel socially, emotionally, intellectually and physically safe. This commitment is an integral part of our comprehensive efforts to promote learning and to prevent and eliminate all forms of bullying and teen dating violence and other harmful and disruptive behavior that can impede the learning process. The District expects that all members of the school community will treat each other in a civil manner and with respect for differences.

The following plan, “The New Fairfield Public Schools Safe School Climate Plan (Plan),” addresses the mandated areas of compliance which are required under C.G.S.10-222d as amended. In addition to the following current efforts, the administration, faculty and staff of this District commit to continue to improve, enhance, and update both the Plan and its implementation biennially in order to best serve the students, parents, guardians and the community.

The Board of Education (Board) promotes a secure and happy school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. Therefore, it shall be the policy of the Board that bullying of a student by another student is prohibited.

I. Prohibition against Bullying, Teen Dating Violence and Retaliation

- A. The New Fairfield Board of Education expressly prohibits any form of bullying behavior and teen dating violence on school grounds; at a school-sponsored or school-related activity, function, or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by the Board of Education; or through the use of an electronic device or an electronic mobile device owned, leased, or used by Board of Education.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school.
- C. The Board further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process.

Students

Bullying

Model Safe School Climate Plan

I. Prohibition against Bullying, Teen Dating Violence and Retaliation (continued)

- D. In addition to prohibiting student acts which constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying
- E. Students who engage in bullying behavior or teen dating violence in violation of Board Policy #5131.911 and the District Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

II. Definition of Bullying

- A. **“Bullying”** means an act that is direct or indirect and severe, persistent or pervasive which:
 - 1. causes physical or emotional harm to an individual,
 - 2. places an individual in reasonable fear of physical or emotional harm, or,
 - 3. infringes on the rights and opportunities of an individual at school.
- B. Bullying shall include, but not be limited to, written, verbal, or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socio-economic status, academic status, physical appearance, or mental, physical, developmental, or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. *(The student against whom the activity is directed must be attending school in the same district as the students engaged in the activity.)*

III. Other Definitions

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone, or other mobile electronic devices, or any electronic communications.

Students

Bullying

Model Safe School Climate Plan

III. Other Definitions (continued)

- B. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electro-magnetic, photo-electronic, or photo-optical system;
- C. **“Hostile environment”** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- D. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text-messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- E. **“Outside of the school setting”** means at a location, activity, or program that is not school-related, or through the use of an electronic device or a mobile electronic device that is not owned, leased, or used by the New Fairfield Board of Education;
- F. **“School Climate”** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults. (It is based on people’s experiences of school and reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.)
- G. **“School employee”** means (a) a teacher, substitute teacher, school administrator, school Superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a regional Board of Education or working in a public elementary, middle, or high school; or (b) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle, or high school, pursuant to a contract with the local or regional Board of Education.
- H. **“School-Sponsored Activity”** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized, or authorized by the New Fairfield Board of Education.

Students

Bullying

Model Safe School Climate Plan

III. Other Definitions (continued)

- I. **“Teen dating violence”** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening that occurs between two students who are currently in or have recently been in a dating relationship.

IV. Procedures for Reporting and Investigating Complaints of Bullying

- A. Students and parents/guardians may file written reports of bullying. Written reports of bullying must be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist in the building, and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this plan.
- B. Students may make anonymous reports of bullying to any school employee, but we strongly encourage students to go directly to their school counselor or a building administrator. A student may also request anonymity when making a report, even if the student’s identity is known to the school employee. In cases where the student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student’s identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.
- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.

Students

Bullying

Model Safe School Climate Plan

IV. Procedures for Reporting and Investigating Complaints of Bullying (continued)

- D. The Safe School Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. Prompt notice must be provided to the parents/guardians of the person bullied and the parents/guardians of the student alleged to have committed the act of bullying that such investigation has begun. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parents of the student suspected of being bullied must provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

V. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents/guardians of the students against whom such acts were directed as well as the parents/guardians of the students who commit such acts of bullying of the finding not later than forty-eight (48) hours after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, will not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the building Principal (or other responsible program administrator) shall invite the parents/guardians of the student against whom such act was directed, and the parents/guardians of the student who commits any verified act of bullying, to a meeting to communicate to such parents/guardians the measures being taken by the school to ensure the student's safety and to prevent further acts of bullying. The meeting of the parents/guardians of the bullied student and the student committing the bullying shall be separate and distinct from each other.

Students

Bullying

Model Safe School Climate Plan

V. Responding to Verified Acts of Bullying (continued)

- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a Student Safety Support Plan for any student against whom repeated acts of bullying were directed. Such a support and intervention plan will include safety measures to protect against further acts of bullying.
- D. The Student Safety Support Plan, which is a specific and individualized intervention plan, will also address recurrently perpetrated bullying incidents by the same individual. The plan may include counseling, discipline, and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee.
- E. Notice to Law Enforcement

If the Principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy and procedures regarding the disclosure of personally identifiable student information. In making this determination, the Principal or his/her designee, may consult with the School Resource Officer and other individuals the Principal or designee deems appropriate.

- F. If a bullying complaint raises concern about discrimination or harassment on the basis of legally protected classifications (such as race, color, religion, national origin, sex, sexual orientation, age, gender identity and expression, or disability), the Safe School Climate Specialist shall coordinate any bullying investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator, etc.), so as to ensure that any such bullying investigation complies with the requirements of such policies regarding nondiscrimination.

VI. Teen Dating Violence

- A. The school strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The school recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.

Students

Bullying

Model Safe School Climate Plan

VI. Teen Dating Violence (continued)

- B. Students and parents/guardians may bring verbal or written complaints regarding teen dating violence to any building administrator. The building administrator shall review and address the complaint, which may include referral of the complaint to the Safe School Climate Specialist and/or Title IX Coordinator.
- C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

VII. Documentation and Maintenance of Log

- A. Each school shall maintain written complaints of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without the prior written consent of a parent, guardian, or eligible student, except as permitted under Board policy and state and federal law.
- B. The Safe School Climate Specialist in each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school, grade level, and date. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.

Students

Bullying

Model Safe School Climate Plan

VII. Documentation and Maintenance of Log (continued)

- C. The Safe School Climate Specialist in each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

VIII. Other Prevention and Intervention Strategies

- A. Bullying behavior and teen dating violence can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying or to teen dating violence. While conduct that rises to the level of “bullying” or “teen dating violence,” as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying or teen dating violence, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension, or expulsion) is a matter for the professional discretion of the building administration. No disciplinary action may be taken solely on the basis of an anonymous complaint of bullying.
- B. A Student Safety Support Plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the building administrator.
- C. The following sets forth possible interventions which may also be utilized to enforce the Board’s prohibition against bullying and teen dating violence:

1. Non-disciplinary interventions

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

Students

Bullying

Model Safe School Climate Plan

VIII. Other Prevention and Intervention Strategies (continued)

1. Non-disciplinary interventions (continued)

If a complaint arises out of conflict between students or groups of students, peer or other forms of mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

When an act or acts of teen dating violence are identified, the students involved may be counseled as to the seriousness of the conduct, the prohibition of teen dating violence, and their duty to avoid any such conduct. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

2. Disciplinary interventions

When acts of bullying are verified or teen dating violence occurs, and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints, however, shall not be the basis for disciplinary action.

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's student discipline policies.

Expulsion may be imposed only after a hearing before an impartial hearing officer designated by the Board of Education in accordance with the Board's student discipline policies. This consequence shall normally be reserved for serious incidents of bullying or teen dating violence and/or when past interventions have not been successful in eliminating bullying behavior.

Students

Bullying

Model Safe School Climate Plan

VIII. Other Prevention and Intervention Strategies (continued)

3. Interventions for bullied students and victims of teen dating violence

The building administration shall intervene in order to address incidents of bullying or teen dating violence against a single individual. Intervention strategies for a bullied student or a victim of teen dating violence may include the following:

- a. Counseling;
- b. Increased supervision and monitoring of student to observe and intervene in bullying or teen dating violence situations;
- c. Encouragement of student to seek help when victimized or witnessing victimization;
- d. Peer mediation or other forms of mediation, where appropriate;
- e. An individualized Student Safety Support Plan;
- f. Restitution for property loss or damage incurred; and
- g. Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.

4. General Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. Additional district actions may also ameliorate potential problems with teen dating violence. Within New Fairfield, comprehensive prevention and intervention strategies include:

- a. implementation of *Positive Behavior Interventions and Supports (PBIS)* as an evidence-based model for improving school climate;
- b. publication of school rules and all Board of Education policies prohibiting bullying, teen dating violence, harassment, and intimidation and establishing appropriate consequences for those who engage in such acts at all schools in student-parent/guardian handbooks and on school and district websites;
- c. adequate adult supervision, primarily by teachers and administrators, as well as camera surveillance whenever possible, within all schools' outdoor areas, hallways, school cafeterias, and other specific areas where bullying or teen dating violence is likely to occur;

Students

Bullying

Model Safe School Climate Plan

VIII. Other Prevention and Intervention Strategies (continued)

4. General Prevention and Intervention Strategies (continued)

- d. video surveillance on school buses;
 - e. implementation of a social-emotional skills development and problem-solving curriculum using *Second Step* materials in pre-K through grade 8, as well as social skills development and problem-solving curriculum and activities delivered through the New Fairfield High School Advisory Program;
 - f. special social skills curriculum for special education students who may be at risk as bullying targets;
 - g. individualized, developmentally-appropriate Student Safety Support Plans and interventions for the students against whom the acts of bullying and teen dating violence are directed as well as interventions for the bully or student who commits teen dating violence at each school;
 - h. school-wide training related to Safe School Climate;
 - i. promotion of parent/guardian involvement in bullying prevention through individual or team participation in meetings, training and individual interventions;
 - j. data collection and analysis at each school site and district-wide for the study of the types and frequency of bullying behaviors;
 - k. continued use of security cameras at all schools;
 - l. student peer training, education and support;
 - m. culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- D. In addition to prevention and intervention strategies, administrators, teachers and other employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, special assemblies, and by the continuous reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”

Students

Bullying

Model Safe School Climate Plan (continued)

IX. Annual Notice and Training

- A. Students and parents/guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school District Safe School Climate Plan and require that all school employees annually complete training on the identification, prevention, and response to bullying as required by law.

X. School Climate Assessments

The Board shall require each school in the District to complete a biennial assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department of Education. The Board shall collect the school climate assessments for each school in the District and submit such assessments to the Department.

Legal Reference: Connecticut General Statutes
P.A. 11-232 An Act Concerning the Strengthening of School Bullying Laws.
10-222d Policy on bullying behavior as amended by PA 08-160, P.A. 11-232 and P.A. 14-172.
10-233a through 10-233f re in-school suspension, suspension and expulsion.
Connecticut State Department of Education Circular Letter C-8, Series 2008-2009 (March 16, 2009)

Regulation approved:	November 17, 2011	NEW FAIRFIELD PUBLIC SCHOOLS New Fairfield, Connecticut
Regulation revised:	November 21, 2013	
Regulation revised:	October 30, 2014	
Regulation revised:	December 1, 2016	
Regulation revised:	August 13, 2020	
Regulation reviewed:		

MODEL ANNUAL BULLYING NOTICE

Bullying behavior by any student in the New Fairfield Public Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. “Bullying” means an act that is direct or indirect and severe, persistent or pervasive which:

- A. causes physical or emotional harm to an individual,
- B. Places an individual in reasonable fear of physical or emotional harm, or
- C. Infringes on the rights and opportunities of an individual at school.

P.A. 11-232 prohibits retaliation against those who report bullying and requires school officials to notify police when they believe bullying conduct constitutes a crime. Bullying shall include, but need not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or physical, mental, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

Students who engage in any act of bullying, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

- A. Creates a hostile environment at school for the victim,
- B. Infringes on the rights of the victim at school, or
- C. Substantially disrupts the education process or the orderly operation of a school.

Students and/or parents/guardians may file verbal or written complaints concerning suspected bullying behavior, and students shall be permitted to anonymously report acts of bullying to school employees. Any report of suspected bullying behavior will be promptly reviewed. If acts of bullying are verified, prompt disciplinary action may be taken against the perpetrator, consistent with his/her rights of due process. Board policy and regulation #5131.911 set forth this prohibition and the related procedures in detail, and are available to students and their parents/guardians upon request.

New Fairfield Public Schools
Report of Bullying Form/Investigation Summary

School _____ Date _____

Location(s) _____

Reporter Information:

Anonymous student report	_____	
Staff Member report	_____	Name _____
Parent/guardian report	_____	Name _____
Student report	_____	Name _____

Student Reported as Committing Act: _____

Student Reported as Victim: _____

Description of Alleged Act(s): _____

Time and Place: _____

Names of Potential Witnesses: _____

For Staff Use Only:

Action of Reporter: _____

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes _____ No _____

Remedial Action(s) Taken: _____

New Fairfield Public Schools
Report of Bullying Form/Investigation Summary
(continued)

If Bullying Verified, Report Sent to Parents/Guardians of Students?

Parents'/Guardians' Names: _____

Date Sent: _____

(Attach bullying complaint, witness statements, and notification to parents/guardians of students involved if bullying is verified)

Existing policy with modification based on P.A. 21-6.

Students

Health Assessments and Immunizations

The Board of Education recognizes the importance of periodic health assessments, including oral health assessments, according to state health regulations.

To determine health status of students, facilitate the removal of disabilities to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments, including oral health assessments. It is the policy of the Board of Education to insure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206, as may be periodically amended.

Parents/**Guardians** wishing their children exempted or excused from health assessments must request such exemption to the Superintendent of Schools in writing. This request must be signed by the parent/guardian.

Parents/**Guardians** may present a medical exemption form developed by the Department of Public Health (DPH), posted on the DPH website, that their medical provider believes a required vaccination is medically contraindicated for their child based on the child's medical condition. The DPH form is to be signed by a physician, physician assistant or advanced practice registered nurse.

~~Parents/guardians wanting their children excused from immunizations on religious grounds (prior to kindergarten entry and grade 7 entry) must request such exemption in writing to the Superintendent of Schools if such immunization is contrary to the religious beliefs of the child or of the parent/guardian of the child. The request must be officially acknowledged by a notary public or a judge, a clerk or deputy clerk of a court having a seal, a town clerk, a justice of the peace, a Connecticut licensed attorney.~~

~~Any child enrolled in kindergarten through twelfth grade on or before April 28, 2021 and whose parents/guardians had presented a religious exemption written request before April 28, 2021 will be permitted continued use of the exemption even if such child transfers to another school in Connecticut.~~

~~Any child enrolled in pre-school or pre-kindergarten on or before April 28, 2021 whose parents/guardians submitted the statement necessary for the religious exemption will have until September 1, 2022 to comply with Connecticut's required immunizations, or within fourteen days after transferring to a different public or private school program, whichever is later. The deadline for such pre-school or pre-K student to comply with the immunization requirements can be altered if the school/District is provided with a written declaration from the child's physician, physician assistant or advanced practice registered nurse recommending a different immunization schedule for the child.~~

Students

Health Assessments and Immunizations (continued)

It is the responsibility of the Principal to insure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

No record of any student's medical assessment may be open to the public.

As required, the district will report, ~~beginning in October 2017~~, on a triennial basis, to the Department of Public Health and to the local health director the asthma data obtained through the required asthma assessments, including student demographics. The district, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma. Individual students' names will not be disclosed.

The Superintendent of Schools or his/her designee shall give written notice to the parent/guardian of each student who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation that the student be examined by an appropriately licensed optometrist or ophthalmologist.

Note: P.A 18-168 requires boards of education to request that students have an oral health assessment prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. 5111 - Admission)

(cf. 5141.31 - Physical Examinations for School Programs)

(cf. 5125 - Student Records)

Legal Reference: Connecticut General Statutes

10-204a Required immunizations (as amended by PA 96-244, PA 15-174, PA 15-242, and P.A. 21-6)

10-204c Immunity from liability

10-205 Appointment of school medical adviser

10-206 Health assessments (as amended by PA 17-173 and PA 18-168)

10-207 Duties of medical advisors

10-206a Free health assessments

Students

Health Assessments and Immunizations

Legal Reference: Connecticut General Statutes (continued)

- 10-208 Exemption from examination or treatment
- 10-208a Physical activity of student restricted; board to honor notice
- 10-209 School nurses
- 10-212 School nurses
- 10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results, (as amended by PA 17-173)
- PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540
- Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4
- 20 U.S.C. Section 1232h, No Child Left Behind Act
- Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g)
- 42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Policy adopted: August 7, 2003
Policy readopted: June 16, 2005
Policy readopted: November 17, 2011
Policy readopted: December 17, 2015
Policy revised: March 1, 2018
Policy revised: December 6, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing regulation with modification based on P.A. 21-6.

Students

Health Assessments and Immunizations

In accordance with Connecticut General Statutes 10-206, 10-204a, and 10-214, the following health assessment procedures are established for students in the district:

- 1) Proof of immunization shall be required prior to school entry. A “school-aged child” also includes any student enrolled in an adult education program that leads to a high school diploma. This immunization verification is mandatory for all new school enterers and must include complete documentation of those immunizations requiring a full series. A required immunization record includes:
 - a) **For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6:**
 - 4 doses of DPT/DTaP vaccine (Diphtheria - Pertussis - Tetanus). At least one dose is required to be administered on or after the 4th birthday for children enrolled in school at kindergarten or above. Students who start the series at age 7 or older need a total of 3 doses.
 - 3 doses of either trivalent oral polio vaccine (TOPV) or inactivated polio vaccine (IPV) with at least one dose of polio vaccine administered on or after the 4th birthday and before school entry. (This then usually results in 4 doses in total.)
 - 2 doses of MMR vaccine (measles, mumps and rubella). One dose at one (1) year of age or after and a second dose, given at least twenty-eight (28) days after the first dose, prior to school entry in kindergarten through grade twelve (12) OR disease protection, confirmed in writing, by a physician, physician assistant or advanced practical registered nurse that the child has had a confirmed case of such disease based on specific blood testing conducted by a certified laboratory. One dose on or after the child’s first birthday for enrollment in preschool.
 - 3 doses of Hepatitis B vaccine (HBV) or has had protection confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory.
 - 1 dose of Hib (Hemophilus Influenza type b) is required of all school children who enter school **prior to their fifth birthday** or had a laboratory confirmed infection at age 24 months or older, confirmed in writing by a physician, physician assistant or advanced practice registered nurse.

Students

Health Assessments and Immunizations (continued)

- a) **For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6:** (continued)
- Varicella (Chickenpox) Immunity -
 - (i) All students born January 1, 1997 or later must show proof of immunity to varicella (chickenpox) for entry into licensed pre-school programs and kindergarten; or on or after August 1, 2011 for entry into kindergarten two (2) doses shall be required, given at least three (3) months apart, the first dose on or after the 1st birthday.
 - (ii) Proof of immunity includes any of the following:
 - * Documentation of age appropriate immunizations considered to be one dose administered on or after the student's first birthday (if the student is less than 13 years old) or two doses administered at least 30 days apart for students whose initial vaccination is at thirteen years of age or older.
 - * Serologic evidence of past infection, confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory, or
 - * Statement signed and dated by a physician, physician assistant or advanced practice registered nurse indicating a child has already had varicella (chickenpox) based on diagnosis of varicella or verification of history of varicella. (Date of chickenpox illness not required)
 - (iii) All students are required to show proof of immunity (see above) to Varicella for entry into 7th grade.
 - Hepatitis A – Requirement for PK and K for children born on or after January 1, 2007, is enrolled in preschool or kindergarten on or after August 1, 2011.
 - (i) Two (2) doses of hepatitis A vaccine given at least six (6) months apart, the first dose given on or after the child's first birthday; or
 - (ii) Has had protection against hepatitis A confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory.

Students

Health Assessments and Immunizations (continued)

a) For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6: (continued)

- Influenza Requirement for PK.
 - (i) Effective January 1, 2012 and each January 1 thereafter, children aged 24-59 months enrolled in preschool are required to receive at least one (1) dose of influenza vaccine between August 1 and December 31 of the preceding year (~~effective August 1, 2011~~).
 - (ii) Children aged 24-59 months who have not received vaccination against influenza previously must be given a second dose at least twenty-eight (28) days after the first dose.
- Pneumococcal Disease Requirement for PK and K
 - (i) ~~Effective August 1, 2011~~ All students born on or after January 1, 2007, enrolled in PK and K who are less than five (5) years of age must show proof of having received one (1) dose of pneumococcal conjugate vaccine on or after the student's first birthday.
 - (ii) An individual shall be considered adequately protected if currently aged five (5) years or older.

b) For entry into seventh (7th) grade

All students in grades K-12 are required to show proof of 2 doses of measles, mumps, rubella vaccine at least 28 days apart with the first dose administered on or after the first (1 st) birthday, or laboratory confirmation of immunity confirmed in writing by a physician, physician assistant or advanced practice registered nurse.
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- Proof of having received 2 doses of measles-containing vaccine.

In those instances at entry to seventh grade, where an individual has not received a second dose of measles contained vaccine, a second dose shall be given. If an individual has received no measles containing vaccines, the second dose shall be given no less than thirty (30) days after the first. (Students entering 7th grade must show proof of having received 2 doses of measles-containing vaccine)

Students

Health Assessments and Immunizations (continued)

b) For entry into seventh (7th) grade (continued)

- Proof of Varicella (Chickenpox) Immunity.
 - (i) ~~On or after August 1, 2011,~~ Two doses, given at least three (3) months apart, the first dose on or after the individual's first (1st) birthday and before the individual's thirteenth (13th) birthday or two doses given at least twenty-eight (28) days apart if the first dose was given on or after the individual's thirteenth (13th) birthday,
 - (ii) Serologic evidence of past infection, or
 - (iii) A statement signed and dated by a physician, physician assistant, or advanced practice registered nurse indicating that the child has already had varicella (chickenpox) based on family and/or medical history. (Date of chickenpox illness not required)
- Proof of at least one dose of Hepatitis B vaccine or show proof of serologic evidence of infection with Hepatitis B.
- Proof of Diphtheria-Pertussis-Tetanus Vaccination (Adolescent Tdap Vaccine Requirement for Grade 7 Students)
 - (i) ~~On or after August 1, 2011,~~ An individual eleven (11) years of age or older, enrolled in the seventh (7th) grade, shall show proof of one (1) dose of diphtheria, tetanus and pertussis containing vaccine, (Tdap booster) in addition to completion of the recommended primary diphtheria, tetanus and pertussis containing vaccination series unless:
 - (ii) Such individual has a medical exemption for this dose confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on having last received diphtheria, tetanus and pertussis containing vaccine less than five (5) years earlier and no increased risk of pertussis according to the most recent standards of care for immunization in Connecticut (C.G.S. 19a-7f)
- Meningococcal Vaccine (MCV4) Required for Grade 7 Students
 - (i) ~~Effective August 1, 2011,~~ One dose of meningococcal vaccine

NOTE: Students must show proof of 3 doses of Hepatitis B vaccine or serologic evidence of infection to enter eighth grade.

Students

Health Assessments and Immunizations (continued)

Immunization requirements are satisfied if a student:

- i) presents verification of the above mentioned required immunizations;
- ii) presents a certificate from a physician, physician assistant, advanced practice registered nurse or a local health agency stating that initial immunizations have been administered to the child and additional immunizations are in process;
- iii) presents a certificate from a physician stating that in the opinion of the physician immunization is medically contraindicated in accordance with the current recommendation of the National Centers for Disease Control and Prevention Advisory Committee on Immunization Practices because of the physical condition of the child;
- ~~iv) presents a written statement officially acknowledged by a notary public or a judge, family support magistrate, clerk/deputy clerk of a court having a seal, a town clerk, a justice of the peace, a Connecticut licensed attorney or from the parents or guardian of the child that such immunization would be contrary to religious beliefs of the child or his/her parents/guardians;~~
- (iv) enrolled in kindergarten through twelfth grade on or before April 28, 2021 and whose parents/guardians had presented a religious exemption written request before April 28, 2021 will be permitted continued use of the exemption even if such child transfers to another school in Connecticut.

Any child enrolled in pre-school or pre-kindergarten on or before April 28, 2021 whose parents/guardian submitted the statement necessary for the religious exemption will have until September 1, 2022 to comply with Connecticut's required immunizations, or within fourteen days after transferring to a different public or private school program, whichever is later. The deadline for such pre-school or pre-K student to comply with the immunization requirements can be altered if the school/District is provided with a written declaration from the child's physician, physician assistant or advanced practice registered nurse recommending a different immunization schedule for the child.
- v) he/she has had a natural infection confirmed in writing by a physician, physician assistant, advanced practice registered nurse or laboratory.

Health assessment and health screening requirements are waived if the parent legal guardian of the student or the student (if he or she is an emancipated minor or is eighteen years of age or older) notifies the school personnel in writing that the parent, guardian or student objects on religious grounds. (CGS 10-204a)

Students failing to meet the above requirements shall not be allowed to attend school.

Students

Health Assessments and Immunizations (continued)

- 2) A physical examination including blood pressure, height, weight, hematocrit or hemoglobin, and a chronic disease assessment which shall include, but not be limited to, asthma and which must include public health related screening questions for parents to answer and other screening questions for providers and screenings for hearing, vision, speech, and gross dental shall be required for all new school enterers, and students in grade 6 or grade 7 and grade 9 or 10. This health assessment must be completed prior to school entry. This assessment must be conducted within the school year for students in grade 6 and 10.

The assessment shall also include tests for tuberculosis, sickle cell anemia or Cooley's anemia and test for lead levels in the blood when the Board of Education, after consultation with the school medical advisor and the local health department, determine such tests are necessary.

- 3) Health screenings shall be required for all students according to the following schedule:

Vision Screening	Grades K, 1, 3, 4, 5
Audiometric Screening	Grades K, 1, 3, 4, 5
Postural Screening	Grades 5 and 7 for female students Grades 8 or 9 for male students

The school system shall provide these screening to students at no cost to parents. Parents/guardians shall be provided an annual written notification of screenings to be conducted. Parents/guardians wishing to have these screenings to be conducted by their private physician shall be required to report screening results to the school nurse. The District shall provide a brief statement to parents/guardians of students not receiving the required vision, hearing or postural screening explaining why the student did not receive such screening(s).

(Health assessments may be conducted by a licensed physician, advanced practice registered nurse or physician assistant.)

A test for tuberculosis, as indicated above, is not mandatory, but should be performed if any of the following risk factors prevail:

1. birth in a high risk country of the world (to include all countries in Africa, Asia, the former Soviet Union, Central and South America, Dominican Republic and Haiti);
2. travel to a high risk country since the previously required examination;
3. extensive contact with persons who have recently come to the United States since the previously required examination;
4. contact with persons suspected to have tuberculosis;
5. have been incarcerated;
6. have been living in a homeless shelter, or
7. have HIV infection.

Students

Health Assessments and Immunizations (continued)

Health assessments completed within one (1) year of new school entry will be accepted by the school system.

Failure of students to satisfy the above mentioned health assessment shall result in exclusion from school.

Schools shall report to the Department of Public Health and to the local health director the asthma data obtained through school assessments, including student demographics.

Student Medical Care at School

School personnel are responsible for the immediate care necessary for a student whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities.

Schools shall maintain files of emergency information cards for each student. If a child's injury requires immediate care, the parent or guardian will be called by telephone by the nurse, the building principal, or other personnel designated by the principal, and be advised of the student's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, the student will be transported to the nearest hospital unless otherwise indicated on the student's Emergency Information card. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

Note: P.A 18-168 requires boards of education to request that students have an oral health assessment prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. 5142 - Student Safety)

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 5141.5 - Suicide Prevention)

(cf. 6142.1 - Family Life and Sex Education)

(cf. 6145.2 - Interscholastic/Intramural Athletics)

(cf. 6171 - Special Education)

Legal Reference: Connecticut General Statutes

10-203 Sanitation.

10-204a Required immunizations. (as amended by P.A. 15-174, P.A. 15-242 and P.A. 21-6)

10-204c Immunity from liability

Students

Health Assessments and Immunizations

Legal Reference: Connecticut General Statutes (continued)

- 10-205 Appointment of school medical advisors.
- 10-206 Health assessments.
- 10-206a Free health assessments.
- 10-207 Duties of medical advisers.
- 10-208 Exemption from examination or treatment.
- 10-208a Physical activity of student restricted; boards to honor notice.
- 10-209 Records not to be public.
- 10-210 Notice of disease to be given parent or guardian.
- 10-212 School nurses and nurse practitioners.
- 10-212a Administration of medicines by school personnel.
- 10-213 Dental hygienists.
- 10-214 Vision, audiometric and postural screening: When required; notification of parents re defects; record of results.
- 10-214a Eye protective devices.
- 10-214b Compliance report by local or regional board of education.
- 10-217a Health services for children in private nonprofit schools. Payments from the state, towns in which children reside and private nonprofit schools.

PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540

Department of Public Health, Public Health Code – 10-204a-2a, 10-204a-3a and 10-204a-4, as amended.

20 U.S.C. Section 1232h, No Child Left Behind Act.

Regulation approved: August 7, 2003
Regulation reapproved: June 16, 2005
Regulation reapproved: November 17, 2011
Regulation reapproved: December 17, 2015
Regulation reviewed: March 1, 2018
Regulation reapproved: December 6, 2018
Regulation revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with modification base on P.A. 21-144.

Instruction

Individualized Education Program/Special Education Program

The school district shall comply with all state and federal laws concerning the provision of a free appropriate public education to students with disabilities.

Referral

The school district is responsible for identifying children with disabilities and for determining whether such children are eligible for special education services. Any child who is a resident of the Town, whether a student of the school district, of pre-school age, or between the ages of three and 21 years of age, inclusive, but not attending district schools, who is identified as potentially being in need of special education shall be referred to a “Special Education Planning and Placement Team” (PPT) which shall make an evaluative study to determine whether special education is required and to establish the scope of the special education services.

Students receiving special education services under the Individuals with Disabilities Act (IDEA) remain eligible for such services up until their 22nd birthday or until they graduate from high school with a regular high school diploma. In accordance with state and federal guidelines, the Planning and Placement Team (PPT) determines whether the student, upon completion of high school graduation requirements, requires transition-only services.

Prior to the referring of a student for special education, the pre-referral process should be completed. This process assures that strategies in the regular education setting have been developed, implemented and evaluated. If it is determined that the alternative strategies have been attempted and that significant progress towards meeting the student’s identified needs has not been made, then the student shall be referred to the Planning and Placement Team in order to determine eligibility for special education.

Each child who has been suspended repeatedly or whose behavior, attendance or progress in school is considered unsatisfactory or at a marginal level of acceptance shall be referred to the Planning and Placement Team for consideration of eligibility for special education services.

A parent, physician, social worker, or other outside agency may refer a student directly for special education services. During these situations the alternative strategies process may be bypassed.

Planning and Placement Team or Individualized Education Program Team

The Planning and Placement Team (PPT) for any identified student shall consist of at least the following:

Instruction

Individualized Education Program/Special Education Program

Planning and Placement Team or Individualized Education Program Team (continued)

1. A representative of the District other than the individual's teacher, who is qualified to provide, or supervise, the provision of special education and who is knowledgeable about the general education curriculum and about the availability of resources of the District;
2. Not less than one special education teacher of the child, or if appropriate, not less than one special education provider of the child;
3. Not less than one regular education teacher (if the child is, or may be, participating in the regular education environment);
4. One or both of the student's parents, a surrogate parent, and/or a representative chosen by the parent;
5. The student, where appropriate;
6. For a student who is being evaluated for the first time, a member of the assessment team shall be present, and at least one of the persons present shall be knowledgeable about the assessment procedures;
7. The school paraprofessional assigned to the student if requested by the parent, and
8. At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate.

In addition to the above, the special education specialist, school psychologist, school nurse, school social worker, counselor, or other student service worker who has conducted an assessment of the student shall participate whenever the results or recommendations based on such assessment are significant to the development of the student's individualized education program and placement.

Where the student is limited or non-English speaking, a district representative who is fluent in the student's primary language and who is knowledgeable about the process of second-language acquisition and competent in the assessment of limited English and non-English speaking individuals should be included.

Any member of the PPT employed by the Board of Education who discusses or makes recommendations concerning the provisions of special education and related services during a PPT meeting shall not be disciplined, suspended, or otherwise punished for such recommendations.

A PPT team member is not required to attend all or part of a PPT meeting if the parents and District agree the team member's participation is not necessary because the member's area of curriculum or related services is not being modified or discussed at the meeting.

Instruction

Individualized Education Program/Special Education Program

Planning and Placement Team or Individualized Education Program Team (continued)

If the PPT meeting does involve a modification or discussion of the member's area of the curriculum or related services, parents/guardians and the District may agree to excuse the member from attending all or part of the meeting if the member submits written input to the PPT and parent prior to the meeting. Parental consent, in writing is required in either case.

If the purpose of a PPT meeting is the consideration of transition services for a student, the District shall invite the student and a representative of any other agency that is likely to be responsible for providing or paying for transition services.

In the event of a meeting to review or revise the individualized education program of a child in an out-of-district or a private placement, a representative of the out-of-district or private facility shall also be invited. In addition, a representative of the outside facility shall contribute to the development of the individual educational program.

Parental Participation

The parent/guardian or surrogate parent shall be given at least five (5) school days prior notice of any PPT meeting and shall have the right to be present and participate in all portions of such meetings at which an educational program for their child is developed, reviewed or revised. In addition, parents/guardians or surrogate parents have the right to be present at and participate in all portions of the PPT meeting at which an educational program for their child is developed, reviewed or revised. In addition, the parent/guardian/surrogate may have advisors and the child's assigned paraprofessional, if any, be present at and participate in all portions of the PPT meeting in which the child's educational program is developed, reviewed or revised.

Upon parental/guardian request, a member of the PPT designated by the District will offer a meeting with the parent/guardian after their child has been assessed for possible placement in special education and before the PPT meets. The sole purpose of this meeting will be to discuss the PPT process and any concerns the parent/guardian has about the students. In addition, if requested, by the parent/guardian, the District will provide the results of the assessments and evaluations used in the determination of eligibility for special education of a student at least three (3) school days before the referral PPT meeting at which such results of the assessment and evaluations will be discussed for the first time.

The Board of Education shall take steps to ensure that one or both of the child's parents are afforded the opportunity to participate in each meeting to develop, review or revise the individualized education program for that child. Every effort shall be made to schedule meetings at a mutually agreed-upon time and place. Parents/Guardians and the District may agree to conduct IEP meetings and other meetings through alternative means, such as, including but not limited to, video conferences or conference calls. Steps to ensure parental participation shall be taken in accordance with the following:

Instruction

Individualized Education Program/Special Education Program

Parental Participation (continued)

1. The District will provide parents/guardians a procedural safeguards notice, at least annually, except that a copy also shall be given, upon initial referral or parental/guardian request for evaluation, upon the first filing of a due process complaint or upon parental/guardian request advising them in writing, in their dominant language, of their rights with respect to the provision of a free appropriate education for children with disabilities.
2. The District will place a current copy of the Procedural Safeguards notice on the District Website.
3. Written prior notice to the parents/guardian of a child for which the District is proposing or refusing to initiate or change the identification, evaluation or educational placement of the child, shall also specify the purpose, time and location of the meeting and who has been invited.
4. If neither parent/guardian can attend, reasonable efforts shall be made to secure parental/guardian participation by other means such as conference calls or home visits.
5. A meeting may be conducted without a parent/guardian in attendance if the Board of Education is unable to secure parental/guardian attendance. In this event, the Board of Education shall have a detailed record of its attempts to arrange parent participation.
6. The Board of Education shall take any and all actions necessary to ensure that the parents/guardians understand the proceedings at the meeting. This shall include, but not be limited to, providing an interpreter for the parents/guardians who are in need of such services.
7. A full written explanation of all due process procedures available to parents/guardians shall be provided upon parental/guardian request unless as specified in #1 above.
8. The parent/guardian of a child with a disability may elect to receive notices under IDEA by electronic mail, if the District makes such an option available.

Planning and Placement Team Description

The Planning and Placement Team is required to convene in the following situations:

1. to develop an evaluation plan for a student referred for eligibility determination, as well as for students already identified but requiring further evaluation;
2. to review the results of the evaluations and to identify the student as disabled, if indicated;
3. to develop an individualized educational program (IEP), based upon evaluation results and to determine the proper placement;
4. to review the special education program for a child periodically, but not less frequently than annually or more frequently if deemed necessary and to make the necessary IEP modifications, adjustments or program changes.
5. to exit a student from special education and/or related services, if evaluation results warrant.

Instruction

Individualized Education Program/Special Education Program

Evaluations

Each child who has been referred and who may require special education and related services shall be evaluated in order to determine whether special education is required. Each child receiving special education and related services shall be re-evaluated in accordance with IDEA procedures if the District determines that the education or related service needs including improved academic achievement and functional performance of the child warrant a reevaluation. In addition, a re-evaluation shall be conducted upon the request of the parent or personnel working with the child. A reevaluation shall occur not more frequently than once a year unless the parent and district agrees otherwise, and at least once every three years.

A comprehensive initial evaluation shall be conducted for each child referred who may require special education and related services. The evaluation shall include reports concerning the child's educational progress, structured observation, and such psychological, medical, developmental and social evaluations as may be appropriate in determining the nature and scope of the child's exceptionality. Such reports may include information concerning the child's physical condition, socio-cultural background and adaptive behavior in home and in school. All sources of information shall be documented. If the child is dominant in a language other than English, the evaluation study shall also include systematic teacher observation of the specific areas of concern. Detailed information about the child's performance at home and in the community and any prescriptive or diagnostic teaching which has taken place shall be included.

The evaluation procedures, instruments and techniques shall be non-discriminatory and be validated for the specific purpose for which they have been designed. All such evaluation procedures, instruments, and techniques shall be administered by appropriately certified and/or licensed personnel in accordance with procedures recommended by the test publisher.

1. All evaluation procedures, instruments and techniques shall be administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is not feasible to so provide or administer.
2. More than one evaluation measure or assessment shall be used as the basis for placement. The results of standardized or local tests of ability, aptitude, affect, achievement and aspiration shall not be exclusively used as the basis for placement.
3. Tests shall be selected and administered so as best to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills (except where those skills are the factors which the test purports to measure.)
4. Evaluation procedures, instruments and techniques shall include those designed to assess specific areas of educational need and, where appropriate, language dominance, and shall not be limited to those which are designed to provide a general intelligence quotient.

Instruction

Individualized Education Program/Special Education Program

Evaluations (continued)

5. In making a determination of eligibility, a child shall not be determined to be a child with a disability if the dominant factor for such determination is the lack of appropriate instruction in reading, including the essential components of reading instruction and/or math and/or limited English proficiency or a student's disciplinary actions or record. Further, the District is not required to take into consideration whether a child has a severe discrepancy between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical calculation or mathematical reasoning.
6. In determining whether a child has a specific learning disability, the District may use a process that determines if the child responds to scientific research based intervention, as part of the evaluation procedures.

Independent Evaluation

Parents have the right to obtain an independent evaluation, conducted by an appropriately certified and/or licensed examiner who is not employed by the responsible Board of Education, of their child. The PPT shall provide to parents/guardians, on request, information about where an independent evaluation may be obtained.

Parents have the right to an independent evaluation at public expense if the parents disagree with an evaluation obtained by the Board of Education. However, the Board of Education may initiate a due process hearing, to be conducted by the State Department of Education, to show that its evaluation is appropriate. If there is a determination by the State Department of Education Hearing Officer that the evaluation of the school district was appropriate, the parents still have the right to an independent evaluation, but not at public expense. For purposes of this policy, "at public expense" means that the evaluation is provided at no cost to the parents.

If the parents obtain an independent evaluation at private expense, the results of the evaluation must be considered by the PPT in any decision concerning the provision of a free appropriate public education to the child and may be presented as evidence at a due process hearing conducted pursuant to the State Department of Education.

Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria which the school district uses when it initiates an evaluation.

Instruction

Individualized Education Program/Special Education Program

Individualized Education Program (IEP)

The individualized education program shall be based upon the diagnostic findings of the evaluation. The Planning and Placement Team shall base recommendations for any changes in a child's individualized education program upon the child's current individualized education program and any information relating to the child's current educational performance.

Each Planning and Placement Team shall develop, or revise, whichever is appropriate, the individualized education program for each child requiring special education and related services annually. In the case of a student enrolled after the last day of the previous school year, this process will commence on the first day of the school year.

The individualized education program shall be a written statement developed by the PPT which shall include the following:

1. A statement of the child's present levels of academic achievement and functional performance, including, where appropriate, academic achievement, social adaptation, prevocational and vocational skills, psychomotor skills and self-help skills;
2. A statement of annual educational goals for the school year "reasonably calculated to enable the child to make progress appropriate in light of the child's circumstances," under the child's individualized educational program;
3. A statement of how the child's progress toward meeting the annual goals will be measured and when periodic reports will be available on the progress the child is making toward meeting the annual goals. (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) The child's educational program must be appropriately ambitious in light of his/her circumstances and provide the opportunity to meet challenging objectives.
4. A statement of specific educational services needed by the child, including a description of special education, related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, which are needed to meet the needs of the child. Such description shall include the type of transportation necessary and a statement of the recommended instructional settings;
5. The date when those services will begin and length of time the services will be given with the length of the school day and school year needed to meet the child's special education needs, including criteria to determine when services will no longer be needed;
6. A description of the extent to which the child will be involved in and make progress in the general education curriculum defined as the same curricula for nondisabled children. This shall include a description of how the regular education program will be modified to meet the child's needs;

Instruction

Individualized Education Program/Special Education Program (continued)

Individualized Education Program (IEP) (continued)

7. A list of the individuals who shall implement the individualized program; and
8. In the case of a residential placement, whether such placement is being recommended because of the need for services other than educational services.
9. If it is determined that the child will take an alternate assessment on a State or District assessment of student achievement, the IEP must contain in a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child.
10. Pursuant to state statute, transition services are required beginning not later than the first individualized education program (IEP) to be in effect when the child turns 14 ~~and (with the diagnosis of Autism) and beginning not later than the first IEP to be in effect when the child turns 16, or~~ younger if determined appropriate by the planning and placement team, (for all other disability categories), and updated annually thereafter. ~~The IEP shall contain appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and the transition services, including courses of study, needed to assist the students in reaching those goals.~~
11. Beginning not later than one year before the student reaches the age of majority (18), a statement informing the student of his/her rights under IDEA.
12. For a child identified as deaf or hearing impaired, the IEP which includes a language and communications plan shall address:
 - (i) the child's primary language or mode of communication;
 - (ii) opportunities for direct communication between the child and his/her peers and professional personnel in the primary child's language or mode of communication;
 - (iii) educational options available to the child;
 - (iv) the qualifications of teachers and other professional personnel administering the plan for the child, including their proficiency in the child's primary language or mode of communication;
 - (v) the accessibility of academic instruction, school services and extracurricular activities to the child;
 - (vi) Assistive devices and services for the child; and
 - (vii) Communication and physical environment accommodations for the child.

The school district shall use a standardized individualized education program form that shall be subject to the approval of the State Board of Education.

Instruction

Individualized Education Program/Special Education Program (continued)

Timelines

Special education and related services shall be provided as soon as possible after the planning and placement team meeting held to review, revise or develop the child's individualized education program, but in any event not later than the following timelines.

In the case of a referral made during the academic year, the timelines shall be as follows:

1. The individualized education program shall be implemented within forty-five school days of referral or notice, exclusive of the time required to obtain parental consent.
2. In the case of a child whose individualized education program calls for out-of-district or private placement, the individualized education program shall be implemented within sixty school days of referral or notice, exclusive of the time required to obtain parental/guardian consent. If difficulty of placement is such as to occasion a delay beyond this period, the Board of Education shall submit to the State Board of Education written documentation of its efforts to obtain placement in a timely manner.
3. Where necessary, parental/guardian consent shall be given within ten school days of the date of notice, or, where appropriate, of the date of the Planning and Placement Team meeting in which the parents/guardians participated.
4. A full copy of the individualized education program shall be sent to the parents within five school days after the Planning and Placement Team meeting to develop, review or revise the individualized education program.

In the case of a referral made in between school years, the effective date of the referral may be deemed to be the first school day of the next school year.

Placement

Educational placements are made in accordance with the requirements set forth in the IEP of each child requiring special education and related services. The least restrictive environment is considered for each student based on the IEP. In selecting the least restrictive environment, consideration is given to any potentially harmful effect on the child or on the quality of services the child needs. To the maximum extent appropriate, students with disabilities, including children in public or private institutions or other care facilities, are educated with their peers in regular education environments.

Instruction

Individualized Education Program/Special Education Program (continued)

Placement (continued)

Special classes, separate schooling, or other removal of disabled children from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Each child with disabilities shall participate to the maximum extent appropriate with non-disabled age appropriate peers in non-academic and extra-curricular services and activities, including meals and recess periods.

Interpreting evaluation data and in making placement decision, the PPT shall:

1. Draw upon information from a variety of sources, including attitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
2. Ensure information obtained from all of these sources is documented and carefully considered;
3. Ensure that the placement decision is made by a group of persons including person's knowledge about the child, the meaning of the evaluation data, and the placement options; and
4. Make the placement decision in conformity with the least restrictive environment considerations.

When the PPT meeting makes the determination of which placement is most appropriate to deliver education in the least restrictive environment, a continuum of services shall be used to guide the placement selection. This is done at no cost to the parents/guardians of the child. This continuum shall consider programs ranging from regular education programs with students who are not disabled to special education programs with students who are the most severely disabled. The PPT shall also consider homebound placements, hospitalized instruction, diagnostic placements and private school placements where such placements are considered necessary by the PPT in order for a student to receive a free appropriate public education.

Prior to the enrollment of a District student in a technical education and career school, the District will convene a PPT in order to address such student's transition to the technical education and career school and ensure that such student's IEP reflects the current supports and services the student requires in order to access a Free and Appropriate Public Education (FAPE) in the least restrictive environment. A representative from the technical education and career school shall be invited to the PPT meeting.

Instruction

Individualized Education Program/Special Education Program (continued)

Notice

The PPT shall notify parents/guardians of students requiring special education and related services five days before proposing to, or refusing to, initiate or change the child's identification, evaluation or placement. Written notice shall be sent to the parents no later than five days after date of referral. In addition, written parental/guardian consent shall be obtained prior to pre-placement evaluation, initial placement or private placement of a child who requires or may require special education and related services. If the student is considered an emancipated minor or eighteen years of age or older, such notification shall be to the student.

The notice shall include the following information:

1. The reason of the notice. In the event of a referral, the notice shall include the source and date of the referral;
2. A description of the general evaluation procedure to be used;
3. A statement of parental/guardian rights to review and obtain copies of all records used as a basis for the referral, to be fully informed of all evaluation results, and to obtain an independent educational evaluation as part of the evaluation process; and
4. A full explanation of all due process procedures available to parents/guardians, upon initial referral or parental/guardian request for evaluation, upon the first filing of a due process complaint or upon parental request.

Where parental/guardian consent is required, notice shall include the above requirements and the following information:

1. A statement of parental/guardian rights to refuse consent and that, if consent is given, it may be revoked at any time;
2. A statement that parental/guardian failure to respond, within ten school days from the date of the notice, shall be construed as refusal of consent; and
3. A statement that, if contested, the child's current educational placement will not change until due process procedures have been completed.

The District will provide parents/guardians with State Department of Education information and resources relating to IEPs as soon as a child identified as requiring special education.

Instruction

Individualized Education Program/Special Education Program

Legal Reference: Connecticut General Statutes
10-76a Definitions (as amended by PA 06-18)
10-76b State supervision of special education programs and services. Regulations. (as amended by PA 12-173)
10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by June Special Session PA 15-5, Section 277, **PA 19-49 and PA 21-46 and PA 21-144**)
10-76g State aid for special education.
10-76ff Procedures for determining if a child requires special education (as amended by PA 06-18)
10-76h Special education hearing and review procedure.
10-76jj Language and communication plan as part of individualized education program for child identified as deaf or hard of hearing (as amended by PA 19-184)
PA 06-18 An Act Concerning Special Education
State Board of Education Regulations
34 C.F.R. 300 et seq. Assistance to States for Education of Handicapped Children.
300.14 Special education definitions.
300.340-349 Individualized education programs.
300.503 Independent educational assessment.
300.533 Placement procedures.
300.550-556 Least restrictive environment.
P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004
PA 12-173 An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education
Rowley v. Board of Education, 485 U.S.-176 (1982)
Andrew F. v. Douglas County School District RE-1, 15-827 U.S. (2017)
A.M. v. N.Y. City Department of Education, 845F.3d 523, 541 (2d Cir.1997)
Mrs. B., v. Milford Board of Education 103 F. 3d 1114, 1121 (2d Cir. 1997)
A.R. v. Connecticut State Board of Education, 3:16-CV-01197 (CSH D. Conn. June 10, 2020)

Policy adopted: January 5, 2006
Policy revised: December 6, 2012
Policy revised: October 4, 2018
Policy revised: December 5, 2019
Policy revised: June 17, 2021
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

NEW FAIRFIELD BOARD OF EDUCATION
FY 2022-2023 -- Budget Calendar

Wednesday, October 6, 2021	Distribution of digital budget documents from Central Office
Wednesday, November 10, 2021	Building administrators to finalize electronic budget proposal on Team Drive by 9:30 a.m. for review prior to individual meetings
Wednesday, November 17, 2021	Central office administrators to finalize electronic budget proposal on Team Drive by 9:30 a.m. for review prior to individual meetings
Thursday, November 18 to Tuesday, November 30, 2021	Building/District department meetings with Pat, Rich, and Julie Note: Meetings will be pre-scheduled by central office
Wednesday, December 1, 2021	Administrative Council meets for a status update on budget development beginning at 9:30 a.m.
Monday, December 13, 2021	BOE retreat to discuss budget assumptions, priorities, and opportunities
Wednesday, January 5, 2022	Administrative Council meets to review total budget beginning at 9:30 a.m.
Thursday, January 20, 2022	Presentation of Superintendent's Budget at 6:30 p.m. with BOE regular meeting at 7:00 p.m.
Tuesday, January 25, 2022	BOE budget workshop at 7:00 p.m. with focus on staffing changes
Thursday, January 27, 2022	BOE budget workshop at 7:00 p.m. with focus on programmatic changes
Tuesday, February 1, 2022	BOE budget workshop at 7:00 p.m. with an invitation to the BOF
Thursday, February 3, 2022	BOE regular meeting at 7:00 p.m. including line-by-line budget review
Thursday, February 10, 2022	BOE special meeting to include finalizing and approving BOE budget for FY 2022-2023 (if needed)
Friday, February 18, 2022	Submission of BOE requested budget to Board of Finance
Saturday, March 5, 2022	Public Hearing and BOF review of BOE and BOS requested budgets BOE review at approximately 9:00 a.m.

Tentative Dates:

Wednesday, March 9, 16 and 23, 2022	Board of Finance budget discussions: 7:30 p.m.
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Wednesday, March 30, 2022

Final budget markup by Board of Finance

Thursday, April 14, 2022

Publish Final Budget in *Town Tribune*

Week of April 18, 2022

Annual Town Meeting & adjournment of BOF recommended budget to referendum