

**New Milford Board of Education
 Policy Sub-Committee Meeting Minutes
 September 3, 2024
 Sarah Noble Intermediate School Library Media Center**

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2024 SEP -5 P 12:19

NEW MILFORD, CT

Present:	Mrs. Leslie Sarich Mrs. Tammy McInerney Mr. Dean Barile
Absent:	

Also Present:	Dr. Janet Parlato, Superintendent of Schools Ms. Holly Hollander, Assistant Superintendent Mr. Zachary Schurin, Attorney <i>via Zoom</i>
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1.		Call to Order The New Milford Board of Education Policy Sub-Committee was called to order at 6:45 pm by Mrs. Leslie Sarich.	Call to Order
2.		Public Comment None	Public Comment None
3.	A.	<p>Discussion and Possible Action</p> <p>Policies for Initial Review</p> <p>1. 5131.91 Connecticut School Climate Policy</p> <p>Mr. Barile asked what is the goal of the School Climate Committee (SCC). Dr. Parlato stated the Board of Education and district goals reference a safe, welcoming and respectful school climate, and each climate committee oversees those efforts. Mr. Barile stated he wondered what socially, emotionally, culturally and intellectually safe means. Mr. Barile stated that “safe” is taking on a new meaning and it seems more like “concept creep.” Mrs. Sarich stated it safety has to do with bullying. Mr. Barile asked if it actually is bullying. Mrs. Sarich stated the definition is covered on page 2 of 13. Mr. Barile stated emotional discomfort is different in his mind and is something that occurs for all people. Mr. Barile referenced “The Coddling of the American Mind” by Jonathan Haidt.</p> <p>Mrs. McInerney asked if Mr. Barile was concerned “safety” could mean something else. Dr. Parlato gave an example and stated, if you</p>	<p>3. Discussion and Possible Action</p> <p>A. Policies for Initial Review</p> <p>1. 5131.91 Connecticut School Climate Policy</p>

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	<p>start a club and it's only for girls with pink sneakers. If a girl with blue sneakers tries to join and they don't let her, that is a socially unsafe environment. Mr. Barile stated he feels as if the word "safe" is being ceded. There can be a host of things you think are socially unsafe. If I want to start a club with all boys, does that make it unsafe. He feels safe is an incorrect use of the word. Dr. Parlato, stated the Board of Education goals uses the word safe. Mr. Barile stated he read that as physically safe.</p> <p>Mr. Barile stated with the idea of "concept creep," you're expanding the term of something and changing the context. For example, the word "trauma." Adding that makes words harmful that were previously not and changes the definition. Hurt feelings happen. Mr. Barile stated that you don't prepare the road ahead for the child, you prepare the child for the road ahead. A different opinion is something people should be able to have.</p> <p>Mrs. Sarich suggested changing the verbiage to read "socially, emotionally, intellectually respected, and physically safe." Mrs. McNerney asked Attorney Schurin if changing the language keeps it in the essence of the policy. Attorney Schurin stated the concern is this policy is based on legislation from last year and is directly mandated pursuant to statute without any clear ability to modify the policy. So if you tinker, there may be a question as to whether or not you can do that, pursuant to the statute last year that mandated this. It is part of public act 23-167.</p> <p>Mr. Barile stated he copied the statute from the agenda and put it into a search engine. It resulted in House Bill 6621. He also found the senate equivalency, Senate Bill 1166. Dr. Parlato stated 23-167 was converted to a public act from those bills. Attorney Schurin stated public act 23-167 states every Board of Education needs to adopt and implement this policy by no later than the 25-26 school year. It does not state adopt verbatim, but it does state it must adopt and</p>	
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	<p>implement the Connecticut school climate policy in accordance with the act. This makes it appear that the policy needs to be adopted verbatim. Attorney Schurin stated he believes a lot of people across the state are asking what Mr. Barile is asking. For legal purposes, Attorney Schurin's opinion is that it is mandated.</p> <p>Mr. Barile stated he wondered the ramifications if the district did not follow the mandate. Attorney Schurin replied that every Board of Education is a local/municipal body and an arm of the state Board of Education. By virtue of being in that position, they are legally obligated to implement the "educational interests of the state." Whenever a statute is passed, the local Board of Education is supposed to adopt it. In theory, the state Department of Education can go after a local Board of Education and take them to court as a collective body. The other reason to be careful with mandates is liability. When dealing with a subject like school climate, a specific procedure is mandated by law. If that procedure isn't followed exactly as it is mandated, there can be a lawsuit. Most of the time the Board of Education members are immune from such lawsuits because they are performing a governmental function. If there was no climate policy and there was a tragedy, if the family sues, the Board of Education had a legal duty to have a policy.</p> <p>Mr. Barile stated he is not looking to take away the school climate policy.</p> <p>Mrs. McInerney asked how this policy came to the Board of Education. Dr. Parlato stated CAGE took public act 23-167 and this is the CAGE model policy. Mrs. McInerney asked if Shipman & Goodwin could create a policy with different verbiage for them. Attorney Schurin stated no because if you look at section 48 and section 49, it states that the Boards of Education "shall adopt and implement" policies that have been developed by the social and emotional wording in the school climate advisory</p>	
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	<p>collaborative, which is what this policy is. It all comes under the umbrella of CAFE. Mrs. McInerney stated this is a 95 page public act, and CAFE came in and pulled out all the essential pieces they thought should make up the policy. All Boards of Education will be adopting the exact same policy as written. Attorney Schurin stated yes, and all he can say is what the law says, and the concern is, if there is a required intervention, it could pose an issue.</p> <p>Mr. Barile stated what he doesn't like is they're saying follow our policies, or we'll come after you. He wants to do what's right and in the best interest of the children.</p> <p>Mr. Barile continued by asking about the School Climate Survey and who creates it. Dr. Parlato stated they've been doing school climate surveys for the last 10 years. Mrs. McInerney added that some are taken by students and some by parents. Mr. Barile asked if Panorama Education was involved and is worried about the creation of social credit scores. He believes it should be an opt-in survey. Mrs. Sarich agreed with the idea of opting in to certain aspects of school experiences.</p> <p>Mr. Barile stated data that is gathered by the schools is not always used by just the school. Thousands of schools use Panorama and they sell their data. He asked who writes the surveys and how it is used. Dr. Parlato stated that it is a data privacy piece and they have used Panorama in the past. Ms. Hollander stated the data is used by leaders so they can set goals. The decision was made to focus on safety, cleanliness and a trusted adult because those were the key takeaways from the survey. Ms. Hollander stated they follow student privacy. There is a regulation not to sell student privacy. Each building has a climate committee, they use the data to set goals.</p> <p>Dr. Parlato stated that we use school climate data in the aggregate in order to reflect on our</p>	
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	<p>practice and make sure that we have the most positive climate that we can. We do not look at individual students' climate data.</p> <p>Mr. Barile replied that it was good to know because that is not always the case. Rating systems identify at risk students with indicators across math, reading, literacy and behavior. There are algorithms used. A student can be considered at risk because of parents' political or religious views. The data mining on children can be used by outside stakeholders. Panorama is funded by Mark Zuckerberg and is founded by the son-in-law of Attorney General Merrick Garland. Merrick Garland was the man that labeled parents that protested at Boards of Education as Domestic Terrorists. The contracts that Panorama has are with thousands of schools. It would be great to know our district is not part of that, but either way, Mr. Barile stated he would like to see the survey that goes out.</p> <p>Mrs. Sarich stated they will think about putting the word "respected" in and asked Attorney Schurin if they could do that. Attorney Schurin stated, in his opinion, that he does not believe we have that ability to modify the policy and would not advise that the Board does so.</p> <p><i>Mrs. Sarich moved to bring the policy as listed on the agenda, in 3.A, to the full board for Initial Review. Seconded by Mrs. McInerney.</i></p>	<p>Motion made and passed unanimously to bring the policy as listed in 3.A to the full board for initial review.</p>
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4.	<p>Items of Information</p> <ul style="list-style-type: none"> A. Background Information Regarding Connecticut School Climate Policy B. 5112 R Administrative Regulations Regarding Foreign Exchange Students <p>No Discussion.</p>	<p>4. Items of Information</p> <ul style="list-style-type: none"> B. Background Information Regarding Connecticut School Climate Policy C. 5112 R Administrative Regulations Regarding Foreign Exchange Students
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5.		Public Comment None	Public Comment
6.		Adjourn <i>Mrs. McInerney moved to adjourn the meeting at 7:25 pm, seconded by Mr. Barile and passed unanimously.</i>	Adjourn Motion made and passed unanimously to adjourn the meeting at 7:25 pm.

Respectfully submitted:



Mrs. Leslie Sarich
Chairman, Operations Subcommittee