

THESE MINUTES ARE SUBJECT TO BOARD APPROVAL AT THE May 02, 2019 MEETING
REGIONAL SCHOOL DISTRICT NO. 4 Board of Education

A regular meeting of the Regional School District No. 4 Board of Education was held on Thursday, March 07, 2019 in the John Winthrop Middle School Library, with the following Board members in attendance:

Jennifer Clark, DG Fitton, Trisha Brookhart, Lori Ann Clymas, Rick Daniels, Kate Sandmann, and Jane Cavanaugh as well as Senior Student Representative Cooper McCormick

Also in attendance:

Administrators: Superintendent Dr. Ruth I. Levy,
Assistant Superintendent Dr. Kristina Martineau
Business Manager Kim Allen;
Valley Regional Principal Mike Barile;
John Winthrop Associate Principal Peter Foxen

Board Clerk: Jennifer Bryan

CALL TO ORDER

Chair Jennifer Clark called the meeting to order at 7:00 p.m.

CONSENT AGENDA

On motion duly made and seconded, the Board Unanimously **VOTED** to approve the consent agenda consisting of the Minutes from the regular meeting of January 08, 2019, Minutes from the BOE Workshop on Roles & Responsibilities of Jan. 16, 2019, Minutes from the special meeting of Jan. 23, 2019, Minutes from the Budget Workshop of January 23, 2019, Minutes from the Budget Workshop of Feb. 11, 2019, and the Accounts Payable Report.

AUDIENCE OF CITIZENS

2 citizens present at this time.

Jim Carey thanked the Board for posting attachments with the agendas and minutes.

OTHER ITEMS

JWMS Associate Principal Peter Foxen introduced two JWMS student leaders, Eileen Russell and Liz Allen. Both students updated the Board on a variety of past, current and future planned activities at JWMS.

Region 4 Student Representatives Report

Senior Student Representative Cooper McCormick updated the Board on a variety of activities at VRHS. This year's musical production, *Newsies*, premiers tomorrow evening and runs through the weekend.

The possible VOTE to approve the proposed 2019-20 Regional School District No. 4 Budget to take to Public Hearing on April 01, 2019 was delayed until an additional Region 4 Budget Workshop can be held on March 19th.

There was a discussion regarding the possibility of videotaping Region 4 BOE meetings and what that procedure would entail. Member T. Brookhart shared that she has talked with a few other districts, many of whom currently record their meetings, using a variety of methods.

There was a discussion regarding what resources would be available in Region 4, and what could be done without incurring any expense. There was also a discussion regarding the need for permission for students to be videotaped.

Chair Clark asked that it be acknowledged that filming the meetings may deter some citizens from feeling comfortable speaking during the audience of citizens portion; but overall, she and the rest of the Board supported looking into how meetings may be filmed in the interest of increased transparency and accessibility. It was determined that R. Daniels will look into the possibility of procuring free equipment from Comcast and also finding volunteers willing to be responsible for running that equipment. He will report back to the Board at their next regular meeting in May.

Principal Updates

Valley Regional High School Principal Mike Barile updated the Board on VRHS activities during this busy time of year. Teachers have just finished the second round of measuring students results and determining growth and will use this data to determine interventions or enrichments as needed.

He also reported that over 76% of seniors have applied to a 4 year college with most receiving acceptances at this point. The remaining students have plans for technical schools, 2 year schools, or entering the military, showing that Valley is a comprehensive high school adept at meeting the needs of a diverse learning population.

He also reported that there are currently 22 students planning to register for the full IB diploma program starting next year, as well as other students indicating they will plan to take 1 or 2 IB courses next year.

Work has already started on helping to ease the transition of 8th graders to Valley next year, and a transition night for students and their parents was re-set to March 13th in order to maximize attendance opportunities for everyone.

Principal Barile discussed the rationale for and asked the Board to consider approving a request to hire an additional Assistant Crew Coach at Step III (\$3,381 per teachers contract). He reported that the Crew team has continued to increase in size (there are over 40 rowers signed up so far). The team currently has 1 paid Head Coach and 1 paid Asst. Coach. The number of athletes warrant more coverage for safety's sake and he would hate to have to turn away interested students.

There was a discussion during which the Board learned the coaching addition would be able to be covered under the current Region 4 2018-19 budgeted funds.

On motion duly made and seconded, the Board unanimously VOTED to approve hiring an additional Assistant Crew Coach at Step III (not to exceed \$3,381 per teachers contract)

John Winthrop Middle School Interim Principal Charlie Macunas was unable to attend the meeting.

Region 4 Director of Facilities, Leigh Rankin was not in attendance as there was nothing new to update the Board on since last evening's budget workshop.

On motion duly made and seconded, the Board unanimously VOTED to add a discussion and possible vote to accept a \$500 donation from Global Partners LP / Alliance Energy LLC to be used for STEM related expenses.

Principal Barile indicated his teachers would be able to use the funds as indicated within the current budget year.

On motion duly made and seconded, the Board unanimously VOTED to accept the Donation of \$500 from Global Partners LP, Alliance Energy LLC to be used for STEM expenses to be determined by administration.

The Board requested that the letter from Global Partners be added to the minutes (see attached)

REPORTS

Financial Status Updates

Kim Allen reviewed the financial status reports as well as highlights of the cafeteria account report. Ms. Allen shared that in the future she will be changing how she reports out on the cafeteria to help make status details even more clear.

Ms. Allen introduced a discussion for the Board to designate or earmark for what projects the funds making up the current capital reserve balance (approx. \$73,000), and the funds already budgeted (\$20,000) for contribution in 2018-19 to the capital reserve fund, shall be used based on the Board's request to designate such funds.

There was a discussion.

On motion duly made and seconded, the Board unanimously VOTED to earmark the following funds from the Capital Reserve Fund: \$50,000 for a mantrap at JWMS and \$15,000 for a second egress at Central Office.

On motion duly made and seconded the Board unanimously VOTED to earmark the remaining approx. \$28,000+ in Capital Reserve Funds for the curbing project at JWMS.

Committee Reports

Joint BOE Policy Committee – There was nothing new to report. The March 18th meeting has been

cancelled due to a conflict with a special Region 4 BOE meeting being held that evening.

Joint BOE Curriculum Committee – a detailed update was recently shared at the February 21st Joint BOE meeting. The Committee will meet again on March 26th.

Joint BOE Finance Committee – There was nothing new to report. The scheduled March 19th meeting will have to be rescheduled due to a conflict with the newly scheduled Region 4 Budget Workshop.

Supervision District Committee Update - The Committee last met on Feb. 21, 2019. Chair Clark reported that the biggest topic that evening was the retirement of Dr. Levy. The Committee has already held one special meeting on February 25th, and they will be holding another one March 9th to finalize the process to begin searching for a new Superintendent. The Committee's consensus was that a search consultant should be hired. At the March 9th meeting the Committee will be reviewing an RFP to distribute in order to find the best firm for the districts. An official search committee will also be formed at that time. It was also reported that the proposed 2019-20 Supervision District budget has been approved by all of the Boards of Education.

BOE representative DG Fitton updated the Board on the work of the Ad Hoc School Security Advisory Committee. They are currently waiting to see what recommendations the individual district's are budgeting to fund moving forward. The Committee's most recent focus has been on training and enrichment for personnel. The Committee's next charge is to determine the forward progression for the Committee in order to continue a proactive approach in security matters. The intention is that it become a standing committee who performs yearly site visit safety audits and the development of a 5 year plan as it pertains to security needs and recommendations. ALICE training has been completed by several personnel who are now certified trainers. Training of other school personnel is now beginning.

Superintendent's Report

Dr. Levy shared that several VRHS marketing students have been working on a video project to advertise all five of our schools as part of their Capstone projects. The video would be shared with Town Halls, Real Estate agents, and other community entities, as appropriate.

A review of the recommendations on the following policies, that had a first reading at the February 21st Joint BOE meeting, was held. These policies will return to the Joint BOE on April 4th for a second reading and possible vote per policy and procedure. Time for discussion and questions was provided.

- #3260 Business - Sales and Disposal of Books, Equipment and Supplies
- #5118 Students - Non Resident Attendance AND related policy #3240 Tuition Fees
- #3324 Business – Ordering Goods and Services (Purchase Orders)

Dr. Levy provided a brief update on the status of the FOIA appeal which is still ongoing, but has a hearing

coming up soon. As requested by the Board, she shared the current costs for FOIA requests (going back to 2016), which is approx. \$25,000 for legal fees and a rough estimate of approx. \$15,000 in personnel hours spent responding to requests.

Assistant Superintendent's Report

Dr. Martineau had nothing new to report since her February 21st report made at the Joint BOE meeting. Tomorrow all districts will be holding a full PD day and will be spending time looking at student work assessments, like those mentioned by Principal Barile earlier in the evening

AUDIENCE OF CITIZENS - 4 present at this time.

Phil Schaller read a letter from Mike Hammond who was unable to attend the meeting. He asked that the letter be entered into the minutes (see attached).

Jim Carey stated that there was a meeting date of April 4th set for the District's FOIA/FOIC appeal. He thanked the Board again for including enclosures with the agenda on the website.

Tracy LeMay thanked the Board for their support of the Crew Team and the addition of the second Assistant Crew Coach this evening. She shared that a Crew scholarship will be paying for almost all of her daughter's tuition at college starting next year.

On motion duly made and seconded the Board unanimously VOTED to move into Executive Session at 8:16 p.m. to discuss the Superintendent's recommendations for Staff Non-Renewal. Superintendent Levy, Assistant Superintendent Martineau, and Principal Barile were invited to stay.

The Board moved out of executive session at 8:19 p.m.

On motion duly made and seconded the Board unanimously VOTED to approve the Superintendent's recommendations for Staff Non-Renewal

FUTURE AGENDA ITEMS and Call for New Agenda Items

Region 4 Public Hearing on 2019-20 budget Monday, April 01, 2019 @ 7:00 p.m.

Next Joint BOE meeting is Thursday, April 04, 2019 @ 7:00 p.m.

Next Region 4 BOE meeting – the Region 4 BOE will stay in session following the April 4th Joint BOE meeting

Next Region 4 BOE regular BOE meeting is Thursday, May 02, 2019

Region 4 BOE Annual Meeting May 06, 2019

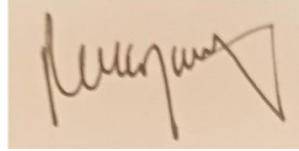
Referendum on the Region 4 2019-20 budget

Evaluation of Superintendent (May)

ADJOURNMENT

On motion duly made and seconded the Board unanimously VOTED to adjourn at 8:22 p.m.

Respectfully Submitted,

A handwritten signature in brown ink on a light brown rectangular background. The signature is cursive and appears to read "Jennifer Bryan".

BOE Secretary
Jennifer Bryan, Clerk



**Global Partners LP will Donate \$228,000 to 456 Schools Across the Northeast
as Part of the Educational Alliance Program**

Waltham, MA, December 1, 2018 – Global Partners, LP today announced that it will again participate in the Educational Alliance Program, contributing \$228,000 to 456 schools across the Northeast. Each school will receive \$500 from a local Global-affiliated gas station to apply towards a STEM-related item of their choice, including lab supplies, field trips and more.

“We are proud to partner with the Educational Alliance to foster math and science education for children in the towns we serve,” said Global’s Executive Vice President Andrew Slifka. “By promoting math and science, these grants enrich students’ lives, create future opportunities and strengthen the educational fabric within the schools themselves. These outcomes reflect the commitment of Global to maintain a positive, vital role in our communities.”

Participating Global Partners stations include Alltown convenience stores, dealers and Mobil retail gasoline distributors. Donations will be distributed at the end of 2018 and beginning of 2019. Global has participated in the program since 2000, and contributed over \$1.2 million.

“I want to start by saying how appreciative we are at The High School for Arts & Business to have such wonderful neighbors. It is such an honor for your business to nominate our school. We are a strong community and together we can accomplish great things,” said Ana Zambrano-Burakov, Principal, High School for Arts & Business, Corona New York.

The Educational Alliance Program is a nationwide initiative created by ExxonMobil to enhance math and science learning at K-12 institutions. Since its inception, ExxonMobil has committed over \$34 million to the program.

About Global Partners LP

Global Partners delivers the energy, goods and services that make life better. With an extensive network of terminals, gas stations and convenience stores, Global helps people heat their homes, operate their businesses and get where they’re going conveniently and quickly. Centered in the Northeast, the company is a third-generation, family-owned business with operations throughout the U.S. Global is committed to strategic growth and to supports the communities where it works. For more information please visit, www.globalp.com.

About the Educational Alliance Program

ExxonMobil's Educational Alliance Program supports STEM education in local communities. Since its inception, ExxonMobil has committed over \$34 million to this nationwide initiative, which funds math and science programs at schools with students who strive for excellence. Fueling young minds and helping to create those “aha” moments is what Educational Alliance is all about. For more information please visit, www.exxon.com/en/educational-alliance.

March 7, 2019

To: Members of the Board, Regional School District No. 4

From: Michael Hammond, Essex CT

RE: Extended Remarks to Board of Ed at Regular Meeting on March 7, 2019

There are three issues I would like to raise with you tonight: athletics and Title IX, requests for information under FOIA and a counter-narrative regarding working with the public.

(1) The first is that, **despite a recent report to the contrary, the R4 Board has not been provided with sufficient information to know if its athletics programs actually comply with Title IX.** A report delivered to the Region 4 board in November 2018 said that more money was spent on girls' sports than boys' sports for the 2017-18 school year so, therefore, the district is following Title IX. A closer review of this report shows glaring errors. With a reasonable inference and a clearer presentation of the district's accounting entries, one sees that ***the district actually spent over \$26,000 more on boys' sports than it spent on girls' sports.*** Based on this report, accounting data requested under the FOIA and the lack of readily available information regarding Title IX compliance in response to information requests, the district does not currently appear to be in a position to say with reasonable assurance that the district's 2017-18 sports programs complied with Title IX and certainly was not able to do so in November.

(2) The second is that **FOI issues remain.** While the R4 Board's vote to share with the public the information attached to meeting agendas is a good first step toward more open governance, the district should maintain a log of Freedom of Information requests and responses. The board should also invite the Freedom of Information Commission in to provide training (which they will do for free). My recent experience with several requests for information (documented in this letter) shows that a requester will receive either a quick, compliant response or something that seems quite its opposite -- what might be charitably called "malicious compliance" involving delays, stonewalling explanations, evasions and statements that consider value of open government as not part of the district's "regular business". More attention of this board is required or more time and significant sums of money may likely be spent defending FOI complaints. ***No one working at a public agency should be surprised when members of the public ask for information about how that agency functions. Not only is it reasonable for public officials to expect that members of the public will seek access to information or copies of records-- it's just part of the job.***

(3) The third is that **the board should work with the public, not try to manage the public.** Following too closely the advice of a CABA representative from a January 16th workshop will likely result in an attempt to "manage" the public rather than to collaborate with the public, which may prove divisive. If the Board intends to be "all business" with public testimony during board meetings, the Board should insist that presentations by or sponsored by administrative staff are crisp, concise, accurate, relevant and informative. Please don't hold the "amateurs" in the audience to higher standard of concision, preparation and relevance than the paid (and volunteer) "professionals" out front.

Each of these points are explained further below and in the attached supporting materials:

1. **Title IX Athletics Compliance for 2017-18.** As you are no doubt aware, Title IX of the Education Amendments of 1972 states that "No person in the United States shall, on the basis of sex...be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." Under Title IX, schools are required to treat male and female athletes equally in all respects including offering equitable facilities and equipment.

Despite a recent report to the contrary, the R4 Board has not been provided with sufficient information to know if its athletics programs actually comply with Title IX.

The minutes of the R4 board meeting on November 13, 2018 state that "*Ms. Allen provided a review of the Region 4 sports programs and the budget breakdown showing Title IX is being followed.*" The minutes do not indicate that any member of this board objected to this report, despite the fact that the report had *no line item expenditures for boys basketball, boys cross country and boys indoor track*. The minutes reflect only a "*short discussion*". Furthermore, at a Supervision District committee meeting on December 3, 2018, Jennifer Clark, presumably relying on this report, said that: "*At their last meeting the Board ... reviewed sports expenditures showing compliance with Title IX requirements, and actually showing most recently that a bit more was spent on girls sports than boys sports.*"

How can this be? Even a quick review of this report reveals that *key information is missing* -- there are no entries for boys' basketball, track and cross-country. Looking at the underlying data (obtained under FOIA) shows that the district's claim of "following Title IX" is unfounded. Someone looking at the data can discover that the missing expenditures for boys' basketball were inexplicably lumped in with the expenditures for boys' baseball. If that were the only error, then, despite sloppy staff work and lax oversight, one might still conclude that more was spent on girls than boys because the totals don't change. However, the data reveals also that a disproportionate amount of the expenses of the boys' and girls' outdoor track program and all of the expenses for the boys' and girls' indoor track and cross country programs were charged to the girls' teams. The 2017-18 schedules for the cross country, indoor and outdoor seasons (on the CIAC website) show that all of the competitive meets for both the boys' teams and girls teams occur on the same days at the same locations. Yet no travel or coaching or participation fees for these competitions are charged to the boys' cross country and indoor track programs.

For years now, these programs operate like a single program. They practice and compete contemporaneously. They travel on the same buses. (Boy's CIAC schedule says travel "w/girls"; girls' CIAC schedule says travel "w/boys").

Expenses associated with these activities are incorrectly allocated. *It would not be unreasonable to total all of the expenses for cross country, indoor track and outdoor track and divide by two.* By reallocating the track and cross country expenses in this manner and then recalculating the total cost of all sports programs, one sees that *the district actually spent over \$26,000 more on boys' sports than it spent on girls' sports.* (See Attachment 2 – last page of this letter.)

The expenditures reported in November 2018 also do not include in-kind support or third party expenditures for teams. If there are contributions from outside parties that are spent on interscholastic sports, by law these must be included with total expenditures. Institutional responsibility dictates that the district cannot use a system of private donors to circumvent civil rights laws. Any benefits provided by booster clubs are viewed under the law as having been provided by the school. If booster clubs provide for a disparity, then the school district is responsible for offsetting that disparity. Thus far, the district has not produced a report in response to an informational request showing the extent of third party support. If one does not exist, it should be created and managed.

It is not clear whether the district is complying with the civil rights laws. If the November report is the extent of the district's Title IX reporting for sports, it seems woefully inadequate. On February 15, 2019, a FOI request was made for information about how the district actually accounts for its track and cross country programs (or any sports program in which girls and boys travel together to athletic competitions). Among other things, it seeks information about how the district accounts for material in-kind support from private donors. As of the writing of this letter, school administration had not provided records responsive to those questions; although this Monday (March 4), in response to a follow up note seeking an update on progress, I did receive an undated, one page, context-free response to *only one* of seven questions that relate to the November 13th report. (See last few pages of Attachment 1 for details).

Based on publicly available information, one can not now conclude that the district is compliant with Title IX. One can only see that the district *does not now know* if it is compliant or not. Regardless of what the board does to further investigate Title IX compliance for 2017-18 athletics, it should be noted that whether reports are the product of inadequate or inexact staff work (including poor vetting of reports before their release) or intentional misdirection, the result appears the same to the board and members of the public – the truth is obscured.

2. **FOI issues remain.** Openness builds trust—trust that there are capable, competent persons managing the schools; trust that relevant information is being shared appropriately; trust that decisions are based on reasons that accord with the character of the community; and trust that people will do the right thing, even when no one is watching. *No one working at a public agency should be surprised when members of the public ask for information about how that agency functions. Not only is it reasonable for public officials to expect that members of the public will seek access to information or copies of records— it's just part of the job.* Yet, based on my recent experience, members of the public must be exceedingly persistent when making a request for information from central office.

On January 24th, I requested an electronic copy of the data used to provide the Region 4 board with a report on expenditures for the 2017-18 interscholastic athletics program. It turns out that this information readily exists in the district's general ledger system, which has the capability to provide the desired report in Excel format. As you can see from the table in Attachment 1, it took 20 days and an exchange of 13 emails in order to produce a report that apparently (according to time stamp information) takes less than 10 minutes to run.

In the 13 emails, you can see that my request was greeted with something that looks like stonewalling, which might charitably be called “malicious compliance”. In the course of trying to get a single request fulfilled, I was alternately advised that:

- “we received your request” and are delegating it to the appropriate person,
- “we’re working on it” but circumstances prevent us from giving you what you asked for (...or from working on it right now);
- staff would work on the request “as time permits” given the demands of “regular business”,
- the software needed to fulfill this request was not functioning properly (even though there was an ongoing audit requiring use of that same software),
- the district could run the report but only provide me with a PDF version (with pages out of order) not an Excel version and that the district thinks this should be adequate to consider the request “fulfilled”;
- an excel version did not “exist”,
- an excel version was not available (despite that the software vendor advertises that it is),
- the district misunderstood the request as only “preference” (but didn’t ask any clarifying questions and just substituted their choice in format for mine) and would provide what I requested, but it may take a while because they’re “busy”.

Twenty days later, on February 13, 2019, I finally received a satisfactory, compliant copy of the information I requested. The experience was highly bureaucratic, highly inefficient and only marginally compliant with the law. It is exceedingly frustrating for someone who just wants a question answered – a question about the factual basis for a report, which *on its face appeared incomplete* (see item 1 above); a question which this board might have asked on its own.

If the board chooses to, the board can take any number of actions to try to improve the handling of information requests and ensuring compliance. Two ideas immediately present themselves:

First, invite the Connecticut Freedom of Information Commission in for training. They provide this training for free and this is often the remedy that the FOIC grants in the event of a successful complaint and it may just be better to learn how to comply now rather than paying expensive legal fees to respond to complaints, the end result of which is likely to be the same just more expensive.

Second, direct the staff to maintain a public log of Freedom of Information requests, showing the requester, the information requested, the response received and the timeliness of the response. This may have the effect of minimizing duplicate requests or fulfillment of similar requests because a log would answer common questions, since persons requesting information that had already been provided could see the information on the district’s website without the further involvement of staff. (Think of it like an FOI response FAQ.) It would also promote accountability for the fulfillment of requests. It would promote openness and would foster the value that sharing information with members of the public within the scope of the freedom of information laws is part of the job of any public agency. It would change the apparent mindset that every delay is a “win”.

These matters need not be adversarial. ***By taking a cooperative approach, it will fight the inference that the district is hiding something.*** You will also empower your board to ask questions and to anticipate the questions that the public will ask.

3. Please work with the public, don't merely "manage" the public. On January 16, 2019, members of the Region 4 board met with a representative of the Connecticut Association of Boards of Education (CABE). At this meeting, CABE's representative stressed the importance of limiting public input to three minutes per person, sometimes less. The presenter was not asked about, nor did he offer an opinion about the amount of time spent at board meetings hearing unfocused, unprepared, rambling, sometimes inaccurate or incomplete reports from administrative staff or heavily coached presentations by students. All of us can recognize that student presentations provide an opportunity for students to learn public speaking, to participate more fully in a community of adults, for the board to receive updates regarding student activities from students themselves and for students to be rightfully recognized for their achievements. However, these presentations often do not raise new issues requiring discussion or decisions by the board and are often curated by administrators. If the Board plans to heed CABE's advice and be "all business" with members of the public and limit public input on matters of policy or public sentiment to strict three-minute segments, the board should evaluate whether it is getting actionable information from the "show and tell" portions of the meetings. The board should ask whether sufficient preparation is going into staff reports and presentations (and too much is going into student reports) in order to get the information the board needs to make decisions and ensure proper oversight. ***Please don't hold the "amateurs" in the audience to higher standard of concision, preparation and relevance than the paid (and volunteer) "professionals" out front.***

CABE's representative discouraged the board from asking too many questions. The board, however, is entitled to the information necessary to perform its oversight role. While individual board members should not create board projects on their own, discussions at board meetings can fruitfully result in requests for additional information.

CABE's representative also diminished the importance of parental support and involvement a statement (recorded in the January 16 board minutes) putting in direct opposition the value of teachers and professional development with the value of parental involvement. This notion seems exceedingly shortsighted. There must be a means for quality teachers to engage with parental involvement for greater collaboration. We are heading to what will likely be lean budget years. Teachers will need all the help they can get. ***The board should rather foster a sense of collaboration with parents and with members of the public. Otherwise, you cut yourselves off from meaningful input and support and force yourselves into a go-it-alone, conflict-based mindset that is inefficient, bureaucratic and frustrating.***

Thank you for reading this letter and for your service to making our community better.

ATTACHMENT 1 – RESPONSES TO RECENT FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions

Request #1 – Copy of Report indicating Title IX compliance 2017-28				
1	1/22/19 9:16:23	M. Hammond	J. Clark	Summary: Please provide copy of report indicating compliance with Title IX This report is an attachment to the November 2018 R4 board meeting agenda, which was not posted to the board's web pages
1	1/23/19 9:10	J. Clark	R. Levy	Summary: Please send title IX report to M. Hammond Dr. Levy is the person to whom requests like this go.
1	1/23/19 10:40	J. Bryan	M. Hammond	Summary: Enclosed is title IX report All good – Requested document delivered in less than 2 hours from request to proper party (!)
Request #2 – Electronic version of 2017-18 Report and supporting data (in Excel format)				
2	1/24/19 11:53	M. Hammond	J. Bryan; cc: R. Levy, J. Clark	Quotation: Please provide "electronic version of the 2017-2018 report (Valley Regional High School Athletic 2017-2018 Actual Expenditures by Sport) in an excel format and also the readily available, existing supporting data (preferably in excel format) from your ERP system and financial management/accounting system or in whatever electronic system it's located that rolls up for each of the line items shown on that report (showing account, sub-account level/object/activity, who was paid what and when and where/how the costs were aggregated and allocated)" Note: Request is only for 2017-18 data Request seeks excel (or other electronic) data for report and backup used to generate report
2	1/24/19 12:05	J. Bryan; cc: R. Levy, J. Clark, K. Allen	M. Hammond	Summary: Acknowledgment of receipt and forwarding to business office to gather data "We're on it and getting it to the right person/people"
2	1/31/19 15:03	M. Hammond	J. Bryan; cc: R. Levy, J. Clark, K. Allen	Summary: Seeking update regarding request and stating request only looking for existing information used to generate report. One week: no data, no update.
2	2/1/19 11:35	J. Bryan; cc: R. Levy, J. Clark, K. Allen	M. Hammond	Quotation: "Dr. Levy asked me to let you know that the business office is working on gathering the data you requested. However, our financial software system is currently unable to run the requested reports due to a problem caused by a software upgrade in December. "We have contacted the company, who is aware of the issue and is working on a fix. We hope to have the reports to you before the end of next week." Update reply: "we're working on gathering data" "system is down" [so what were they "working on"]

ATTACHMENT - RESPONSE TO REQUEST FOR INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions

2	2/2/19 14:30	M. Hammond	J. Bryan; cc: R. Levy, K. Allen, R4 board	<p>Quotation: "Thanks for the update regarding my request made over a week ago for copies of information substantiating the report made to the R4BOE in November about the 2017-18 Title IX expenditures. I am willing to be patient for one more week while you resolve the issue preventing you from producing the information requested, though now I am curious: can you or Dr. Levy clarify whether the system been unable to process all financial reports since the December upgrade or just certain ones?"</p>	"Is this constraint for all reports or just certain reports?"
2	2/4/19 11:22	J. Bryan; cc: R. Levy, K. Allen, R4 board	M. Hammond	<p>Quotation: "In response to your question, Dr. Levy asked me to let you know that the reporting glitch caused by the recent software upgrade applies only to the ability to run 2017-18 reports."</p> <p>"The 2018-19 report will be run tomorrow by our Assistant Business Manager who has been delegated the task of fulfilling your request (please note, she normally only works 3 days a week, (on Tues., Wed., & Thurs.) Although your original request came in on Thur., (Jan. 24th), that happened to be a date that she was out of the office. She returned to the office last Wed., Jan. 30th, and was able to first look into processing your request on the afternoon of Thurs., Jan. 31st, as other financial matters took precedence upon her return to the business office. It was at that time that she realized there would be a problem running the 2017-18 report you requested due to the issue caused by the software upgrade."</p> <p>"You should expect to receive at least a partial fulfillment of your request this week, and instructions on how you may view the remaining documentation you have requested should MUNIS be unable to fix the 2017-18 reporting glitch in a timely fashion."</p> <p>"We thank you for your patience"</p>	<p>"Software glitch is for 17-18 reports only."</p> <p>We can provide 18-19 report [which was not requested(!)] once part time assistant returns to office</p> <p>We're very busy with other financial matters.</p> <p>We didn't know there was a problem until our assistant came in.</p> <p>Warning: Plan on a partial response</p>

ATTACHMENT 1 - RESPONSES TO RECENT FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions

2	2/4/19 12:49	M. Hammond	J. Bryan; cc: R. Lew, K. Allen, R4 board	<p>Quotation: "Thank you for your prompt reply.</p> <p>"My request is for the existing facts on which the November 2018 Title IX report was based. I'm concerned that a (planned) incomplete response will be equivalent to no response. That would be wholly unsatisfactory.</p> <p>"I had understood that the auditors were now in doing the audit for 2017-18 (prior to the state's January 31st deadline, which Ms. Allen said at a recent budget workshop might be delayed), but that may have been a mistaken assumption. Your reply made me wonder how that was progressing without access to the financial system.</p> <p>"Based on the minutes, Ms. Allen presented the report to the BOE in November and Dr. Clark made a presentation to the Supervision District in December in reliance on those numbers. I'm not asking for anyone to do special research or create a custom report. May I see in electronic form what Ms. Allen (or her 2- to 3-day per week assistant) used to generate the report in November or what she or Dr. Levy looked at when she did her diligence to approve the report to go to the Boards? Did anyone ask for back up when the report was initially created? Did anyone keep notes? or exchange emails about this? Is there an Excel spreadsheet?</p> <p>"I want to see the math, including the steps of your work and how you got the answer, not just the answer. (This will be the fourth email for what at the outset seemed like a simple question. Although I can be patient and am prepared to spend the time to follow through, it does seem inefficient to go back and forth like this.)</p> <p>"I do appreciate your efforts and the quick reply today."</p>	<p>A "partial" reply is the same as no reply</p> <p>[Sending information not requested instead of information requested is only a distraction]</p> <p>District is in the middle of 2017-18 audit so how is that going without a 17-records?</p> <p>4 emails and no data.</p> <p>This is inefficient.</p>
---	-----------------	------------	--	--	--

ATTACHMENT 1 - RESPONSES TO REQUESTS FOR FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions

2	2/7/19 8:51	J. Bryan; cc: R. Levy, K. Allen, R4 board	M. Hammond	Quotation "Attached please find complete fulfillment of your request for the MUNIS documents and details used to generate the Title IX Report given to the Region 4 BOE at their Nov. 13, 2018 meeting."	"complete fulfillment" (!) [Documents sent are scanned PDFs, not excel data.]
2	2/7/19 11:36	M. Hammond	J. Bryan; cc: R. Levy, K. Allen, R4 board	Quotation: "Thank you for sending this. It is instructive. I'm grateful to you and your MUNIS team. I had originally asked if the reports are available in Excel format. If so, I would appreciate receiving that as well."	Please send requested data (!).
2	2/7/19 12:16	J. Bryan; cc: R. Levy, K. Allen, R4 board	M. Hammond	Quotation: "The only document that exists in an Excel format is the two page report that Mrs. Allen presented to the Region 4 BOE. That report is attached in Excel format here. None of the backup documents you requested and received are available in Excel format."	Data you want doesn't exist. Documents are not available in Excel format.
2	2/7/19 13:58	M. Hammond	J. Bryan; cc: R. Levy, K. Allen, R4 board	Quotation "I understand that your assistant business manager may not have saved a copy of the 2017-18 general ledger report in Excel when she produced it on 2/6/18 as indicated by the document header 02/06/2019 11:54 97621408 so in that sense it may not currently exist in Excel format. "However, it appears that MUNIS advertises that its software generally enables reports to be run in Excel format. "Their brochure (see attached) says: Simplifies Data Analysis and Reporting Munis Analytics and Reporting includes several tools that help clients improve data management, analysis, information sharing and report delivery. Dashboards and central program applications	Documents produced were printed in hard copy and scanned over an elapsed period of seven minutes or so. Excel data not provided. But MUNIS software is advertised to produce data in Excel format. Statutes say if the systems exist to reasonably produce data in format requested, data must be provided in that format. (Note, however: cases say that if systems do not exist to reasonably produce data in requested format, requests can be fulfilled through existing capability in other format. Requesters can not expect public agencies to make unreasonable efforts or spend unlimited sums.) Here, the capability exists, so data needs to be provided if it can be. So please provide Excel or confirm that system doesn't do that.

ATTACHMENT 1 - RESPONSES TO RECENT FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message Annotations /translations /notes /comments /questions
				<p>provide immediate, out-of-the-box views of key information that can be configured by user based on role and preference. Robust Microsoft Office integration provides seamless data exports to Excel for further analysis. Support for industry-leading business intelligence and ad hoc reporting tools offer even further flexibility and customization while still using existing application permissions. Munis database cubes, built on Microsoft SQL Server Analysis Services, allow you to make better business decisions by easily viewing comparisons, patterns and trends with Microsoft Excel PivotTable and PivotChart reports. Using SQL Server Reporting Services, you can create and manage complex, interactive reports and deliver them in a range of formats. Additionally, Tyler employs a dedicated Munis state reporting team responsible for ensuring you maintain compliance with state and federal reporting mandates.</p> <p>"It's clear from the header on the PDF copy of the report provided that Ms. Allen would not have looked at this particular document when she prepared her report in November. So your MUNIS team appears to have made the decision yesterday to produce the document in PDF or printed format notwithstanding my request for Excel format.</p> <p>"Under Connecticut General Statutes Section 1-211(a), "Any public agency which maintains public records in a computer storage system shall provide, to any person making a request pursuant to the Freedom of Information Act, a copy of any nonexempt data contained in such records, properly identified, on paper, disk, tape or any other electronic storage device or medium requested by the person, including an electronic copy sent to the electronic mail address of the person making such request, if the agency can reasonably make any such copy or have any such copy made."</p> <p>"Would you please provide me with the 2017-18 GL report in Excel format (or .CSV or Apple Numbers or some other electronic file that</p>

ATTACHMENT 1 - RESPONSES TO RECENT FREEDOM OF INFORMATION REQUESTS			
#	Date	From	To
		Message/Substance of message	
		Annotations /translations /notes /comments /questions	

				can be easily converted to Excel) or confirm that your MUNIS system is not capable of exporting GL reports in Excel or a similar format that is convertible into Excel."	
2	2/8/19 10:15	J. Bryan; cc: R. Levy, K. Allen, R4 board	M. Hammond	<p>Quotation: "Dr. Levy asks that you please accept our apology and know that we are working very hard to be very responsive to your requests, while still managing the rest of our day-to-day business office requirements. Please also know that the district made a good faith effort to provide you with the most accurate and verifiable fulfillment of the conglomerate of your requests.</p> <p>"To date, you have been provided with the data you requested. We understand you would like the business office to re-send the same data, but in a different format.</p> <p>"You do mention a <i>preference</i> for Excel in your initial request, but you also make it clear in subsequent requests that you did not trust the veracity of the Excel data previously provided in the Title IX Report to the Region 4 BOE in November. You also requested that the business office "substantiate" the numbers reported and said "I want to see the math". Most importantly, you also requested data directly from our financial management system (MUNIS). Given those parameters, we understood your request to mean that you required proof that any data provided to you had come directly out of our MUNIS system. That requirement cannot be met by simply giving you generic Excel spreadsheets. Therefore, although you did state a <i>preference</i> for Excel, we did not see that as a viable format to accurately fulfill your requests given the specificity of parts of that request. It is not uncommon for us to have to determine the best way in which to fulfill a variety of requests that are made to our office.</p> <p>"Apparently, our understanding and interpretation of your request was incorrect and for that we truly apologize. You are correct that our MUNIS system can drop data into generic Excel spreadsheets, and we now understand that you would, in fact, believe we had fulfilled the spirit of your request with such spreadsheets.</p>	<p>We're sorry.</p> <p>We're working very hard to be very responsive.</p> <p>(Did we tell you that we have other work?)</p> <p>We made a good faith effort.</p> <p>You have been provided with the data you requested.</p> <p>We thought it was just a "preference" (i.e. our choice) but now we understand that you know our systems can produce this data and the format can be provided.</p> <p>We had the ability to do this all along and now we will provide it to you but we're very busy.</p> <p>Warning: It may take lots of time, maybe even a week and at the end of the week you may just get an update instead of the data.</p>

ATTACHMENT 1 - RESPONSES TO REQUESTS FOR FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions

				<p>"With that understanding, our business office will work to generate the Excel spreadsheets of the same data previously sent to you. This will begin upon the return of our Assistant Business Manager next Tuesday. You will either be provided with the spreadsheets by the end of next week (time allowing), or you will be given an update on the status at that time."</p>	
2	2/8/19 15:44	M. Hammond	J. Bryan; cc: R. Levy, K. Allen, R4 board	<p>Quotation: "I am confirming receipt of Dr. Levy's message from this morning. Thank you for sending it on her behalf. I may respond in more detail at a future date."</p> <p>"Regarding the notion that I will receive the Excel version of the 2017-18 General Ledger report in a week's time ("time allowing"), it should be noted that the scanned copy of the printed report sent to me was produced in six parts, five of which were printed over a seven-minute period from 11:54 to 12:01 on Wednesday, Feb 6th. The sixth was printed at 12:41 that day, possibly after lunch. Because producing an Excel version will not require printing or scanning or assembling a PDF file for transmittal, I would think that exporting an Excel file can be done in about the same amount of time as it took the assistant business manager to hit print six times. Wouldn't you? An actual, usable file on Tuesday would be better than a status update on Friday"</p>	<p>Requested report requires only the pressing of buttons, not printing and scanning so it should take less time than the 10 minutes it took to prepare the PDF originally sent.</p>

ATTACHMENT 1 - RESPONSES TO REQUEST FOR FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions
2	2/13/19 15:24	J. Bryan; cc: R. Lew, K. Allen, R4 board	M. Hammond	<p>Quotation: "Please see attached the Excel version of the 2017-18 General Ledger report as requested."</p> <p>Data received.</p> <p>Days to complete: 20</p> <p>Number of emails exchanged: 13</p> <p>Apparent time for assistant business manager to fulfill request 10 minutes</p>

ATTACHMENT 1 -- RESPONSES TO RECENT FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions

Request #3- Seeking documents regarding Title IX compliance for 2017-18				
3	2/14/18 16:36	M. Hammond	J. Bryan	<p>Please provide documents regarding Title IX compliance:</p> <ol style="list-style-type: none"> For the period from 2012 to the present, all records or reports prepared or maintained by the district to account for the frequency with which sports uniforms and athletic equipment for interscholastic sports teams are purchased, replenished, repaired or refreshed, by team and by gender. For the period from June 1, 2016 to the present, (a) all records or reports prepared or maintained by the district to account for any direct payment, reimbursement or in-kind contribution in support of any interscholastic high school sport by a private person, foundation, club or other entity ("Third Party Sources"); and, if no such records or reports exist, (b) all records, including emails, indicating any such payments, reimbursement or contribution from Third Party Sources. For the period from June 1, 2016 to the present, all records documenting any compact or cooperative arrangement between Region 4 or Valley Regional High School and any other district or school for joint participation in interschool athletics, including forms and reports submitted to the CIAC, all in-force agreements between or among districts or schools, memoranda or reports showing rates of participation and agreements, memoranda or understandings indicating method of sharing expenses between and among districts or schools. For the period from June 1, 2016 to the present and except for schedules of contests and rosters of high school athletes that are already available at the CIAC website (or duplicates thereof), all records maintained by the district, whether or not reported to the federal government, state of Connecticut, CAS/CIAC or some other cognizant authority, indicating: (a) the number of individual participants in interscholastic sports by grade, sport and gender; (b) the number of opportunities to play in varsity

ATTACHMENT 1 - RESPONSES TO RECENT FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions

				<p>contests or events by sport and gender; (c) the number of opportunities to play in non-varsity contests or events by sport and gender; and (d) if a team has as its members students who attend school in and outside of the district, the number of players on such team and a breakdown showing the number in-district and out-of-district participants listed by school.</p> <p>5. For the period from June 1, 2016 to the present, all records (including but not limited to contracts, memoranda, interoffice correspondence) showing: (a) the basis by which the district is charged for or pays for or reimburses transportation services and (b) the method by which such expenses are allocated when boys teams and girls teams or teams of different sports travel together by the same manner of conveyance to interscholastic athletic competitions.</p> <p>6. For the 2016-2017 school year, all records showing: (a) the basis by which the district is charged for or pays for or reimburses expenses for coaches stipends, travel and transportation, entry fees, officials fees and participation fees where boys and girls teams compete contemporaneously (e.g., track & field and cross country) and (b) the method by which such expenses are allocated when boys teams and girls teams participate in or at the same tournament, contest or event contemporaneously.</p> <p>7. For the 2016-2017 school year, all records or statements or written direction (a) showing the extent of the athletic director's authority to incur expenses, including expenses that are not specifically allocated to a sport and whether the athletic director has the authority to incur or allocate expenses on behalf of any specific team that are coded on the General Ledger as "Athletic Director' expenses" and (b) that describe the fiscal oversight of expenses incurred in the athletic department, including but not limited to "Athletic Director expenses".</p>
--	--	--	--	--

ATTACHMENT 1 - RESPONSES TO RECENT FREEDOM OF INFORMATION REQUESTS				
#	Date	From	To	Message/Substance of message
				Annotations /translations /notes /comments /questions

3	2/15/19 8:34	J. Bryan	M. Hammond	Acknowledging receipt "Dr. Levy will direct the appropriate personnel to work promptly to fulfill your request, while still competing their other business. However, given the volume of records requested and the time and personnel required to comply with request, we cannot provide a timeline for completion." "We're coming up on two weeks since your acknowledgement of the above referenced FOI request. Would you let me know what progress has been made."	
3	2/28/19 13:53	M. Hammond	R. Levy	"I am writing in response to your request for an update on your FOIA request. Please find the response to question one of your request attached. Our personnel are in the process of responding the remainder of your requests. Please be reminded that due to the volume of records requested and the time and personnel required to comply with this request, while still completing their immediate business, it will reasonably require more time to respond in full.	
3	3/5/19 11:30	R. Levy	M. Hammond	Document sent responds to the request #1 for "...reports prepared or maintained by the district to account for the frequency with which sports uniforms and athletic equipment for interscholastic sports teams are purchased, replenished, repaired or refreshed, by team and by gender." The response is an undated, one-page table entitled "Athletic Department-Uniform Purchase Cycle" (the file is titled "request #1-in full") showing that uniforms are "anticipated" to be purchased every five years, but does not indicate whether it reflects actual purchases. Reply is minimally responsive but illustrates that after three weeks and one reminder, the district does not have (or does not produce upon request) ready documentation to indicating "compliance with Title IX". Of note is that at least two girls teams – field hockey and lacrosse – are expected to share uniforms (two seasons of wear per year) but are anticipated to be refreshed on the same cycle as all other sports. In addition, no boys' teams are apparently required to share uniforms.	

ATTACHMENT 2 - 2017-18 VRHS Athletic Expense by Gender and by Sport (from Excel file rec'd under FOIA)

Reported Data with sports unaccounted

Total Expenditure all programs \$375,193.58

Reported data corrected to account for all sports

Total all programs (corrected) \$375,193.58

Other	
AD	12,474.75
Unified	6,342.92
	18,817.67

Other	
AD	12,474.75
Unified	6,342.92
	18,817.67

As Reported*	
Girls	
G Soccer	24,042.78
G XC	12,176.82
G F Hockey	18,016.93
G Vball	14,562.77
G Basketball	23,270.46
G indoor	15,641.05
G gymnast	1,460.26
G softball	19,826.62
G lax	13,456.99
G Crew	17,956.33
G Tennis	6,468.16
G outdoor	13,331.32
	180,210.49

As Reported*	
Boys	
B Soccer	27,889.71
B XC	0
B Football	56,933.83
B Basketball*	27,598.86
B indoor	0
B Wrestling	414.55
B Swim	1,617.00
B Baseball*	22,212.45
B lax	13,875.61
B Tennis	4,245.00
B Golf	10,701.61
B outdoor	10,676.80
	176,165.42

Corrected**	
Girls	
G Soccer	24,042.78
G XC**	6,088.41
G F Hockey	18,016.93
G Vball	14,562.77
G Basketball	23,270.46
G indoor**	7,820.53
G gymnast	1,460.26
G softball	19,826.62
G lax	13,456.99
G Crew	17,956.33
G Tennis	6,468.16
G outdoor**	12,004.06
	164,974.30
Boys	
B Soccer	27,889.71
B XC**	6,088.41
B Football	56,933.83
B Basketball	27,598.86
B indoor**	7,820.52
B Wrestling	414.55
B Swim	1,617.00
B Baseball	22,212.45
B lax	13,875.61
B Tennis	4,245.00
B Golf	10,701.61
B outdoor**	12,004.06
	191,401.62

* reflects unbundling of combined B basketball and baseball exp.

**reflects even split of XC, ID & OD track exp. betw. boys and girls

Reported difference: girls more than boys

\$4,045.07

Corrected difference: girls less than boys

\$(26,427.32)

