

ADDENDUM TO
SUMMARY LIST OF NEIGHBORHOOD ASSISTANCE PROGRAMS
JUNE 20, 1989

| <u>TITLE</u> | <u>AGENCY</u> | <u>AMOUNT</u> |
|--------------------------|---|---------------|
| Adult Day Care Services | Family Service - Greater Meriden Adult Day Care | \$10,000.00 |
| Alzheimers Support Group | Family Service - Greater Meriden Auldt Day Care | \$ 5,000.00 |
| American Silver Museum | American Silver City Museum | \$300,000.00 |

LEGAL NOTICE

Pursuant to Chapter III Section 6 of the Charter of the Town of Wallingford, Connecticut, an Adjourned Public Hearing will be reconvened by the Town Council of the Town of Wallingford on June 27, 1989, at 8:15 P.M. in _____, to continue the business of a Public Hearing held on June 13, 1989, to act on the following proposed ordinance:

AN ORDINANCE APPROPRIATING \$800,000 FOR VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 1989-1990 AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Dated at Wallingford, Connecticut this _____ day of _____, 1989.

Kathryn J. Wall
Town Clerk

I HEREBY CERTIFY that the above legal notice of Adjourned Public Hearing of the Town Council was published on _____, 1989, in the Record-Journal.

I FURTHER CERTIFY that I placed a copy of the same Adjourned Public Hearing Notice on the signboard of the Municipal Building on _____, 1989.

Dated at Wallingford, Connecticut this _____ day of _____, 1989.

Kathryn J. Wall
Town Clerk

STATE OF CONNECTICUT

STATE BOARD OF EDUCATION SHALL HAVE GENERAL SUPERVISION
AND CONTROL OF THE EDUCATIONAL INTEREST OF THE STATE

NOTE: THE STATE DOES NOT TAKE ANY OF THE RIGHTS
OR DUTIES, SUPERVISE, OR CONTROL THE BOE IN
THE TOWNS. THAT IS BY CHARTER THE TOWN'S
RESPONSIBILITY

TOWN OF WALLINGFORD

ALL PROPERTY, BOTH REAL AND PERSONAL, ALL
RIGHTS OF ACTION AND RIGHTS OF EVERY
DESCRIPTION AND ALL SECURITIES AND LIENS
VESTED OR INCURRED IN SAID TOWN, ETC.

BOE WHICH SHALL
BE RESPONSIBLE FOR
THE CONDUCT OF
THE EDUCATION SYSTEM
AS PER CHARTER &
STATE BOE

DEPARTMENT OF EDUCATION

Discussion concerning the State Board of Education, the Town of Wallingford and Department of Education (DOE).

The following is a summary of information that I believe to be true. The information was supplied by:

- * Town Charter
- * 'Becoming a better board member'
- * CABE Literature
- * 'Connecticut education laws' January 1st, 1989
- * Ronald C. Harris, Esquire Office of Legal Affairs, State Department of Education

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Sec. 10.4

"The State BOE shall have (mandatory) general supervision and control of the educational interest of the state".

THIS IS TO BE SURE THAT A MINIMUM STANDARD OF EDUCATION IS AVAILABLE TO ALL CHILDREN IN THE STATE. THE STATE BOE IS ONLY INTERESTED BY LAW IN ONLY THE EDUCATIONAL AREA OF THE TOWN SCHOOL DISTRICT.

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Sec. 10.220 (a) "(Local Board of Education) ... and shall (mandatory) perform all acts required of it by the town (Wallingford) or necessary to carry into effect the powers and duties imposed by law (town, state, federal)..."

THE WALLINGFORD DOE SHALL FOLLOW THE TOWN CHARTER IN EVERY RESPECT. THERE ARE AREAS WERE THE PUC AND/OR THE DOE BY CHARTER FOLLOW DIFFERENT RULES AS OUTLINED BY THE STATE OF CONNECTICUT.

THE BOE IS ELECTED BY THE VOTERS OF WALLINGFORD; THEREFORE, THEY ARE RESPONSIBLE TO THE VOTERS OF WALLINGFORD VIA THE TOWN CHARTER.

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(Local board of Education) ... only as it pertains to the state-wide goals developed in accordance with subsection (c) of section 10.4".

THE BOE HAS TO FOLLOW THE WALLINGFORD TOWN CHARTER AS STATED IN THE TOWN CHARTER.
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In my discussions with Attorney Harris of legal affairs, State Department of Education, the following conclusions were arrived at:

1. The Wallingford BOE shall (mandatory) follow all mandates of the state and have general supervision and control of the educational interest of the Town of Wallingford as per these state educational laws and mandates.

2. The Wallingford DOE shall (mandatory) follow the Town Charter and ordinances as adopted.

* The legislative power of the town shall (mandatory) be vested exclusively in the council except as otherwise provided in Sec. 8.

* The council, by a vote of three (3) members, shall (mandatory) have powers to investigate any and all departments, offices, and agencies (including DOE).

* The Mayor shall (mandatory) see that all laws and ordinances governing the town are faithfully executed (including DOE).

* The Department of Finance shall (mandatory) be responsible for the keeping of accounts and financial records (including DOE).

* The Purchasing Agent of the town, pursuant to such rules and regulations as established by ordinance, shall (mandatory) contract for and purchase all items. (except DOE instructional items as defined on State BOE form #ED001)

3. The educational budget is a very important document and should be reviewed very closely by line item. At the end of each year the actual educational expenditures should be compared to the budget. This will show the control, knowledge and financial capabilities of the local Board of Education. If in certain areas monies budgeted were not required, transferred or not handled in the best interest of the school district (i.e. the town) those line items may be reduced and/or monitored closely. If monies are being misused and funding is required by State law, the Town can file a complaint to the State BOE. There should be no slush funds, contingency funds, etc. Any interest from any line items and surplus monies should be passed to the general fund. The DOE is not an entity but a department of the town.

The town, as per the Town Charter, controls the spending of its departments. If additional funds are required due to poor budgeting or an unexpected line item overrun, that department can ask for additional monies to continue operation by going before the Town Council.

Instructional items are defined by use. These should be checked at audit and budget time. It would be fraud if non-instructional items were classified as instructional.

SUMMATION

The State of Connecticut has established a minimum level of educational standards that must be met by all towns, which the State of Connecticut calls "school districts". The state BOE by charter is interested only in the control and general supervision of a minimum level of education for all persons from the age of seven years old to sixteen years old and grades kindergarten through twelfth grade. The state also realized that a burden would be put on some towns (i.e. school districts), therefore, monies or things of value would have to be available to some or all towns. Since this would be state and/or federal monies, control of these items and these monies would be tracked by the state.

To accomplish the minimum level of control and general supervision of education for all children in the state and the tracking of state grants, the Connecticut State Board of Education was put into existence.

The State Board of Education, by law, has under its guidelines the local Board of Education. The local BOE can't have, by State law, any additional powers than was given to the State Board. Therefore, they are responsible for educational standards of the town. These standards must equal or exceed state levels.

All local board members are elected by registered town voters and must live in the town (ie. school district). These members of the board report to the voters as required by the Town Charter.

The Town Charter, by state law, must allow a very limited amount of "special considerations" this will allow the local BOE to obtain the minimum education standards and allow state grants to flow into the town and be tracked.

It also must be noted that the same type of "special considerations" have been handled by the Charter for the Public Utilities Commission (PUC).

The state BOE does not have any control or desire to watch the local BOE in any areas that the State BOE does not have control. The Town officials and Town Departments have the legal obligation to the voters and taxpayers of the town to enforce all laws of the Charter.

This includes: Finance, Purchasing, Ethics, Legal, Contracts, and Budgets, etc.

As per State Board of Education please review:

| | | |
|---------|-----|--------------------------------------|
| Sec 4 - | 100 | Penalty for exceeding appropriation |
| Sec 4a- | 57 | Competitive bid |
| 4a- | 59 | Award of contracts |
| Chapter | 99 | Municipal Charters and special acts. |
| Sec 7 - | 194 | Powers |
| Chapter | 106 | Town Board of Finance |
| Chapter | 111 | Municipal Auditing Act |
| Chapter | 112 | Municipal Finance |

Sec. 7 - 479 Conflicts of Interest

Shall do is (mandatory duties)
May do is (discretionary duties)

Ref: Chapter XV Section 7 Lines 118 - 172

CONCLUSION

I strongly recommend that we as the Legislative body of the Town of Wallingford have an independent legal council review the Town Charter and Connecticut Education Law - State of Connecticut Board of Education.

Upon legal council recommendations, we should enforce all laws of the Town Charter and exercise every control available to protect the Wallingford taxpayers and be sure the taxpayers are obtaining their true value.

I am sure every taxpayer wants the finest school district that we can afford.

The pendulum of checks and balances has swung out of control. We have a responsibility to the taxpayers to review all aspects of our BOE as soon as possible then make adjustments as good business decisions warrant. The Charter gives that right and obligation to the council and Mayor.