



# WINCHESTER BOARD OF EDUCATION

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THOMAS M. DANEHY, ED.D.  
SUPERINTENDENT OF SCHOOLS

August 25, 2011

Mr. Brian Mahoney  
Chief Financial Officer  
Division of Finance and Internal Operations  
State Department of Education  
State of Connecticut  
P.O. 2219  
Hartford, CT 06145

Dear Mr. Mahoney,

I write in response to your letter dated August 16, 2011, wherein you state that Winchester is noncompliant with the Mandatory Budgetary Requirement by \$1,358,149. Regretfully, I must report that I do not expect that the Town will provide funding at this required level.

As you may know, the Board of Selectmen held a special meeting on Monday, August 22, 2011, to discuss this matter. That body voted six to one in favor of a motion to send a letter to you asking if their information concerning a possible closing of a school building and the fact that seventh and eighth grade students are being sent to The Gilbert School constituted savings to which the Town could avail itself in reporting these fictitious savings and hence meeting the MBR. The Town seeks to have reductions or credits given to it with regard to compliance with the MBR based upon factors not actually contained in or permitted by the MBR statute (i.e., credit for alleged albeit fictitious cost savings related to closing a school building that has not actually been closed, credit for alleged enrollment reductions beyond what the MBR statute permits, credits for capital expenses that the Town is obliged to incur and which have not been included in the Board of Education's budgeted appropriation.)

Know that our system is in dire need of adequate funding after several years of zero or very low percentage increases which have rendered our district operating on a bare bones funding pattern. Our students, parents, teachers, and staff deserve to start the school year knowing that their teacher in June will be the same one they had on the first day of school.

Should funding remain at the \$18,600,000 that the Town appropriated, we violate the following legal requirements:

1. Noncompliance with Individualized Education Plans for students with special needs.
2. Fire code violations for the class size average which could climb up to an average of 45 students per class.
3. Teachers' Contract Violation of a stipulation on class size which cannot exceed 18 students for grades K-3 and 22 students for grades 4-6.
4. No funding for curriculum coordination in advance of the implementation of the Common Core State Standards.
5. Penalty to the Town of ECS monies which will create on-going and future funding arguments by the Town to recoup the penalty on the back of the school district.
6. No special classes in physical education, art, and music and, consequently, more violations in the Teachers' Contract that stipulates daily prep time for teachers.

Under funding will also trigger a chain of events equally important to those enumerated above including mid-year teacher and staff layoffs, inadequate or no supplies and instructional resources

for students, and a learning environment devoid of essentials to allow for effective teaching and learning to occur.

The last point is the Town discusses taking funds received from the State, most notably the Excess Cost Payments, and place them in the Town Fund Balance. Winchester did not include Excess Cost Payments as part of the Town appropriation in 2008-2009, 2010-2011, and does not include them in 2011-2012. We understand that some towns took a different approach and included Excess Cost Payments in their calculations for all years. Regardless of the State's position with respect to such other towns, with respect to Winchester, the State's position has been clear. If Excess Cost Payments were not included in the 2008-2009 and 2010-2011 school years they cannot be credited to the Town's appropriation for MBR calculations.

On Monday, August 22, 2011, the BOS considered a motion to move Excess Cost Payments into Fund Balance rather than crediting the amounts to the BOE. Because the BOE projected \$775,000 of Excess Cost Payments, if the BOS takes this action the BOE will have an additional shortfall of \$775,000 beyond the current MBR shortfall of \$1,358,149, for a total shortfall of \$2,133,149. Because the motion was not duly noticed, no vote was taken, but we anticipate that the motion will appear on the agenda of a future meeting.

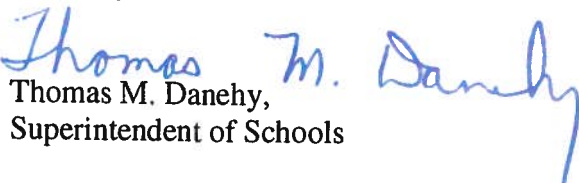
The statute is the law and elected officials should obey the law regardless of whether they agree with the law. We live in a society governed by law. Beyond that there is no indication that the State will not impose a **\$2,716,298 penalty** (or if the Excess Cost funding is cut the higher penalty of twice the shortfall or a **\$4,266,298 penalty**).

Regardless of whether the State imposes a penalty, an \$18,600,000 budget (not to mention one reduced by another \$775,000 or more if Excess Costs run higher), will decimate our already beleaguered schools and they will face even greater devastation.

Oddly enough, in spite of years of low and inadequate funding, our CMT scores indicate that the district has made adequate yearly progress district-wide and safe harbor for the ELL and Economically disadvantaged sub-groups we serve. We work hard in Winchester and we have a supportive and interested base of parents and community members who want a better educational experience for the students we serve. Please carry out the intent of the statute and realize our educational needs in Winchester.

Time is of the essence in this matter. Please expedite triggering the next step to assure that our Connecticut students receive the educational funding that the State of Connecticut allows.

Sincerely,

  
Thomas M. Danehy,  
Superintendent of Schools

CC: George Coleman, Acting Commissioner of Education  
Winchester Board of Education Members  
Candy Perez, Mayor  
Winchester Board of Selectmen  
Dale Martin, Town Manager  
Senator Andrew Roraback  
Mark Sommaruga, Attorney for BOE