

# IX.E.

## Connecticut State Board of Education Hartford

**To Be Proposed:**  
**June 1, 2022**

**Resolved,** That in accordance with Section 10-15 of the Connecticut General Statutes, the State Board of Education grant the Wilton Board of Education's request to shorten the 2021-2022 school year by one day for Cider Mill and Middlebrook Schools, from the statutorily mandated 180 school days to 179 days, but only upon the condition that during the 2022-2023 school year, Wilton provide no fewer than 181 school days to those students who were affected by this shortening of the school year and remain within the Wilton Public Schools, and hereby directs the Commissioner to inform the Wilton Board of Education of the State Board of Education's decision.

Approved by a vote of \_\_\_\_\_ this first day of June, Two Thousand Twenty-Two.

Signed: \_\_\_\_\_  
Charlene M. Russell-Tucker, Secretary  
State Board of Education

**Connecticut State Board of Education  
Hartford**

**To:** State Board of Education

**From:** Charlene Russell-Tucker, Commissioner of Education

**Date:** June 1, 2022

**Subject:** 180-Day School Year Deferral Request – Wilton Public Schools

**Executive Summary**

**Introduction**

Both Sections 10-15 and 10-16 of the Connecticut General Statutes require that Connecticut’s public-school districts provide a minimum of 180 school days during each school year. This mandate applies to all grades, kindergarten through twelve. Notwithstanding the foregoing, Section 10-15 empowers the State Board of Education [“SBE”] to “authorize the shortening of any school year for a school district, a school or a portion of a school on account of an unavoidable emergency.” Section 10-15 further provides that the SBE:

[M]ay authorize implementation of scheduling of school sessions to permit full year use of facilities which may not offer each child one hundred eighty days of school sessions within a given school year, but which assures an opportunity for each child to average a minimum of one hundred eighty days of school sessions per year during thirteen years of educational opportunity in the elementary and secondary schools.

In other words, under certain circumstances, the SBE may allow a district to shorten a specific year so long as the district adds an additional day, or days, to a subsequent year in order to average the statutorily mandated 180 school days.

Given that both Section 10-15 and 10-16 expressly mandate at least 180 school days in any school year, and given Section 10-15’s exacting “unavoidable emergency” standard, the SBE has rarely granted such waivers unless a district can show that it has exhausted every other alternative, including but not limited to rescheduling the lost days prior to or on June 30, which is the final day of the school year.

By letter dated April 26, 2022, the Wilton Board of Education [“Wilton”] requested a one-day reduction of the 2021-2022 school year at two of the district’s schools, for a total of 179 school days, which it would offset by providing the affected students with no fewer than 181 days during the 2022-2023 school year.

**Rationale**

On April 8, 2022, Dr. Kevin J. Smith, Wilton’s Superintendent of Schools, notified the CSDE that Wilton had been required to close the district’s Cider Mill Elementary School and Middlebrook Middle School that day due to an April 7, 2022, power outage. The remainder of the district’s schools remained open and continued with in-person instruction on April 8, but Cider Mill’s and Middlebrook’s students were provided with remote instruction.

Under current Connecticut law, the remote instruction on April 8 did not constitute an official school day for purposes of Sections 10-15 and 10-16. It did, however, count as a *work* day for Cider Mill and

Middlebrook staff. Consequently, because the staff at these two schools worked on April 8, were Wilton to add an additional day at the end of the 2021-2022 school year, it would exceed their employees' contractual work year, for which they would be entitled to be compensated. Superintendent Smith estimates that this additional, and unbudgeted, expenditure would total between \$60,000 and \$100,000.

Consequently, Wilton is asking that it be permitted to reduce the 2021-2022 school year by one day for Cider Mill and Middlebrook and to offset that reduction by adding an additional day to the 2022-2023 school year for the affected students.

### **Recommendation**

As noted, Wilton's request is limited to two schools, as opposed to the entire district. Thus, the remaining district schools would still be in session during the current, 2021-2022 school year for at least 180 days in accordance with Sections 10-15 and 10-16. Additionally, although not as pedagogically optimal as in-person instruction, when faced with the unexpected power outage at Cider Mill and Middlebrook, Wilton provided virtual instruction to minimize the disruption of student learning. Finally, Wilton is not seeking to have this one day excused altogether; rather, Wilton is requesting that this day be added to the 2022-2023 school year, which would achieve the year-to-year averaging of school days as contemplated by the previously quoted language in Section 10-15. To that end, the enclosed Wilton school-year calendar indicates that Wilton has scheduled 181 school days for the 2022-2023 school year.

Therefore, given the unanticipated, last-minute circumstances resulting in the April 8 2022, closure of Cider Mill and Middlebrook, given that this request pertains to only those two schools, given Wilton's intention to make up the lost day during the 2022-2023 school year for those students who were affected by the April 8 closure, and given the financial consequence Wilton has reported it would incur if it had to add an additional day to the end of the current school year, it is recommended that the SBE grant the Wilton Board of Education's request to reduce the 2021-2022 school year for the named schools from the statutorily mandated 180 school days to 179 school days, conditioned upon the absolute requirement that during the 2022-2023 school year, the students who were in Cider Mill and Middlebrook during the 2021-2022 school year – including those who will have matriculated to Wilton High School – and are still attending the Wilton Public Schools shall be provided with no fewer than 181 school days.

Prepared by: Michael P. McKeon, Director  
Legal and Governmental Affairs



**WILTON PUBLIC SCHOOLS**  
395 DANBURY ROAD  
WILTON, CT 06897



**Kevin Smith, Ph.D.**  
Superintendent  
of Schools

**Charles Smith, Ed.D.**  
Assistant Superintendent  
Curriculum and  
Instruction

**Andrea Leonardi**  
Assistant Superintendent  
Special Services

**Maria Coleman**  
Director  
Human Resources and  
General Administration

**Dawn Norton**  
Chief Financial Officer

Dear Commissioner Russell-Tucker,

As you have been made aware, on Thursday evening, April 7, 2022, an electrical surge caused by downed power lines disrupted power to Cider Mill School (grades 3-5) and Middlebrook School (grades 6-8). The electrical surge caused substantial damage to our HVAC units, as well as several other mechanical and electrical systems.

As you know, school district leaders often confront challenges requiring immediate decisions. We do not always have sufficient time to consult with others or carefully consider all options. The potential closure at Cider Mill and Middlebrook was one such instance. I learned about the loss of power at both schools at approximately 8:30 p.m. on April 7 during a Board of Education meeting. I excused myself from this meeting to consider the best possible outcome for our students and families for the very next school day. Given the recent increase in Covid-19 cases, I was not going to return students and staff to school buildings without properly functioning ventilation systems. In retrospect, I understand how the decision to move to remote learning created other issues for our district and perhaps your office. My immediate focus in that moment was how to lessen the impact of the closure on our students and their families, and I apologize if my decision seemed to disregard the protocols for remote learning outlined by your office earlier this year.

Given our success with remote learning and in order to maintain continuity of instruction, I made the decision to transition to remote learning for the next day. (Remote attendance at Cider Mill was 95.2% and 97.4% at Middlebrook. Our daily in-person average for the month of April is 94.1%.) As we discussed briefly, Wilton Public Schools has had very good success with remote learning. Prior to the pandemic, we had made substantial investments in our infrastructure, adopted a 1-1 computing model in grades 3-8 and a "bring your own device" model at our high school. In the spring of 2020, we adopted an online learning management system PK-12 to support remote instruction and provided substantial support and training to our staff and families. During the 2020-2021 school year, we refined our practices and became quite adept at utilizing remote instruction. Over the course of this current school year, we maintained the infrastructure and practices to provide real-time instruction to students who were required to be at home as a result of Covid-19.

The substantial benefit of utilizing remote learning is the opportunity to provide continuity of instruction, preserve quality instructional time and sustain momentum through the curriculum. The importance of this cannot be overstated. This year we have been focused on addressing unfinished learning and closing learning gaps and have sought to maximize every available

minute in a school day. Students that needed to participate remotely have been able to do so with minimal interruption. They receive the benefit of engaging in a proper sequence of lessons and avoid the trap of having to make up missed school work or being retaught content during in-between moments. We know our approach has been effective because we've seen substantial gains from fall to winter on our reading and mathematics benchmark assessments while continuing to manage absences resulting from Covid-19. We have also received positive feedback from students and parents who have had to participate in remote learning this year due to quarantine or isolation periods.

Wilton is fortunate to carry 181 instructional days on its calendar. In service to continuity of instruction, earlier this winter we elected to use the 181<sup>st</sup> day as a remote learning day when inclement weather required our schools to close. When weighing the cost-benefit of utilizing remote learning versus canceling school and adding a day to the end of the school calendar, there is no question that a remote learning day is superior. The value of being able to provide cohesive instruction during the school year and avoid tacking far less productive days to the end of the school calendar is significant.

I understand that not every district in Connecticut has had the same experience as Wilton, and I am not seeking extensive opportunities to utilize remote learning. What I am requesting is an opportunity, with your support, to petition the State Board of Education for a waiver of the one day that we utilized remote learning. If this is not possible, then I would request that you support a proposal to have the required day added to our calendar next year. The benefit for Wilton is that because we already carry 181 days, I will not be required to compensate our staff for the 182<sup>nd</sup> day this year – an unbudgeted cost of approximately \$60,000-\$100,000, depending on how the make-up day is structured.

I appreciated our conversation earlier this month, and I recognize the concerns you have about ensuring quality instruction for all with remote learning. I believe that Wilton can be a model for how to do this right and well. Thank you for your consideration. I look forward to your response.

Sincerely,



Kevin J. Smith, Ph.D.

Superintendent of Schools



# WILTON PUBLIC SCHOOLS | 2021-2022 CALENDAR

Approved 10.22.20  
Updated 1.30.2022

## JULY 2021

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- 5 Independence Day (observance) District Offices Closed
- 6 District Offices Closed
- 7 District Offices Closed

## JANUARY 2022 (17)

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- 1 New Year's Day
- 6 Board of Ed Meeting
- 3 Students Return
- 17 Martin Luther King Jr. Day – No School – District Offices Closed
- 20 Board of Ed Meeting
- 5,7,20 SNOW DAYS

20/20

## AUGUST 2021 (2)

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- 19 Board of Ed Meeting
- 23 New Staff Orientation
- 24 K-8 Staff Begin
- 25 WHS Staff Begin/Convocation
- 26 Board of Ed Meeting
- 27 Online Prof. Dev
- 30 Students Return

6/2

## FEBRUARY 2022 (15)

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

- 3 Board of Ed Meeting
- 10 Board of Ed Meeting
- 17 Board of Ed Meeting
- 18 Early Release – Professional Learning
- 21-25 Winter Recess
- 21 Presidents' Day District Offices Closed

15/15

## SEPTEMBER 2021 (19)

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

- 6 Labor Day – No School District Offices Closed
- 7 Rosh Hashanah No School District Offices Closed
- 9 Board of Ed Meeting
- 16 Yom Kippur No School District Offices Closed
- 23 Board of Ed Meeting

19/19

## MARCH 2022 (23)

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- 3 Board of Ed Meeting
- 9 Early Release – Professional Learning
- 24 Board of Ed Meeting

23/23

## OCTOBER 2021 (19)

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- 7 Board of Ed Meeting
- 11 Columbus Day – No School – District Offices Closed
- 12 Professional Development – No school for students
- 21 Board of Ed Meeting

20/19

## APRIL 2022 (15)

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- 7 Board of Ed Meeting
- 15 Good Friday – District Offices Closed
- 18-22 Spring Recess
- 28 Board of Ed Meeting

15/15

## NOVEMBER 2021 (18)

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

- 2 No School for Students Professional Learning
- 4 Board of Ed Meeting
- 18,19,22,23 K-8 Conferences Shortened Days
- 18 Board of Ed Meeting
- 24-26 Thanksgiving Recess District Offices Closed

19/18

## MAY 2022 (21)

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- 12 Board of Ed Meeting
- 26 Board of Ed Meeting
- 30 Memorial Day – No School District Offices Closed

21/21

## DECEMBER 2021 (17)

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- 2 Board of Ed Meeting
- 16 Board of Ed Meeting
- 23 Shortened Day
- 24 - 31 Holiday Recess
- 27 - 28 Christmas Day, Observance New Year's Day District Offices Closed

17/17

## JUNE 2022 (15)

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

- 9 Board of Ed Meeting
- 17,20,21 Shortened Days
- 21 Last Day Students/K-8 Staff
- 22 Last Day WHS Staff
- 17-28 Possible Inclement Weather Days
- 23 Board of Ed Meeting

12/12