



**CONSOLIDATED
SCHOOL DISTRICT
— OF —
NEW BRITAIN**

**NEW BRITAIN BOARD OF EDUCATION
POLICY COMMITTEE MEETING**

February 21, 2023– 6:00 PM | NEW BRITAIN EDUCATIONAL ADMINISTRATION CENTER



NOTICE OF MEETING

TO: New Britain Board of Education Members
Mayor Erin Stewart
Mr. Mark H. Bernacki, Town and City Clerk
New Britain Common Council Members

DATE: February 16, 2023

RE: New Britain Board of Education Committee Meetings

The following Board of Education committee meetings will be held:

- **The New Britain Board of Education Policy Committee** will hold a regular meeting on Tuesday, February 21, 2023 at 6:00 PM at the New Britain Educational Administration Center, located at 272 Main Street in New Britain, Connecticut.
- **The New Britain Board of Education Curriculum Committee** will hold a regular meeting on Tuesday, February 21, 2023 at 6:15 PM at the New Britain Educational Administration Center, located at 272 Main Street in New Britain, Connecticut.

Members of the public may attend meetings in person or view a live broadcast of the proceedings online via the livestream link:

<https://www.csdnb.org/board/>

The agendas and board packets in their entirety can be found on the Board of Education website:

<https://www.csdnb.org/board/BOE-2023-Meetings-Documents-Calendar.php>





CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

New Britain Board of Education | Policy Committee Regular Meeting

February 21, 2023 – 6:00 PM | New Britain Educational Administration Center

Members of the public may attend meeting in person or view a live broadcast of the proceedings online via the livestream link:

<https://www.csdnb.org/board/>

1. Call to Order and Opening

- A. Meeting Called to Order

2. New Business

- A. Review and Approve Minutes from Policy Committee Meeting on January 23, 2023
Submitted by: Ms. Aja Edwards | Page 5
- B. Review and Discuss Policy 3542.21 – Free and Reduced Price Meals
Submitted by: Mr. Joseph Listro | Page 7
- C. Discuss Possible Creation of a Policy Governing Flags Posted at Schools
Submitted by: Mr. Anthony Kane | Page 14

3. Closing and Adjournment

- A. Other Business as Permitted by Law
- B. Adjournment

New Britain Board of Education

Gayle Sanders-Connolly – President | Merrill Gay – Vice President | Joseph Listro – Secretary
Anthony Cane | Monica Dawkins | Anthony Kane | Matthew Marino | Annie S. Parker | Diana Reyes | Tina Santana



**CONSOLIDATED
SCHOOL DISTRICT
— OF —
NEW BRITAIN**

NEW BUSINESS



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

New Britain Board of Education Policy Committee Meeting

January 23, 2023 – 6:00 PM | New Britain Educational Administration Center

Call to Order and Opening

Board President, Gayle Sanders- Connolly, called the meeting to order at 6:02 PM.

Board Members Present

Anthony Kane*, Joseph Listro*, Diana Reyes*, Gayle Sanders-Connolly, Tina Santana*

*Committee member

CSDNB Staff Present

Ms. Amy Anderson, Ms. Lara Bohlke, Ms. Kristina DeNegre, Ms. Aja Edwards, Dr. Anthony Gasper, Ms. Wanda Lickwar, Ms. Maryellen Manning, Mr. Jeff Prokop, Mr. Tyrone Richardson, Mr. Paul Salina, Dr. Nicole Sanders, Ms. Sondra Sanford, Mr. Mark Spalding, Ms. Ivelise Velazquez.

New Business

Review and Approve Minutes from Policy Committee Meeting on November 21, 2022

Submitted by Ms. Aja Edwards

Ms. Santana motioned to approve minutes from the Policy Committee Meeting on November 21, 2022, seconded by Mr. Kane. Motion carried unanimously.

Discuss & Review Board Policy 3280.00 – Forms of Fundraising

- **Sec. 7-172** - Qualifications for sponsorship of or participation in bazaar or raffle.

Submitted by: Superintendent Tony Gasper

The Board does not currently have a clear policy on fundraisers that are also types of gambling (raffles, bingo, etc.) Sec. 7-172. Qualifications for sponsorship of or participation in bazaar or raffle. Ticket sale. No bazaar or raffle may be promoted, operated or conducted in any municipality after the adoption of the provisions of sections 7-170 to 7-186, inclusive, unless it is sponsored and conducted exclusively by (1) an officially recognized organization or association of veterans of any war in which the United States has been engaged, (2) a church or religious organization, (3) a civic, service or social club, (4) a fraternal or fraternal benefit society, (5) an educational or charitable organization, (6) an officially recognized volunteer fire company, (7) a political party or town committee thereof, or (8) a municipality acting through a committee designated to conduct a celebration of the municipality's founding on its hundredth anniversary or any multiple thereof. Any such sponsoring organization, except a committee designated pursuant to subdivision (8) of this section, shall have been organized in good faith and actively functioning as a nonprofit organization within the municipality that is to issue the permit for a period of not less than six months prior to its application for a permit under the provisions of said sections. In no event shall any sponsoring organization conduct or operate an online raffle. All funds derived from any bazaar or raffle shall be used exclusively for the purpose stated in the application of the sponsoring organization as provided in section 7-173.

New Britain Board of Education

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Anthony Cane | Monica Dawkins | Anthony Kane | Matthew Marino | Annie S. Parker | Diana Reyes | Tina Santana

Dr. Gasper started the discussion by mentioning the importance of understanding the certain restrictions of fundraising. He would like to set up a procedure that highlights what the statute states. Dr. Gasper mentioned providing resources to parent groups that are non-profit, so the funds they raise are properly handled and solely for that group. Updating the policy to provide clarity on the restrictions, will protect the board as well as make sure money is more visibly accounted for. Although the Board is in full agreement with updating the policy for clarification reasons, this doesn't require Board approval. Dr. Gasper mentioned having it for consideration at a future meeting.

Closing and Adjournment

The meeting was adjourned at 6:09 PM.

DRAFT



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

Board Policy Statement

3542.21 - ~~Free and Reduced Price Meals~~ School Meals Program

Approved on May 13, 1993

The New Britain Board of Education agrees to participate in the National School Lunch Program and School Breakfast Program and accepts responsibility for providing free meals in accordance with participation in the Community Eligibility Provision and the Connecticut State Department of Education, Child Nutrition Program policies.

The Consolidated School District of New Britain assures the Connecticut State Department of Education that the Consolidated School District of New Britain will uniformly implement the following administrative procedures for free meals in all schools that participate in the National School Lunch Program and School Breakfast Program.



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

Board Policy Statement

3542.21 - Free and Reduced Price Meals

Approved on May 13, 1993

The New Britain Board of Education agrees to participate in the National School Lunch Program and school breakfast program and accepts responsibility for providing either free or reduced price meals in accordance with Connecticut State Department of Education, Child Nutrition Program policies.

The Consolidated School District of New Britain assures the Connecticut State Department of Education that the Consolidated School District of New Britain will uniformly implement the following administrative procedures to determine children's eligibility for free and reduced price meals in all schools that participate in the National School Lunch Program and School Breakfast Program.



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

Administrative Procedure

3542.21 - Free and Reduced Price Meals

Approved on May 13, 1993

In fulfilling its responsibilities the Consolidated School District of New Britain:

- A. Agrees to serve meals free to children from families who provide a food stamp or Aid to Families with Dependent Children (AFDC) case number on the application, or whose income is at or below the free scale of the Secretary's Income Eligibility Guidelines.
- B. Agrees to serve meals at a reduced price to children from household whose income is at or below the reduced price scale of the Secretary's Income Eligibility Guidelines.
- C. Agrees that there will be no physical segregation of, nor any other discrimination against, any child because of his/her inability to pay the full price of the meal. The names of the children eligible to receive free or reduced price meals shall not be published, posted or announced in any manner, and there shall be no overt identification of any such children by use of special tokens, tickets or any other means. Further assurance is given that children eligible for free or reduced price meals shall not be required to:
 - a. Work for their meals.
 - b. Use a separate lunchroom area.
 - c. Go through a separate serving line.
 - d. Enter a lunchroom through a separate entrance.
 - e. Eat meals at a different time.
 - f. Eat a meal different from the one sold to children paying the full price.
- D. Agrees to set reduced price charges for lunch and breakfast at or below the maximum reduced price allowed by regulations and below the full price of the lunch or breakfast. (Not to exceed a charge of 40 cents per lunch and 30 cents per breakfast).
- E. Agrees that, in the operation of school nutrition programs, no child shall be discriminated against because of race, religion, sex, color, national origin, or handicap.
- F. Agrees to verify in accordance with program regulations and maintain records as follows: (1) summary of the verification efforts; (2) the total number of applications on file by October 31; and (3) the percentage or number of applications verified. Compliance with these requirements will be monitored by the state agency as part of its supervisory assistance monitoring and verification efforts.

- G. Agrees to establish and use a fair hearing procedure under which: (1) a family can appeal a decision made by the Consolidated School District of New Britain with respect to the family's free and reduced price meal application; and (2) the Consolidated School District of New Britain can challenge the continued eligibility of any child for free or reduced price meals. During the appeal and hearing, the child who was determined to be eligible based on the face of the application submitted will continue to receive free or reduced price meals. Prior to initiating the hearing procedure, the school official, the parent(s) or guardian may request a conference to provide an opportunity for the parent(s)/guardian and school official(s) to discuss the situation, present information, obtain an explanation of data submitted in the application and the decisions rendered. Such a conference shall not in any way prejudice nor diminish the right to fair hearing.

The hearing procedure shall provide the following for both the family and the Consolidated School District of New Britain:

- a. A publicly announced, simple method for making an oral or written request for a hearing.
- b. An opportunity to be assisted or represented by an attorney or other person.
- c. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
- d. Reasonable promptness and convenience in scheduling a hearing, and adequate notice as to its time and place.
- e. An opportunity to present oral or documentary evidence and arguments supporting a position without undue interference.
- f. An opportunity to question or refute any testimony or other evidence and to confront and cross examine any adverse witness(es).
- g. That the hearing be conducted and the decision be made by an official who did not participate in the decision under appeal or any previous conference.
- h. That the decision of the hearing official be based on the oral and documentary evidence presented at the hearing and entered into the hearing record.
- i. That the parties concerned and any designated representative thereof be notified in writing of the decision.
- j. That for each hearing a written record be prepared, including the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefore, and the copy of the notification to the parties concerned, of the hearing official's decision.
- k. That such written record must be retained for a period of three years after the close of the school year to which they pertain. These records must be made available for examination for the parties concerned or their designees at any reasonable time and place during such a period.

- H. Agrees to designate school principals and/or designee, to review applications and make determinations of eligibility. Such official(s) will use the criteria outlined in this policy to determine which individual children are eligible for free and reduced price meals.
- I. Agrees to develop and distribute to each child's parent(s) or guardian a letter and in addition, an application form for free and reduced price meals which shall be distributed with the parent letter at or about the beginning of each school year or whenever there is a change in eligibility criteria. The letter to parents with the free and reduced price meal application attachment shall have only income eligibility guidelines for reduced price meals with an explanation that households with incomes at or below the reduced price guidelines may be eligible for either free or reduced price meals.

Interested parents or guardians are responsible for filling out the application and returning it to the school for review. Such applications and documentation of determinations made will be maintained for a period of three years following the end of the school year to which they pertain.

Applications may be filed at any time during the year. Parents or guardians enrolling a child in a school for the first time shall be supplied with appropriate meal application materials regardless of the time of year the child is registered. If a child transfers from one school to another under the jurisdiction of the Consolidated School District of New Britain, his/her eligibility for free or reduced price meals will be transferred to and honored by the receiving school.

All children from an eligible household will receive the same benefits. Parents or guardians will be promptly notified of the acceptance or denial of their application(s). Children will be served meals immediately upon the establishment of their eligibility.

It is recognized that in certain cases foster children are also eligible for these benefits. If a household has a child living with them, who is a legal ward of the State of Connecticut, that child is considering a family of one, and monthly income from state should be listed.

When an application is rejected, parent(s) or guardian will be provided written notification which should include: (1) the reason for the denial of benefits, e.g., income in excess of allowable limits or incomplete application; (2) notification of the right to appeal; (3) instructions on how to appeal; and (4) a statement reminding parents that they may reapply for free and reduced price benefits at any time during the school year. The reasons for ineligibility shall be properly documented and retained on file at the individual school level.

The designated hearing official is the Chief Operations Officer, 272 Main Street, New Britain, CT 06051.

- J. Agrees to submit a public/press release containing both the free and reduced price eligibility guidelines and all other information outlined in the parent letter, to the local news media, local unemployment offices and major employers contemplating or experiencing large layoffs.
- K. Agrees to establish a procedure to collect money from children who pay for their meals and to account for the number of free and reduced price meals served. A procedure will be used so that no other child in the school will consciously be made aware by such procedure of the identity of the children receiving free or reduced price meals.

- L. Agrees to submit to the Connecticut State Department of Education any alterations, public announcements, etc., before implementation. Such changes will be effective only upon approval. All changes in eligibility criteria must be publicly announced in the same manner used at the beginning of the school year.

Flag Display Policy

~Page 1~

(Background Information for Policy Review Committee)

School districts and municipalities across the country have had to respond to requests to fly such flags as the Black Lives Matter or the rainbow gay pride flag on school and town flagpoles. The requests or the actual flying of such flags have led, in many places, to lengthy community discussions and some community divisiveness. Students have also become involved in what often has been a contentious discussion. The situation has caused districts to take a pause on raising different flags and such action has caused consternation and also multiple requests for a variety of flags to be flown. This is an important and sensitive issue.

In the absence of policy direction and amid the debate, many districts are refusing to fly any flags other than the U.S. and State flags. Flag-raising rule changes are being evaluated in civic circles across the country; in some cases, for the first time ever.

Often the approval or disapproval to fly such flags has been made without the existence of a comprehensive policy regarding flag raising at district schools or at municipal buildings. Lawsuits have been threatened when flag requests were either approved or disapproved. Some districts across the nation have denied the proposal to fly these flags because of the worry about the precedent that would be set, especially in the absence of a policy upon which to base a decision.

Some have supported the flying of other flags as reflective of the diversity of the local community and the board's support of it. It could be voiced that the flying of these flags could be a public statement of the district's values; an indication of the district's current thinking and where it is trying to go.

However, other board members have indicated that once you permit such flags to be flown, it would be difficult to say no to other groups. Other mechanisms, such as a proclamation or program, some have suggested, could be used to indicate local board support or recognition of such issues. Some counter, however, that a more visible stance is necessary. Some believe flying the rainbow flag or Black Lives Matter flag is aligned with the effort for diversity, equity and inclusion. Also to be considered and cited are the inclusivity and equity policies adopted by the district.

Another argument presented is that such flags, listed in this narrative, are politically-oriented flags. A Utah district has indicated that its policy is designed to keep its classrooms politically neutral by prohibiting Black Lives Matter, rainbow, Make America Great Again and other similar flags from being displayed in and at school. Others counter that some flags, such as the rainbow flag, do not belong on a political list.

The need exists for board of education discussion on this issue and the crafting of a policy that is broadly applicable when requests are made by students and adults alike to fly a particular flag on school property. The discussion must provide an opportunity for student and community input and careful scrutiny of applicable laws and community beliefs and concerns.

To some the flying of a gay pride flag indicates respect for the LGBTQ community, representing the hope of acceptance and equality. The flying of the Black Lives Matter flag to some represents heritage and a belief that all students matter and that it represents a symbol of hope and safety for some students.

Flag Display Policy

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What must be considered is the issue of freedom of expression and First Amendment rights. In the school setting, it is important to consider the concept of viewpoint neutrality.

Legal Perspective

C.G.S. 10-230 mandates that boards of education provide a U.S. flag for each classroom and shall cause such flag to be displayed therein during each day school is in session. Further, each school building is required to display a flag on the school grounds each school day as well when the weather will permit and on the inside of the schoolhouse on other school days. Connecticut law is silent on the flying of other flags.

The U.S. Flag Code, a joint resolution passed by Congress on June 22, 1942 and later amended on December 22, 1942, specifies that the U.S. flag should be displayed at every public institution and in or near every polling place on election days, and in schoolhouses during school days. The Code indicates that in the United States, no other flag should be placed above the American flag or, if they are to be placed at the same level to the right of the American flag. When flags of states, cities, etc. are flown on the same halyard, the American flag should be at the peak.

When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.

These rules were set to make sure the American flag is in a position of prominence over other flags. The flag represents the people and the people are highest authority. The American flag is even displayed above church flags, except in rare circumstances.

The flags that commonly fly below the American flag include state and town/city flags or a POW flag.

Potential First Amendment implications are cited about flying a variety of flags on school district property. If the school district approves the request, for example, to fly a Pride flag, the district's flagpole would be opened up as a forum for public speech and the district would be forced to approve other similar requests, this could result in the flying of some which the district may not want displayed, because once a forum is public, viewpoints cannot be discriminated against, no matter how odious or repulsive.

The First Amendment doesn't just apply to individual free speech rights. Governmental agencies also have free speech rights, including what speech it wants to support as an entity. This often materializes in cases such as government bodies choosing what kind of monuments or public art they allow on their properties, but could also apply to the types of flags flown on a flagpole. An example of this is that President Biden has approved U.S. embassies flying the Pride flag and Governor Whitmer (Michigan) was the first governor to fly a rainbow flag on an official state building in 2019.

There have been some courts around the country that have held that LGBTQ issues to be political speech and therefore cannot be expressed through clothing or other means, such as the display of the Pride flag. Others have held that signage that is displayed on district property is, or becomes political in nature and must be removed. Such individuals see this as partisan political activity.

Flag Display Policy

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Issue of Viewpoint Neutrality and Public Forums

The level of control over what flags may be flown at district flagpoles and at ground level ceremonies will depend on what type of “forum” these locations represent.

The First Amendment does not dictate that a governmental agency must allow speech equally in all places and at all times (*Cornelius v. NACCP Legal Def. & Educ. Fund* (1985) 473 U.S. 788). The U.S. Supreme Court and Federal Circuit Courts have adopted a “forum analysis” which prescribes how and when a governmental body may regulate speech. Those various forums include the following:

- *Traditional Public Forum* – The authority to restrict speech of private citizens is most limited. Such speech may be restricted only to “serve a compelling state interest.” Few restrictions pass this test. A sidewalk, street or park are considered public forums; a government office building, prison or military base are not.
- *Designated Public Forum* – A governmental agency may create such a forum by designating particular property for public speech. A school district’s flagpole can be designated a public forum. The courts have held that flags flown at public buildings constitute a form of government speech insulated from First Amendment review.
- *Nonpublic Forum* – This is a space that is not by tradition or designation a forum for free speech by private citizens. This includes city/town buildings, district newsletters/websites etc. In this space, governmental restrictions are permitted if they are “reasonable,” and “not an effort to suppress the speaker’s activity due to disagreement with the speaker’s view.” This provides the widest latitude to regulate speech, including control over content.
- *Limited Public Forum* – this is an otherwise nonpublic forum that the governmental agency has intentionally opened only to certain groups or for the discussion of certain topics. It is possible to regulate such expression provided it is reasonable and does not target one viewpoint on a particular issue over another. It is a violation of the First Amendment to allow certain flags while excluding others.

When a school district opens its flagpoles to flying flags other than the U.S. flag, state flag, city/town flags or the POW flag, it creates a “limited public forum.” In a “limited public forum” the district cannot prohibit speech based on the viewpoint it represents without violating the First Amendment.

However, a policy could be enacted in which the flag displays would be limited to the Flags of the United States, State of Connecticut, the city/town flag and any other flags the district authorizes to display in its policy. This means a non-public forum is created. The Government Speech Doctrine, defined by the U.S. Supreme Court establishes that a government agency may advance its own expression without requiring viewpoint neutrality when the government itself is the speaker, so long as its expression does not show religious preference or encourage a certain vote in an election.

Flag Display Policy

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The U.S. Supreme Court has decided to hear a case which pits various provisions of the First Amendment against one another. The case, *Shurtleff v. City of Boston*, could impact the extent to which individuals/groups may utilize public facilities, such as flagpoles, to advance certain types of beliefs, including religious ones.

The case involving Boston involved a request by a Christian group, Camp Constitution (Camp), to fly a flag with a Christian cross on it over the Boston City Hall in 2017. The request was denied in accordance with the City's policy to "refrain respectfully from flying non-secular third-party flags in accordance with the First Amendment prohibition of government establishment of religion." Camp argued that the City of Boston had granted many other requests to fly flags that were brought by other private groups and the city's refusal violated Camp's right to free speech. Camp argued that the flagpole constituted a public forum, thereby requiring strict scrutiny analysis relating to any content-based restrictions.

The District Court for the District of Massachusetts ruled in favor of the City and the First Circuit Court of Appeals affirmed. The First Circuit ruled that the placement of the flag at City Hall constituted government speech. The Court noted, "Even though the First Amendment restricts government regulation of private speech in government-designated public forums, such restrictions do not apply to government speech." Stated differently, private speech in government-designated public forums is generally protected from government regulation by the First Amendment, but such protections do not apply to government speech.

Policy Implications

This is a complex issue. The adoption of a flag policy will help to clarify practices to be followed for the display of flags on school district property and also provide a procedure for the display of commemorative flags as may be authorized by the municipality as an expression of its official sentiments.

It is possible for the district to take the position that its flagpoles are not intended to serve as a public forum for free expression by the public or create a limited public forum in which an approval process would be utilized to consider the flying of flags.

A new policy, #6115.3, "Flag (Display) Policy", has been developed. There are several versions representing various positions which a local district may want to take on this issue. In addition, there are two sample administrative regulations. These materials follow for your consideration.

This is considered an optional policy for inclusion in a district's policy manual at this time.

CABE's policy on this topic to consider.

Instruction

School Ceremonies and Observances

Flag (Display) Policy (Version #1)

It is the policy and intent of the _____ School District (District) that the display of national, state and other flags of institutional significance at District schools shall be in accordance with all applicable federal and state law, policy of the District, and proclamations by the President of the United States, the Governor of Connecticut, the _____ Board of Education (Board) and the Superintendent or any other school official designated in this policy.

OR

All flags shall fly in accord with the standards of the United States Code, Title 4. All other flags shall be displayed in accord with applicable state and federal law.

All the flag poles owned by the District are under the control and management of the District. It is impermissible to fly any flag without the approval of the Board or its designee as set forth herein. The flying of flags representing an entity other than the United States of America, the State of Connecticut, the Town/City, or the District (whether a District flag or the flag of an individual school) shall be governed by the procedures and guidelines for approval outlined herein.

OR

There is a distinction between government speech and private speech. District flagpoles are a form of government speech, under the control and management of the District. It is impermissible to fly any flag without the approval of the Board, with the exception of the flags of the United States of America, the State of Connecticut, the flag of the town/city, District flag, school flag, or the POW/MIA flag.

The Board is not obligated to approve any flag requests. Requests that meet the guidelines outlined below are not guaranteed approval by the Board because flag requests are suggestions for Board consideration. This policy determines how these suggestions are to be proposed. The guidelines outlined in this policy establish minimum standards for a flag request to be considered by the Board; but the Board has the right to apply other standards beyond the minimum at its discretion.

Procedures

Requests to display flags shall apply to all District schools.

It is the Board's intent that, in most instances, the Principal shall be able to decide whether a particular flag shall be displayed at his/her respective school.

Instruction

School Ceremonies and Observances

Flag (Display) Policy (Version #1) (continued)

Guidelines

The following criteria are included as part of the decision-making procedure and process:

1. Only requests from officially organized/recognized student groups or District stakeholders will be considered (when there is sufficient reason to believe that such messaging via the flag pole will promote student well-being).
2. Requests must be aligned with the District mission, goals, values and student learning outcomes.
3. The Board may determine to raise any flags which clearly support a stated District goal, current academic endeavors or programs, or curriculum or courses of study.
4. The timeframe for flying a flag requested hereunder shall be consecutive and for no longer than twenty (20) days in which school is in session (or thirty calendar days).
5. A flag that is approved and displayed shall not be eligible to be displayed again for one (1) calendar year from the date in which it is first raised. This guideline may be waived in special circumstances.
6. A petition or other form of evidence of student support within the school may be required.
7. Previously approved flag requests may be renewed by the Board in subsequent years without new evidence of student support.
8. Requests to fly flags with symbols that are prohibited from government speech, including but not limited to religious symbols, will be denied. (The Board cannot approve requests to fly flags with symbols that are prohibited from government speech, including religious symbols.)
9. The flag requested to be flown shall be presented, it shall be of professional quality and shall be smaller than the United States flag and the State of Connecticut flag on display at the same location(s).
10. Excluding the United States and Connecticut flags, only two flags at a time may be approved by the Board to be raised. Preference shall be based upon when a request is received by District administration.
11. If placed upon any official district halyard or flag pole no more than two (2) flags shall fly below the United States flag and if one of them is the Connecticut State flag or a recognized local government flag, such shall take the spot on the halyard or flagpole immediately below the U.S. flag (or otherwise in accord with SAID Article 4 or applicable law).

Instruction

School Ceremonies and Observances

Flag (Display) Policy (Version #1)

Guidelines (continued)

12. Requests will be submitted to the Board via placement on the agenda of a Board regular or special meeting and discussed and acted upon in open session.
13. The Board reserves the right to evaluate whether the flag in question is offensive or is contrary to the values and mission of the District.
14. No commercial flags shall be flown or displayed and no flag may be flown for commercial purposes.
15. Any approved flag requests must comply with existing Board policies.
16. The Board may remove a previously-approved flag at any time.
17. In accordance with the U.S. Flag Code, approved additional flag(s) will be removed during half-mast orders.

The flags initially approved under this Flag Policy include the following:

- The United States flag
- The Connecticut State flag
- The official flags of the President and Vice-President of the United States
- The official flags of all branches of the U.S. Military and Armed Forces
- The POW/MIA flag
- City/Town flag
- School District and School flags

(cf. 0521 – Nondiscrimination)

(cf. 0521.1 – Commitment to Religious Neutrality)

(cf. 0523 – Equity and Diversity)

(cf. 0524 – Hate Crimes and Bias Incidents in Schools)

(cf. 5145.2 –Freedom of Speech/Expression)

(cf. 6115.3 – Ceremonies and Observances)

(cf. 6144 – Controversial Issues)

Instruction

School Ceremonies and Observances

Flag (Display) Policy (Version #1)

Legal Reference Connecticut General Statutes

10-230 Flags in classrooms and schools. Policy on the reciting of the
“Pledge of Allegiance.”

4 U.S.C. Title 4, Chapter 1, Section 5-9 (display of the flag)

First Amendment-U.S. Constitution

36 U.S.C. 174

Tinker v. Des Moines Independent Community School District, 393 U.S. 503

Policy adopted:

cps 1/22

An administrative regulation on this topic to consider.

Instruction

School Ceremonies and Observances

Flag (Display) Policy – Regulation

Flag Proposal Steps Required

1. Requests to fly a flag will be submitted to the Superintendent of Schools in writing.
2. The Superintendent or designee will review the request to ensure that it includes and conforms with the guidelines contained within the Board's policy, the following criteria and is eligible for consideration by the Board:
 - a. Required Proposal Components**
 - A visual replication of the exact flag, with dimensions and method of attachment to the flagpole. Any proposed flag may not be larger than the American flag.
 - A rationale that explains how the proposed flag supports a stated District goal, current academic endeavors or programs, curriculum and courses of study.
 - A proposed time frame for raising and flying the flag.
 - Estimated cost of the flag.
 - Evidence of support from a faculty advisor/sponsor.
 - Demonstrated student support for the proposed flag.
 - b. Exclusionary Criteria to be Considered by the Superintendent or Designee Upon Initial Receipt of the Request**
 - The flag may not be libelous, defamatory, obscene, lewd, vulgar, or profane.
 - The flag may not violate federal, state or local laws.
 - The flag may not violate any District policy.
 - The flag may not depict any symbols, language, slogans, etc., that are registered as hate speech by a nationally recognized organization such as the Anti-Defamation League or Southern Poverty Law Center.
 - The flag may not interfere with or advocate interference with the rights of any individual or the orderly operation of the schools and their programs.
 - The flag may not be subject to copyright, licensing or trademarks (meaning that the District should not commit itself to paying royalties or becoming involved in any type of legal dispute for flying flags that the District did not receive licensing approval or pay royalties to fly).
 - The flag may not be commercial in nature.
3. If eligible to be considered by the Board, the Superintendent will arrange for the proposal to be added to an agenda to be presented to the Board at an upcoming legally warned Board meeting. If the request is ineligible to be considered by the Board, the Superintendent or designee will notify the requestor(s) in writing of the reason for ineligibility.

Instruction

School Ceremonies and Observances

Flag (Display) Policy – Regulation

Flag Proposal Steps Required (continued)

4. If the Superintendent determines a request to be ineligible and the requestor(s) disagrees with the Superintendent or designee's eligibility decision, the requestor(s) may appeal to the Board in writing for the request to be heard. The Superintendent or designee's written response and rationale for determining the request ineligible will be submitted as a part of the materials for consideration by the Board as it hears the request on appeal. Appeals must be submitted to the Board within fourteen (14) calendar days of the date of the eligibility denial issued by the Superintendent.
5. After hearing a request, the Board will vote on the flag request within the next two (2) regularly scheduled and legally warned Board meetings. The Board will provide a written statement articulating why the flag request was approved or denied, to be delivered to the requestor(s) through the Superintendent.
6. The Board may also determine to renew a previously-approved flag to fly upon a written request from the original applicant(s) directly to the Board. Any such request shall follow the procedural requirements in step 3.

Displaying the Flag with Other Flags

The American flag may be displayed with other flags as long as its display follows the rules specified by the Flag Code. These rules were set to make sure the American Flag is in a position of prominence over other flags. The flag represents the government of the United States, and on American soil, the government is the highest authority.

The Rules:

- When displayed with other flags, the size of the American Flag should be larger than the other flags or relatively equal to the size of the largest flag. Other flags should not overshadow the American Flag in any way.
- The American Flag should be flown higher than lesser flags. If the flags are displayed on the same level, the American Flag should be flown to the (*flag's own*) right of all other flags. The right is a position of prominence.
- If the flags of other nations are displayed with the American Flag, they should be of equal size and at equal heights on separate staffs at a time of peace. The American flag should be displayed to the (*flag's own*) right but not higher than other national flags.
- In a group of state, local and/or society flags, the American Flag should be flown highest and in the center.

Instruction

School Ceremonies and Observances

Flag (Display) Policy – Regulation

Displaying the Flag with other Flags (continued)

- The American Flag should be hoisted first and lowered last, when flown with other flags on adjacent staffs.
- When the American flag is displayed against a wall with another flag, it should be on the (*flag's own*) right with its staff in front of the other flag.
- Another nation's flag should not be displayed on the same halyard as the American Flag.

United States Flag at Half-Staff

Flying a flag at half-staff is a signal of mourning. By tradition, the national flag flies at half-staff only when the entire country mourns. If local flags are flown at half-staff, the national flag may be flown at full staff with them. The flag should be hoisted to the top of the staff for an instant before being lowered to half-staff. It should be hoisted to the peak again before being lowered for the night.

The national flag shall fly at half-staff (36 U.S.C.175):

1. For 30 days from the death of the President or a former President.
2. For 10 days from the death of the Vice President, the Chief Justice, or a retired Chief Justice, or the speaker of the House of Representatives.
3. From the day of death until burial of an Associate Justice of the Supreme Court, a former Vice President, a member of the Cabinet, a secretary of the Army, Navy, or Air Force, and the Governor of the state.
4. On the day of death and the following day for a Member of Congress.
5. By order of the President upon the death of principal figures of the United States government as a mark of respect to their memory.
6. Flags shall be flown at half-staff on Pearl Harbor Day, on September 11th Remembrance Day, on days commemorating the death of a personage of great importance, and on days designated by the President or the Governor.

Note: The two paragraphs below are optional and offered for the Board's consideration.

The Board has discretion in determining when the flag will fly at half-staff to commemorate the death of a local person. Flags on individual buildings will be flown at half-staff for 30 days if a present employee or student in that building dies. The flag shall also be flown at half-staff the day of the funeral of any former employee well-known in the school. This will be at the discretion of the Superintendent.

Instruction

School Ceremonies and Observances

Flag (Display) Policy – Regulation

United States Flag at Half-Staff (continued)

All flags in the District are to be flown at half-staff when a present Board member dies and are kept at half-staff for 30 days. All flags are put at half-staff on the day of the funeral of a former Board member. All flags in the District are flown at half-staff on the day of the funeral of a present employee or a present student. The flag will not be displayed on days when the weather is inclement.

Regulation approved:

cps 1/22

Another version on this topic to consider.

Instruction

School Ceremonies and Observances

Flag (Display) Policy (Version #2)

The Board of Education believes that the Flag of the United States is a symbol of the values of our nation, the ideals embedded in our Constitution and the spirit that should animate our District. The District shall purchase a United States flag, flag staff and the necessary appliances for its display upon or near every school building. There shall be a flag on display in every classroom room of every school.

The Flag shall be flown at full- or half-staff pursuant to law. In addition, the Flag may be flown at half-staff to commemorate the death of a present or former Board member, present employee or student. Consistent with national and state law and regulations and this policy, the Superintendent of Schools shall develop rules and regulations for the proper custody, care and display of the flag.

- (cf. 0521 – Nondiscrimination)
- (cf. 0521.1 – Commitment to Religious Neutrality)
- (cf. 0523 – Equity and Diversity)
- (cf. 0524 – Hate Crimes and Bias Incidents in Schools)
- (cf. 5145.2 – Freedom of Speech/Expression)
- (cf. 6115.3 – Ceremonies and Observances)
- (cf. 6144 – Controversial Issues)

Legal Reference Connecticut General Statutes

10-230 Flags in classrooms and schools. Policy on the reciting of the “Pledge of Allegiance.”

4 U.S.C. Title 4, Chapter 1, Section 5-9 (display of the flag)

First Amendment-U.S. Constitution

36 U.S.C.174

Tinker v. Des Moines Independent Community School District, 393 U.S. 503

Policy adopted:

cps 1/22

Another version on this topic to consider.

Instruction

School Ceremonies and Observances

Flag (Display) Policy (Version #3)

It is the policy of the Board of Education (Board) to correctly honor the flags of the United States, the State of Connecticut, the POW/MIA recognition, the City/town of _____ and the flags of other governmental entities and ensure a standard of flag display on District property.

The Board shall comply with national and state protocols for flag display and etiquette.

In addition to the above referenced flags, other flags or banners may be displayed on a permanent or temporary basis outside or inside of District buildings. Other flags and banners may only be displayed upon the issuance of a federal or state proclamation or resolution or Mayoral or First Selectperson or Town Manager proclamation. Examples include, but are not limited to, sister City flags, Heritage Month flags, (e.g. African American History, Asian/Pacific American History, National Hispanic Heritage, National American Indian/Alaska Native Heritage), flags received in recognition of awards, or flags designating an event or accomplishment. All such flags and banners will be displayed with the authorization by the Mayor or First Selectperson or Town Manager as prescribed by the applicable proclamation or resolution.

- (cf. 0521 – Nondiscrimination)
- (cf. 0521.1 – Commitment to Religious Neutrality)
- (cf. 0523 – Equity and Diversity)
- (cf. 0524 – Hate Crimes and Bias Incidents in Schools)
- (cf. 5145.2 – Freedom of Speech/Expression)
- (cf. 6115.3 – Ceremonies and Observances)
- (cf. 6144 – Controversial Issues)

Legal Reference	Connecticut General Statutes 10-230 Flags in classrooms and schools. Policy on the reciting of the “Pledge of Allegiance.” 4 U.S.C. Title 4, Chapter 1, Section 5-9 (display of the flag) First Amendment-U.S. Constitution 36 U.S.C.174 <i>Tinker v. Des Moines Independent Community School District</i> , 393 U.S. 503
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Policy adopted:

cps 1/22

Another version on this topic to consider.

Instruction

School Ceremonies and Observances

Flag (Display) Policy (Version #4)

The Board of Education (Board) believes that the Flag of the United States is a symbol of the values of our nation, the ideas embedded in our Constitution and the spirit that should animate our District.

The District shall purchase a United States flag, flag staff and the necessary appliances for its display upon or near every school building. There shall be a flag on display in every classroom and room of assembly (i.e., auditorium) of every school.

The American flag shall be displayed at full-staff, during school hours every day school is in session pursuant to law. However, the flag shall not be displayed outdoors in inclement weather. Outdoor display, except on special occasions for patriotic effects, is limited to the hours from sunrise to sunset.

The flag must be flown at half-staff on September 11th Remembrance Day and on December 7th (Pearl Harbor Day); on days commemorating the death of a personage of national or state standing as designated by the President of the United States and/or the Governor of the State of Connecticut as special periods of mourning.

In addition, flags may be flown at half-staff, at the discretion of the Superintendent, on days commemorating the death of a:

- Public servant or an official who, in the opinion of the school district, contributed to the community;
- Local serviceman;
- Present or former school board member;
- Present or former employee; and
- Present student.

Consistent with national and state law and regulations and this policy, the Superintendent of Schools shall develop rules and regulations for the proper custody, care and display of the flag.

(cf. 0521 – Nondiscrimination)

(cf. 0521.1 – Commitment to Religious Neutrality)

(cf. 0523 – Equity and Diversity)

(cf. 0524 – Hate Crimes and Bias Incidents in Schools)

(cf. 5145.2 – Freedom of Speech/Expression)

(cf. 6115.3 – Ceremonies and Observances)

(cf. 6144 – Controversial Issues)

Instruction

School Ceremonies and Observances

Flag (Display) Policy (Version #4)

Legal Reference	Connecticut General Statutes
	10-230 Flags in classrooms and schools. Policy on the reciting of the “Pledge of Allegiance.”
	4 U.S.C. Title 4, Chapter 1, Section 5-9 (display of the flag)
	First Amendment-U.S. Constitution
	36 U.S.C.174
	<i>Tinker v. Des Moines Independent Community School District</i> , 393 U.S. 503

Policy adopted:

cps 1/22

An administrative regulation on this topic to consider.

Instruction

School Ceremonies and Observances

Flag (Display) Policy – Regulation

A United States flag shall be displayed in front of every school building in the district every day that school is in session and at such other times as the Superintendent of Schools shall direct. Unless otherwise stated, the flags shall be flown at full-staff. The flags may also be displayed at night upon special occasions, at the discretion of the Superintendent, when it is desired to produce a patriotic effect. In addition to days when school is in session, the flags will be displayed on the following days if school is open to the public: New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Flag Day, the Fourth of July, Labor Day, September 11th Remembrance Day, POW/MIA Recognition Day, Columbus Day, Veterans Day, Thanksgiving Day, Pearl Harbor Day and Christmas Day. If any of these days (except Flag Day) falls on a Sunday, the flag shall be displayed on the next day. In addition, the flag shall be displayed on each general election day and each day appointed by the President of the United States or by the Governor of Connecticut as a day of general thanksgiving or for displaying the flag.

Flags shall be flown at half-staff on Pearl Harbor Day, on September 11th Remembrance Day, on days commemorating the death of a personage of great importance, and on days designated by the President or the Governor.

Note: The two paragraphs below are optional and offered for the Board's consideration.

The Board has discretion in determining when the flag will fly at half-staff to commemorate the death of a local person. Flags on individual buildings will be flown at half-staff for 30 days if a present employee or student in that building dies. The flag shall also be flown at half-staff the day of the funeral of any former employee well-known in the school. This will be at the discretion of the Superintendent.

All flags in the district are to be flown at half-staff when a present Board member dies and are kept at half-staff for 30 days. All flags are put at half-staff on the day of the funeral of a former Board member. All flags in the district are flown at half-staff on the day of the funeral of a present employee or a present student. The flag will not be displayed on days when the weather is inclement.

Hoisting of the Flag

The flag shall be hoisted briskly and lowered ceremoniously. In half-staffing the flag, it first should be hoisted to the peak for an instant and then lowered to the half-staff position. The flag shall be again raised to the peak before it is lowered for the day. The flag shall never be put at half-mast in the middle of the day. It must be put at half-mast in the morning only.

Instruction

School Ceremonies and Observances

Flag (Display) Policy – Regulation (continued)

Indoor Flags and Those Not on Movable Hoists

There shall be a United States flag in each assembly room of every school in the District. It is the duty of the teacher or other person in charge of each assembly room to ensure that the flag in the room is displayed from a staff standing at the audience's right as they face the stage. If the flag is placed on the platform, it should stand at the right of the speaker as he/she faces the audience and at the audience's left as they face the stage.

Regulation approved:

cps 1/22

