

**ANDOVER ELEMENTARY SCHOOL
ANDOVER, CT 06232
Special Board of Education Meeting
Wednesday, July 12, 2023
4:00 p.m.
Virtual Meeting/School Library**

Members Present: Chairperson Gerard Cremé, Mike Beckwith, Caitlin Greenhouse, Shannon Louden, Celeste Willard
Members Absent: Chris Bernard, Steven Fuss
Administration: Valerie Bruneau, Superintendent
Taylor Parker, Principal
Terri Smith, Finance Manager
Others: Conrad, CABA Attorney and Presenter

1. Call to Order, Pledge of Allegiance

The meeting was called to order at 4:05 p.m., followed by the Pledge of Allegiance.

2. Comments from the Public – None.

3. Communications – None.

4. Professional Development; Goal/Evaluation Development

Presentation:

CABA worked with the BOE to revisit the goals from 2022-2023 school year. BOE discussed the continued focus on Differentiated Instruction, Collaboration, Professional Development and Fiscal and Long-term Strategic Planning focus areas.

Second PD area of focus was on how to relate better to BOS, review of the 2% non-lapsing account, and proposed new capital account.

Last area was on newsletter vs. social media and how to get the news out to the community in a productive manner.

Superintendent evaluation will need to be sent to G. Cremé by August 2nd.

5. Upcoming Meetings

Regular Board Meeting – August 9, 2023

6. Adjournment

Motion to adjourn made by C. Willard at 6:25 p.m., seconded by C. Greenhouse.

5-0-0 (PASSED)

**Respectfully Submitted,
Valerie Bruneau
Superintendent**

* Auditor, Treasurer & Town Manager agree to this corrective action plan. This helps the town fix its deficiencies.

AUDIT FINDING CORRECTIVE ACTION PLAN



June 30, 2023

Town of Andover
State Single Audit Corrective Action Plan
For the Fiscal Year Ended 2022

Office of Policy and Management
450 Capitol Avenue MS-54MFS
Hartford, Connecticut 06106-1379

Municipal Finance Services Unit Attn: William Plummer

AUDIT FINDINGS

2021-001:

Description of Finding: Material Weakness in Internal Control over Financial Reporting - Bank Reconciliation - ~~Town~~ - side

Statement of Concurrence or Nonconcurrence:

The town of Andover concurs with this finding.

Corrective Action:

The town of Andover has put in place a process to ensure that bank reconciliations are completed in a timely manner. The process was developed and put in place by March 1, 2023. The town is reconciling the town side of the general ledger monthly. The town will document supervisory review of the reconciliations.

In addition, a separate bank account was established in July 2022 to separately account for Board of Education activity. The School Business Office will now be responsible for reconciling the Board of Education bank account with its general ledger on a monthly basis. The Superintendent will document supervisory review of the reconciliations.

Name of Contact Person: Eric Anderson Town Administrator
860.771.1072
eanderson@andoverct.org

Projected Completion Date: March 1, 2023
(completion date.)

2022-002:

Description of Finding: Significant Deficiency in Internal Control over Financial Reporting: Year-end Closing Procedures *Town-side*

Statement of Concurrence or Nonconcurrence:

The town of Andover concurs with this finding.

Corrective Action:

The town of Andover has developed, but not yet adopted formal written procedures for year-end closing including all necessary reconciliations and approvals. The town will formally adopt the procedures.

Beginning with fiscal year 2023, the School Business Office will be responsible for closing all Board of Education funds. The School Business Office will formally adopt procedures in connection with the fiscal year 2023 closing process.

Name of Contact Person: Eric Anderson Town Administrator
860.771.1072
eanderson@andoverct.org

Projected Completion Date: Aug 1, 2023

2022-003:

Description of Finding: Significant Deficiency in Internal Control over Financial Reporting - Reconciliation of the Town's and the School District's General Ledgers

Statement of Concurrence or Nonconcurrence:

The town of Andover concurs with this finding

Corrective Action:

In July 2022, the town of Andover established a separate bank account to account for Board of Education transactions. The town will no longer be responsible for the reconciling Board of Education activity which will eliminate the need to record Board of Education activity with the town's general ledger. In connection with fiscal year 2023, a reconciliation process will be implemented to reconcile the Board of Education's actual budgetary expenditures against the appropriation authorized by the town. The town and Board of Education will now reconcile their accounts independently and provide the information directly to the Auditor.

Name of Contact Person: Eric Anderson Town Administrator
860.771.1072
eanderson@andoverct.org

Projected Completion Date: August 1, 2023

Sincerely yours,



[Eric Anderson]

[Town Administrator]

*** INSTRUCTIONS FOR FILING:**

The organization should complete the corrective action plan and provide a copy to its independent auditor to be filed electronically by the independent auditor as part of the audit report package uploaded on OPM's Electronic Audit Report System (EARS) website at:

<https://www.appsvcs.opm.ct.gov/Auditing/Home.aspx>.

Correspond. from Eric Anderson To BOE

From: Anderson, Eric eanderson@andoverct.org

Subject: Information flow

Date: July 10, 2023 at 6:22 PM

To: Valerie Bruneau bruneauv@andoverelementaryct.org

Cc: Cremé, Gerry gerard.j.creme@gmail.com, Brian Briggs bbriggs@andoverct.org, Brinker, M mbrinker@andoverct.org, Celeste Willard willardc@andoverelementaryct.org, Cheryl LaFlamme-Miller cheryl@clservicescpa.com, Chris Bernard bernardc@andoverelementaryct.org, England, R rengland@andoverct.org, Fish, L lfish@andoverct.org, Joanne Hebert jhebert@andoverct.org, Maguire, J jmaguire@andoverct.org, Michael Beckwith beckwithm@andoverelementaryct.org, Shannon Loudon shannonoloudon@me.com, Theresa Smith smitht@andoverelementaryct.org, William Desrosiers wdesrosiers@andoverct.org, fussels@andoverelementaryct.org Fussss@andoverelementaryct.org, greenhousec@andoverelementaryct.org

To the Board of Education and others:

First off, I apologize for my blunt tone, but frankly this is a time for bluntness and I am a pretty blunt guy to begin with. Part of my job is to represent the interests of the Boards of Selectman and Finance and say the uncomfortable things.

Here is the problem

Today is June 29. The fiscal year is 364 days old. The Board of Ed/ Superintendent has provided the Treasurer and the Board of Finance with exactly zero financial data and the year is basically already over. That is really problematic. The board that is elected by the voters of Andover, and treasurer who was hired to oversee the overall fiscal management of the town, is not getting the information they want and should have. See CGS 10-248,10-243,7-80, etc I listed the relevant excerpts below)

We can and have sent back and forth legal opinions about what is and is not required but if you step back and think about it, what is happening is not in the best interests of the town, or ultimately the Board of Education.

When the Board of Finance gets a budget request from the BOE for the upcoming year, they get zero current budget information to compare and evaluate if that is a reasonable request. All they get is what is provided by the auditor, which is already 19 months old. And they were categorically refused information about any other sources of revenue ie. grants? This seems to contradict state law (cgs 7-345). I know it is uncomfortable for me to use terms like "Refused" but that is what happened.

When the BOE makes budget transfers within your budget or back and forth between the budget and grants, you do not notify the BOF. This violates the town Charter (section 806E)

No one is arguing that the BOE does not get to control its own budget- you do. Whatever is appropriated is the BOE's to spend. Move it around as you see fit, and spend it how you need to. But you do have a legal and ethical responsibility to share that data. It is not an unreasonable expectation that the Board of Finance gets the financial information from the BOE.

Look at this from the perspective of the BOS/BOF. An agreement was made to split the checking accounts and directly fund the BOE. That is a good thing on both sides and solves a series of problems. Unfortunately- that only works if the correct boards (and personnel ie the treasurer) get the information they should have. Do you think this would have happened if the First Selectman and BOF chair thought they would get stone walled like this? Remember that all the BOS/BOE has to do is direct me not to fund the separate checking account and to go right back to writing all checks from the town's main account. This is not in the best interest of the town or the school and I have no desire to

do that.

The town could also simply file a FOI request every month for the info it wants, but is that really necessary? That would be an enormous waste of time, is pointless and would further exacerbate the problem. I don't want to have to appear before the FOI commission any more than you do.

Now think about this from the lens of public opinion. What is the first thing someone thinks when they find out the school is not providing the data?

"What are they hiding and what did they do that they don't want taxpayers to know?"

I can't tell you how many times I have been asked that very question. Is that really how you want to be perceived?

So what should the BOE provide to other entities and Why?

At a minimum the same information that is provided to the BOE members should be provided. Ideally you should provide to the Treasurer and BOF:

Monthly

1. Bank reconciliations monthly (no more than 60 days late)
2. Bank statement monthly
3. Grant Info
4. Monthly Check Register (but this may be more than the BOE wants to share)

Quarterly

1. Current and projected expenditures and revenues (To the BOS/BOF/Treasurer see note below on CGS 10-248C)

As needed

1. Anytime the BOE makes a transfer of funds between line items including grants. this is a requirement of the charter section 806E they must report them to the BOE

This is it. The treasurer can do her job, the BOF and BOS can do their jobs, and the public stops thinking we are all a bunch of jerks.

Legal Stuff

Gerry Crème, as the Schoolboard Chair argued in a letter to the BOF a few months ago that the BOE was not obligated to give anyone anything based on a narrow interpretation by the schools attorney looking at only a few of the parts of the state statues pertaining to the school and leaving out all the rest of the relevant law and charter provisions.

I think it is worth your time as a schoolboard member to review some other state Statues as well as read the town charter, and form your own opinion. Here are some things to consider:

CGS Sec. 10-248. Payment of school expenses. The expenses of maintaining public schools in each town, which shall be incurred with the approval of the board of education, **shall be paid by the town treasurer** on orders drawn by said board, **except so far as they may be met by the income from local school funds.** Such orders may be signed by such persons on behalf of the board as the board by bylaw or special vote, certified by the secretary to the town treasurer, provides; and, in the absence of such bylaw or special direction, by the secretary.””

On the point of whether a town is required to pay the school board just because they ask for it, I (and the towns attorney) agree that the town cannot withhold funds arbitrarily or condition payment once an appropriation has been made. We had and continue to have no

intention of doing that. On the other hand, it is impossible for the town Treasurer to perform their fiduciary duty to ascertain that "income from local school funds are insufficient" if AES have not reconciled their bank accounts and proven that fact to the satisfaction of the Treasurer. Keep in mind also that the Town Treasurer IS the School District Treasurer also and has overall responsibility for reconciliation.

Sec. 10-243. Treasurer and clerk. The town clerk and treasurer of each town shall have all the powers and duties, respectively, of the clerk and **treasurer of a school district**, except so far as such duties are rendered unnecessary by the provisions of this chapter.

Sec. 7-80. Duties of treasurer. Appointment of deputy. (a) The town treasurer shall receive all money belonging to the town, pay it out on the order of the proper authority and keep a record of all moneys received and when received and of all moneys paid out, when, for what and upon whose authority, which record shall always be open to the inspection of any taxpayer in such town and shall be presented to each annual town meeting, being first sworn to by him and adjusted by the selectmen. The town treasurer shall be, *ex officio*, treasurer of the town trust funds and may appoint a deputy who shall, in the absence or disability of the town treasurer, perform all his duties.

(b) Payment of any obligation of any town may be made by a national bank or state bank and trust company located in this state in accordance with the directions of the treasurer of the town, on order of the proper authority of such town, and the treasurer may authorize such bank to debit the town's account therefor.

So it stands to reason that a Treasurer (duly appointed by the Board of Selectman in accordance with the charter section 702I) has to have a current copy of all of the information that they are legally obligated to keep a record of (which includes all agencies of the town and the school district) and refusing to give it violates state law. Also that Payments are under the ultimate direction of the Treasurer.

Who is the School District?

10-240. Control of schools. Each town shall through its board of education maintain the control of all the public schools within its limits and for this purpose shall be a school district and shall have all the powers and duties of school districts, except so far as such powers and duties are inconsistent with the provisions of this chapter.

Sec. 10-241. Powers of school districts. Each school district shall be a body corporate and shall have power to sue and be sued; to purchase, receive, hold and convey real and personal property for school purposes; to build, equip, purchase and rent schoolhouses and make major repairs thereto and to supply them with fuel, furniture and other appendages and accommodations; to establish and maintain schools of different grades; to establish and maintain a school library; to lay taxes and to borrow money for the purposes herein set forth; *to make agreements and regulations for the establishing and conducting of schools not inconsistent with the regulations of the town having jurisdiction of the schools* in such district; and to employ teachers, in accordance with the provisions of section 10-151, and pay their salaries. When such board appoints a superintendent, such superintendent may, with the approval of such board, employ the teachers.

So the town (which is the school district) can make regulations for the fiscal conduct of schools as long as they are consistent with the town regulations as a whole. It would be

SCHOOLS AS LONG AS THEY ARE CONSISTENT WITH THE TOWN REGULATIONS AS A WHOLE. IT WOULD BE logical to conclude that a Town Treasurer, (who is also the School District Treasurer) can suggest to the Board of Finance, regulations of the town having jurisdiction, that are not inconsistent with and in fact identical to the regulations that the town holds for the other town entities.

Next up is discussion of the Annual Audit

Sec. 7-392. Making of audits and filing of statements. (a) All municipalities shall have all their financial statements audited at least once annually and shall provide for audits in accordance with the provisions of sections 4-230 to 4-236, inclusive. Each audited agency, except a local housing authority, shall have all its accounts audited at least once annually. Such audit shall be made by an independent auditor, as defined in section 7-391, who shall be designated in accordance with the provisions of section 7-396. Any independent auditor so retained to render such an annual or biennial audit shall have his duties and powers defined by said secretary. Any audit rendered under the provisions of this chapter shall be performed in accordance with standards adopted by the secretary by regulation and approved by the Auditors of Public Accounts.

(b) Notwithstanding the provisions of subsection (a) of this section, if the charter in any municipality contains provisions applicable with respect to selection of an independent auditor for purposes of such audit, such selection shall be conducted in accordance with the charter, provided such selection shall be subject to approval by the Secretary of the Office of Policy and Management.

(c) In conjunction with each audit of its financial statements, each town shall provide for the auditing of the financial statements of each school district operating within its boundaries. In the case of a regional school district, the regional board of education shall provide for such an audit.

(e) The treasurer or other officer having authority over the financial affairs of any reporting agency shall, annually, file a statement concerning the accounts and finances of such agency with the (1) town clerk of the town in which such agency is located, and (2) Secretary of the Office of Policy and Management, upon the secretary's request. Such statement shall include, but shall not be limited to, a listing of major disbursements and sources of receipts and shall be filed not later than ninety days after the end of the fiscal year or period which is the subject of the statement. Each treasurer or other officer who fails to file a statement required pursuant to this subsection shall be fined five hundred dollars for each statement not filed. The fine shall be levied and collected by the town clerk.

So to summarize, the Treasurer is responsible for the Audit, and the town is legally obligated to audit the school district therefore, the school district has no legal right to withhold information needed. This matches the Andover Charter section 811 (Annual Audit). By specifying that all expenditures and information shall be provided to the treasurer by Sept 1, the Treasurer then has 30 days to file the listing of major disbursements and sources of income required by law (or get fined by the town clerk :)

Now given that, the town BOF Will agree to have the school submit their financial information directly to the auditor- It is not a RIGHT that the BOE has, and the town BOF does not HAVE to agree to that- it is a concession on the part of the Board of Finance and

treasurer.

Any discussion of BOF vs BOE responsibilities has to include:

Sec. 7-345. Information concerning town agencies. Each town agency which has expended any appropriation during the past year or is requesting any appropriation for the ensuing year shall report to the board of finance such information as said board requires for its purposes under section 7-344, and said board shall, for such purposes, have access to the books and records of any such agency.

The school board is a town agency, as defined by the town charter and state law so this applies and the Board of Finance has the right to require information from the BOE relative to the budget and have access to the books for everything including grants. This has been denied by the BOE/ Superintendent.

Sec. 10-248c. Board of education to post and submit copy of current and projected expenditures and revenues. For the fiscal year ending June 30, 2020, and each fiscal year thereafter, each local and regional board of education shall, on a quarterly basis, (1) **post the board's current and projected expenditures and revenues** on the Internet web site of the board, and (2) **submit a copy of such current and projected expenditures and revenues to the legislative body of the municipality or, in a municipality where the legislative body is a town meeting, to the board of selectmen.**

There are also quarterly reporting requirements for the Board of Education that you are ignoring. So far, the BOE and School Superintendent has refused to provide this information and the Board of Selectman have asked for it. I know you don't like the word "refused" but it is the correct word in this context.

The town Charter section 105D. includes the following definition: "Department" shall mean a unit of administration for budgetary purposes, there need not be a director of a department.

A further minor point. The BOE chair has vigorously opposed being considered a Town "Department" This applies to the BOE, as defined by the Town Charter, The board of Education also meets the Charter's definition of "Town Agency" as well as "Town Board" Regardless of personal opinions to the contrary, the BOE is a town Department, Board and Agency. The BOE does have wide ranging powers that other Departments do not, but you are in fact part of the town.

Section 806 E "" this section shall not affect the local board of education which shall have the power to make its own transfers provided that such transfers are reported to the board of finance when so made""

Transfers: the town charter expressly allows the BOE to make transfers as they wish between line items and departments. It then REQUIRES the BOE to report that to the Board of Finance, which you do not do.

If any of you have manage to read this far- Happy fourth of July.

Corresp. To BoE From Paula King

From: King, P pking@andoverct.org

Subject: Re: Our 175th celebration events

Date: July 5, 2023 at 4:47 PM

To: beckwithm@andoverelementaryct.org, greenhousec@andoverelementaryct.org, loudens@andoverelementaryct.org, fusss@andoverelementaryct.org, willardc@andoverelementaryct.org, bernardc@andoverelementaryct.org, cremeg@andoverelementaryct.org, Valerie Bruneau bruneauv@andoverelementaryct.org, Taylor Parker parkert@andoverelementaryct.org

PK

Here is a pdf version if needed.

Some have said the word document didn't open correctly.

From: King, P <pking@andoverct.org>

Date: Monday, July 3, 2023 at 7:39 PM

To: beckwithm@andoverelementaryct.org <beckwithm@andoverelementaryct.org>, greenhousec@andoverelementaryct.org <greenhousec@andoverelementaryct.org>, loudens@andoverelementaryct.org <loudens@andoverelementaryct.org>, fusss@andoverelementaryct.org <fusss@andoverelementaryct.org>, willardc@andoverelementaryct.org <willardc@andoverelementaryct.org>, bernardc@andoverelementaryct.org <bernardc@andoverelementaryct.org>, cremeg@andoverelementaryct.org <cremeg@andoverelementaryct.org>, Valerie Bruneau <bruneauv@andoverelementaryct.org>, Taylor Parker <parkert@andoverelementaryct.org>

Cc: Person, S <sperson@andoverct.org>, Mandeville, A <amandeville@andoverct.org>, Murray, J <jmurray@andoverct.org>, Maguire, J <jmaguire@andoverct.org>, Anderson, Eric <eanderson@andoverct.org>

Subject: Our 175th celebration events

We appreciate your help in celebrating!

Please see attached.

Take care,

Paula

BOS thank you

letter.pdf

110 KB



Monday July 3, 2023

Dear Board of Education Members and Andover Elementary School Administration,

On behalf of the Board of Selectman, we would like to say thank you for being a part of celebrating Andover turning 175!

Your help with our dedication ceremony, and our Family Fun Festival was instrumental in their success.

Many enjoyed the student posters advertising the events, and the AES band and chorus being a part of our dedication ceremony, as well as holding the 175th banner in our Memorial Day Parade.

Thank you for collaborating with our committee by filing and burying the time capsule and helping us mark the spot with the tree that was donated.

Also, thank you to Taylor and Valerie for attending meetings and helping the committee discuss logistics involving these events.

Sincerely,

Handwritten signature of Jeffrey Maguire in cursive.

Jeffrey Maguire
First Selectman

Handwritten signature of Jeffrey Murray in cursive.

Jeffrey Murray
Selectman

Handwritten signature of Paula King in cursive.

Paula King
Selectman

Handwritten signature of Adrian Mandeville in cursive.

Adrian Mandeville
Selectman

Handwritten signature of Scott Person in cursive.

Scott Person
Selectman



Charlene Russell-Tucker
Commissioner

STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD
STATE DEPARTMENT OF EDUCATION



Office of
Early Childhood
Beth Bye
Commissioner

To: Superintendents of Schools
Early Care and Education Providers

From: Beth Bye, Commissioner
Office of Early Childhood

Charlene M. Russell-Tucker, Commissioner
Connecticut State Department of Education

Date: July 7, 2023

Subject: Minimum Age to Enroll in School

The primary purpose of this joint memo from the Connecticut State Department of Education (CSDE) and the Office of Early Childhood (OEC) is to ensure that all parties are aware of the recently enacted change by the Connecticut General Assembly to raise the minimum age for automatic entry into public school in Connecticut. Specifically, Section 1 of Public Act 23-208, Section 1 states that children will need to **turn five on or before September 1 of the school year** in order to be automatically eligible to enroll in school. The legislation also allows a school district to admit a child who has not turned five by September 1 of the school year if the parent makes a request in writing and the school district conducts an assessment of the child to ensure that admitting such child is developmentally appropriate.¹

Prior to this change, Connecticut had among the youngest school entry ages in the country. This policy change has significant implications for families, early care and education providers, and school districts. In addition to making sure that all parties are aware of this change, this joint communication also affirms the commitment of the two agencies to work closely with all concerned parties, including policy makers, to assess the impact of this change, identify solutions, develop detailed guidance, and support implementation. While we will continue to work together on supporting effective implementation, the CSDE and OEC **ask that districts and early care and education providers honor all commitments to families already enrolled for preschool in fall of 2023, regardless of the time frame for that child's entry to kindergarten.**

The CSDE and OEC fully understand the many important considerations and significant implications facing all of us due to this legislative change. Some of those are detailed below.

- First and foremost is the impact on **students and their families**. It is estimated that there will be more than 9,000 students in 2024-25 who will be unable to automatically enroll

in school in Fall 2024 because they will not have turned five by September 1. It will be critical that these families, including those living in rural areas of our state, are supported to the greatest extent possible so that they can access high quality pre-school educational opportunities for one more year. This will be particularly important for families of children with an Individualized Education Program (IEP) who receive special education services during pre-school. When community-based Birth to Three services end, working families are often challenged by half day public preschool special education models. This change extends that challenge for a year for impacted families.

- **Public and Private Early care and education programs** are expected to see a significant increase in the demand for preschool spaces. It is estimated that approximately 71% of all entering Kindergarten students access preschool. If more than 9,000 students do not turn five by September 1 and are unable to enroll in school in Fall 2024, then potentially an additional 6300 students will need preschool spaces somewhere, and it is anticipated that 2,700 will have no formal education for another year. To meet the increased demand, early care and education programs may need to make adjustments and have wider age ranges in preschool classrooms/programs. The OEC and CSDE are not discouraging private or public programs from enrolling children younger than three years old in September into preschool. We know how important the early years are for supporting child development and well-being. It is expected that public school and private programs will need additional professional development to support curriculum and instruction practices for mixed-age preschool classrooms.
- **School districts** are expected to see significantly lower enrollment in Kindergarten in Fall 2024 and a potentially smaller grade cohort moving through our education system. The enrollment and resulting grade cohort could potentially be smaller by about 9,000 students. Many of these students will likely need to continue receiving preschool services (both general education and special education) for an additional year, which could reduce capacity for new preschool spaces. Choice programs that charge tuition may face an extended year of reduced funding at sliding-scale preschool tuition rates. Districts will also need to determine if they will admit students less than five years old based upon a child assessment, and if so, how that process will be implemented.

In the coming weeks, both agencies will seek extensive input from many stakeholders and work collaboratively to develop detailed guidance and implementation recommendations. In the meantime, school communities are urged to engage in proactive and collaborative dialogue throughout the community. Teams of staff from early care and education programs, school districts, and early childhood councils and collaboratives should assess the anticipated impact for their own community, communicate with families about this change, begin planning for collaboration and coordination over the next year to minimize the negative impact on children and families, and facilitate an open dialogue among all impacted parties.

The CSDE and the OEC will share details regarding opportunities to provide input. Thank you for your cooperation and collaboration in implementing this major legislative change.

Public Act 23-208, Section 1(a) reads as follows:

Sec. 1. Section 10-15c of the general statutes, as amended by section 3 of public act 23-159, is repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(a) The public schools shall be open to all children five years of age and over who reach age five on or before the first day of [January] September of any school year, and each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the activities, programs and courses of study offered in such public schools, at such time as the child becomes eligible to participate in such activities, programs and courses of study, without discrimination on account of race, as defined in section 46a-51, color, sex, gender identity or expression, religion, national origin, sexual orientation or disability; provided a child who has not reached the age of five on or before the first day of September of the school year may be admitted (1) upon a written request by the parent or guardian of such child to the principal of the school in which such child would be enrolled, and (2) following an assessment of such child, conducted by such principal and an appropriate certified staff member of the school, to ensure that admitting such child is developmentally appropriate.