STATE OF CONNECTICUT
BOARD OF TRUSTEES
FOR THE STATE COLLEGES
P. O. BOX 2008
NEW BRITAIN, CONNECTICUT 06050
TEL. NEW BRITAIN: 203-221-0201
TEL. HARTFORD: 103-600-2001

RESOLUTION

concerning

CANCELLATION OF ALLEGED INDEBTEDNESS
of
TOWN OF DANBURY FOR PRACTICE SCHOOL OPERATIONS

March 9, 1979

WHEREAS, By Resolution #79-2, dated January 12, 1979, the Board of
Trustees for State Colleges authorized the Executive Director
to seek the Governor's authorization to cancel an alleged
claim against the Town of Danbury in the amount of $10,003.42
for the reimbursement of instructional supplies furnished to
the model and laboratory schools in said town during the
1965-1966 school year, and

WHEREAS, The Attorney General of the State of Connecticut has
recommended that such claim be cancelled, and

WHEREAS, Under Section 3-7 of the General Statutes, Governor Ella T.
Grasso, under date of February 21, 1979 has authorized the
cancellation of said claim, now therefore, be it

RESOLVED, That said claim in the amount of $10,003.42 be cancelled, and
that the Executive Director of the Connecticut State Colleges
direct the President of Western Connecticut State College to
cancel upon its books, said claim against the Town of Danbury
and to direct further that said President inform the Town of
Danbury and its school district of the Governor's action.

A Certified True Copy:

[Signature]
James A. Frost
Executive Director
Interdepartment Message

To
James Frost
State Colleges

From
Robert E. Walsh
Attorney General's Office

NAME
James Frost
Robert E. Walsh

AGENCY
State Colleges
Attorney General's Office

NAME
Robert E. Walsh

AGENCY
Attorney General's Office

TITLE
Executive Secretary
Assistant Atty. General

ADDRESS
P. O. Box 2008, New Britain, Ct. 06050
30 Trinity St., Hfd. 06115

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Send your suggestion to: Employees' Suggestion Awards Program, 165 Capitol Ave., Hartford 6, Ct.

SAVE TIME: Handwritten message. Use carbon if necessary. If typewritten, check carbon copy.

Enclosed are recommendation of Attorney General and Authorization of Governor re cancellation of claim.

Robert E. Walsh
Assistant Attorney General

SAVE TIME: If convenient, handwrite reply to sender on this same sheet.
February 6, 1979

TO HER EXCELLENCY, ELLA T. GRASSO
GOVERNOR OF THE STATE OF CONNECTICUT

RECOMMENDATION AS TO AUTHORIZATION
OF THE CANCELLATION OF UNCOLLECTIBLE CLAIM

At the request of the Board of Trustees for State Colleges, and in accordance with Section 3-7 of the General Statutes, the Attorney General recommends that the Governor authorize the cancellation of a claim in the amount of $10,003.42 by the Board of Trustees for State Colleges against the Town of Danbury and the Board of Education of Danbury.

An agreement dated August 4, 1903 between the State Board of Education and the Town of Danbury provided that the town would furnish one or more public schools to the State Board of Education for use as model and practice schools by the State Normal School in Danbury, now Western Connecticut State College. The agreement provided that the Town would reimburse the State for the cost of instructional supplies used in the model schools, according to a formula set forth in the contract.

In September of 1968 the above agreement was formally modified to provide that the supplies for the model schools would be furnished by the Danbury Board of Education.

Prior to this modification, on December 14, 1966, the Danbury Board of Education voted to undertake the providing of instructional supplies for the model schools.

The records of the Town of Danbury and the records of the College and the Board of Trustees for State Colleges are not clear as to when the State stopped furnishing instructional supplies to the laboratory schools. A letter in the file from Ruth A. Haas, former President of Western Connecticut State College dated September 27, 1978 states her recollection that there was an informal agreement between the State and Town that the furnishing of supplies by the State would conclude at the end of the 1965-1966 school year. A letter from Stephen K. Lovett, Director of Teacher Training at Western Connecticut State College dated August 8, 1978, indicates that the State stopped purchasing supplies for the practice school at the end of the 1965-1966 school year. A letter in the file from Gertrude Braun, Vice President for Academic Affairs at Western Connecticut State College dated August 10, 1978, is to the same effect. There is, however, a memorandum in the file from F. Travolska of Western Connecticut State College, dated
March 4, 1970, stating that the last year that the College bought supplies for the model schools was the school year 1966-1967.

Nevertheless, it does not appear that the College will be able to prove that it bought any supplies for the model schools after June 30, 1965.

The last payment by the Town for supplies was a payment of $10,940.95 in August of 1967. It is not totally certain whether this payment was made for the 1965-1966 year's supplies or the 1966-1967 year's supplies. There is evidence in the file that the Town paid for the 1964-1965 supplies one year in arrears, in June of 1966. This would support the conclusion that the $10,940.95 was in payment of Danbury's liability for supplies for the 1965-1966 school year. The above-mentioned letter from Gertrude Braun arrives at that conclusion.

Thus, on the available evidence, viewed as a whole, it cannot be established that the State is entitled to reimbursement from the Town of Danbury for supplies for any school year beyond the 1965-1966 school year. Nor can it be established that the State did not receive reimbursement for supplies for the 1965-1966 school year.

The Board of Trustees for State Colleges has requested that a claim for $10,003.42 against the Town of Danbury be cancelled. That sum is merely an average of the last three annual payments for supplies received from Danbury, including the above-mentioned $10,940.95. It therefore represents an estimate of what the billing for 1965-1966 should have been, on the assumption that the final payment of $10,940.95 was not for the 1965-1966 year.

In view of the above difficulties of proof it is recommended that the State's claim against the Town of Danbury and the Board of Education of the Town of Danbury in the amount of $10,003.42 for instructional supplies furnished in the model and practice schools in Danbury during the school year 1965-1966 be cancelled as uncollectible.

Carl R. Ajello, Attorney General
AUTHORIZATION OF CANCELLATION OF UNCOLLECTIBLE CLAIM

Pursuant to the provisions of Section 3-7 of the General Statutes, and upon the recommendation of the Attorney General, authorization is given to the Board of Trustees for State Colleges to cancel upon its books, as uncollectible, a claim in the amount of $10,003.42 against the Town of Danbury and the Board of Education of the Town of Danbury for instructional supplies furnished to the model and laboratory schools in said town during the school year 1965-1966.

Ella Grasso
Governor

February 21, 1979
Date