

Bylaws of the Board

General Statement of Board Role

In general, the work of the Board of Education is construed to be two-fold: (1) the formulation of policies underlying public education in New Canaan; and (2) the appraisal of the effectiveness with which the policies are being carried out. The execution and administration of policies is to be delegated to the Superintendent and other members of the school staff.

Legal Reference: Connecticut General Statutes

1-200 Definitions.

10-186 Duties of local and regional boards of education.

10-220 Duties of boards of education.

10-221 Boards of education to prescribe rules.

10-240 Control of schools.

10-241 Powers of school districts.

NEW CANAAN PUBLIC SCHOOLS

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Role of the Board and Its Members

Statement of Integrity

As Board of Education members, our goal is to improve the education of our children and to advocate for them and their best interests. To successfully reach this goal, Board members must be working effectively together and with parents, students, school administrators, teachers, citizens, local elected officials and other individuals or groups deemed appropriate.

The Board of Education is committed to the highest legal and ethical standards essential in governing its school system. It endeavors to encourage growth and support established and innovative educational objectives.

(cf. 9000 - Role of Board and its Members)

(cf. 9271 - Code of Ethics)

Legal Reference: Connecticut General Statutes

10-220 Duties of boards

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Limits of Authority

The Board of Education shall be the municipal body within the Town of New Canaan, which governs public education in the Town.

All powers of the Board of Education lie in its action as a committee of the whole. Individual Board members exercise their authority over district affairs only as they vote to take action at a legal meeting of the Board.

An individual Board member, including the Chairperson, shall have power only when the Board, by vote, has delegated authority to him or her.

Only the Board has authority to take official action.

Legal Reference: Connecticut General Statutes

10-220 Duties of boards of education.

10-232 Restrictions on employment of members of the board of education.

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Commitment to Democratic Principles in Relation to Community, Staff, Students

Board-Staff Communications

The New Canaan Board of Education recognizes the need to maintain open communication between itself and the staff. Essentially, communications with staff deal with three general areas -- administration, policy and philosophy. While the Board recognizes the necessity for Board-staff communications, it also recognizes that administrative matters must be dealt with through its chief administrator. Hence, the basic line of communication for administrative matters shall be through the Superintendent.

1. Staff Communications to the Board

All formal reports to the Board or any Board committee from administrators, supervisors, teachers or other staff members shall be submitted through the Superintendent. This necessary procedure shall not be construed as denying the right of any employee to appeal to the Board from administrative decisions on important matters, provided that the Superintendent shall have been notified of the forthcoming appeal and that it is processed in accordance with the Board's policy on complaints and grievances. (cf. 4135.4 and 4235.4 re Complaints/Grievances)

Staff members are also reminded that Board meetings are public meetings. As such, they provide an excellent opportunity to observe and participate first hand the Board's deliberations on problems of staff concern.

2. Board Communication to Staff

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the Superintendent, and the Superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's problems, concerns and actions. (cf. 9020 - Public Statements)

4. Social Interaction

Staff and Board members share an interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general school district problems. Individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Board of Education members are expected to avoid discussion of:

- A. Matters that are, or have the potential of becoming, the subject of an executive session;

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Commitment to Democratic Principles in Relation to Community, Staff, Students

Board-Staff Communications (continued)

- B. Information and data contained in personnel records protected by the privacy act;
- C. Contested issues that may require final resolution by the Board.

(cf. 2220 - Representative and Deliberative Groups re staff involvement in decision making)

(cf. 5145 - Civil and Legal Rights & Responsibilities)

(cf. 9133 - Special/Advisory Committee re: staff advisory committee and student advisory committee)

Legal Reference: Connecticut General Statutes

10-220 Duties of boards of education.

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Duties of the Board

The Board of Education will perform all duties specified for Boards of Education by Connecticut General Statutes Section 10-220, and other relevant provisions of the Connecticut General Statutes, applicable federal law, and policies and procedures of the Connecticut State Board of Education. Without limiting the generality of the foregoing, the Board of Education:

1. Shall have charge of the public schools in New Canaan, maintain the public elementary and secondary schools of New Canaan, and implement the educational interests of New Canaan and the state;
2. Shall designate the schools which shall be attended by the various children within New Canaan, and make such provisions as will enable each child of school age residing in New Canaan to attend some public day school for the period required by law; shall determine the number, age and qualifications of the students to be admitted into each school and shall cause each child seven years of age and over and under sixteen living in New Canaan to attend school;
3. Shall provide for transportation of children whenever transportation is reasonable and desirable and, for such purpose, may make contracts covering periods of not more than five years, and may arrange with the Board of Education of an adjacent town for the instruction therein of such children as can attend school in such adjacent town more conveniently;
4. Shall provide such other educational activities as in its judgment best serve the interest of New Canaan, provided the Board of Education may secure such opportunities in another school district as may be appropriate in accordance with provisions of the General Statutes, and shall give all children of New Canaan as nearly equal advantages as may be practicable;
5. Shall make a continuing study of the need for school facilities and of a long-term building program and, from time to time, make recommendations based on such study to the town;
6. Shall have the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes, and at all times shall insure all such buildings and all capital equipment contained therein against loss;
7. Shall prescribe the rules for the management, studies, classification and discipline of the public schools;

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Duties of the Board (continued)

8. Shall prescribe, subject to the control of the CT State Board of Education, the textbooks to be used, make rules for the control, within their respective jurisdictions, of school library media centers and approve the selection of books and other educational media therefore;
9. Shall develop, adopt and implement written policies concerning homework, attendance, promotion and retention;
10. Will, as necessary, review and, if necessary, update its statement of educational goals and shall submit such goals to the Commissioner of Education. The Board also, as necessary, will review and update its student objectives which relate directly to the statement of educational goals prepared pursuant to this section and which identify specific expectations for students in terms of skills, knowledge and competence, and will, in such manner as the Commissioner of Education shall prescribe, attest to the Commissioner of Education that program offerings and instruction are based on stated educational goals and student objectives;
11. May, at its own discretion, provide for the school attendance in New Canaan of students residing in other towns than New Canaan at tuition rates set by the Board;
12. Shall consider and approve or reject basic course of study and curriculum modifications and other major program changes affecting the instructional program of the schools;
13. Shall approve all expenditures for purposes of public education and may approve transfer of funds from one budget account to another;
14. Shall present and interpret to the people whom they represent the policies of the school system and the work done by and the needs of the schools. The Board shall further public support of the schools;
15. Shall furnish to the State Department of Education data required in the periodic reports specified by state statute;
16. Shall adopt and file with the State Board of Education all required policy statements;
17. Shall negotiate collective bargaining agreements with employees' exclusive bargaining representatives as authorized by the Connecticut General Statutes;
18. In addition to the foregoing specifically mentioned powers, shall be invested with any other powers needed to govern and conduct the work of public education in the Town of New Canaan as long as these powers are in harmony with state statutes; and

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Duties of the Board (continued)

19. Shall have and may exercise such powers as may be delegated or authorized by applicable state or federal statutes or administrative regulation.

Legal Reference: Connecticut General Statutes

10-186 Duties of local and regional boards of education.

10-220 Duties of boards of education.

10-221 Boards of education to prescribe rules.

Bylaws of the Board

Composition of the Board

The Board of Education of the Town of New Canaan shall consist of nine (9) residents of the Town of New Canaan.

Bylaws of the Board

Election and Term of Office

Each member of the Board of Education shall be elected to a four-year term of office, pursuant to the procedure established by the Connecticut General Statutes and the Charter of the Town of New Canaan, unless such member is elected to fill an unexpired term. As provided by Town Charter, members of the Board of Education shall be elected at each biennial municipal election with either five members or four members being elected. The term of office of all members shall commence on the second Monday following the municipal election at which such members are elected.

Legal Reference: Charter of the Town of New Canaan, Article VII, C7-1 and C7-2.

Bylaws of the Board

Election of Officers

From the members of the Board of Education, a Chair, Vice Chair and a Secretary shall be chosen by ballot at the annual meeting of the Board, the balloting for each office being conducted separately. No member of the Board of Education shall serve as Chair for more than two successive annual terms.

The votes of each member of such Board cast in such election shall be reduced to writing, made available for public inspection and recorded in the of the meeting at which taken, which minutes shall be available for public inspection as required by Section 10-218 of the General Statutes.

Legal Reference: Connecticut General Statutes

10-218 Officers. Meetings.

Chapter IX, Department of Education, Section 2: Organization.

Bylaws of the Board

Office of the Chairperson

The duties of the Chairperson shall be to:

1. Preside at all meetings of the Board and perform all duties imposed by Connecticut General Statute 10-218 and those prescribed by policies, rules and regulations.
2. Call special meetings as deemed necessary or when upon receiving a written request by three (3) of the members of the Board.
3. Appoint members to the committees created by the Board.
4. Serve as an ex-officio member or as a regular member of committees.
5. Keep the Vice-Chairperson duly informed on all pertinent matters in case of absence of the Chairperson.
6. Act as a resource to the Superintendent on decisions which may require further input between Board meetings.
7. Assume such other regular duties as may be authorized by the Board.

The Chairperson's signature shall be an alternative signature on all legal documents requiring the signature of the Secretary.

(cf. 9100 - Organization)

(cf. 9120 - Officers)

Legal Reference: Connecticut General Statutes

10-218 Officers. Meetings.

Bylaw adopted by the Board: September 6, 2016

NEW CANAAN PUBLIC SCHOOLS
New Canaan, Connecticut

Bylaws of the Board

Office of the Vice-Chair

The Vice-Chair will:

1. Act in place of the Chair when necessary and preside at meetings when the Chair is temporarily absent. The Vice-Chair cannot fill vacancies required to be filled by the Chair and does not serve as an ex-officio member of committees.
2. Work with the Chair and Superintendent to become generally informed of Board business.
3. In the absence of the Chair, act as a resource to the Superintendent on decisions which may require further input between board meetings.
4. In case of illness, resignation, or death of the Chair, the Vice-Chair, shall act as Chair until the Board elects a new Chair to fill the unexpired term. The election of the new Chair will follow the format of the Annual Meeting and occur no later than the 2nd regular scheduled meeting of the Board of Education following the vacancy.

Bylaws of the Board

Secretary

The Secretary of the Board of Education shall:

1. Perform the duties of the Chair at Board meetings in the absence of the Chair and Vice-Chair.
2. Maintain a record of all Board proceedings as required by state law, one copy shall be maintained in the office of the Superintendent and one copy in the office of the Town Clerk.
3. Supervise the clerk of the Board's performance of duties.
4. Work with Chair and Superintendent to become generally informed of the Board business.

(cf. 9324 – Meeting Conduct and Parliamentary Procedure)

Legal Reference: Connecticut General Statutes

10-218 Officer. Meetings.

10-224 Duties of secretary.

10-225 Salaries of secretary and attendance officers.

Bylaws of the Board

Committees

The Board of Education shall act as a committee of the whole in final consideration of all matters. At its discretion, the Board may appoint standing or special committees to improve the efficiency of the full Board by investigating and researching certain topics, and by raising questions and clarifying issues for the full Board's discussion and consideration. Committees are not "mini" Boards, and committee members should exercise care to not preempt the role and authority of the full Board in carrying out their activities.

Committees shall be constituted at the discretion of the Board, except that no standing committee will be approved until it has been authorized and operational for at least 12 months as a special committee. Service to the Board on a standing or special committee or as a designee or delegate to a state or national group or association is considered a normal and expected component of the role of Board of Education member.

Committee appointments, and appointments to fill committee vacancies due to resignation, non-reelection, impeachment, or death of a member, will be made by the Board Chairman in consultation with Board Members and the Superintendent; the Board Chair will be responsible for making committee assignments in a manner fair and equitable to all Board members. To the extent possible committee assignments will be reached by consensus between the Chair and Board members.

The Chair will give consideration to the professional skills and personal interests of Board members in making committee assignments.

Each committee will have a designated Chair elected by the members of the committee. Committee Chairs will be responsible for: calling committee meetings; ensuring that public notice of the meetings are posted; forwarding minutes of committee meetings to the Board Secretary; ensuring the committee's work is reported to the Board; and for otherwise executing the committee charter as approved by the Board, including monitoring the planned sunset date of the committee and requesting reauthorization or extension to the term of the committee as appropriate.

All committees of the Board of Education shall follow the provisions of state statutes.

Administrators, staff members of the community, and students may be appointed to advise standing or special committees of the Board, but they will not have a vote on business before the committee. Staff and student advisory members will be named only upon the Superintendent's recommendation.

Bylaws of the Board

Committees (continued)

The Board Chair and the Superintendent each individually shall have the right to call for an immediate review and possible revision to a Committee Charter if, in his or her judgment, the actions of that committee are placing unreasonable demands on the administration, staff, and/ or members of the Board or are otherwise interfering with the work of the School District or the Board.

Standing Committees

Standing committees of the Board of Education shall be established as determined by the Board. Duties of the committee will be documented in a Committee Charter, a template for which is attached, and shall be incorporated into these Bylaws as a numerated subsection to this section. A standing committee is authorized when its Charter is approved by a 2/3 majority vote of the full Board after two reads.

Standing committees are authorized for a period of three (3) years from the date of their initial approval by the Board, or until such time that the Board votes to dissolve a standing committee by a two-thirds majority vote of the full Board after two reads. Standing Committees may be reauthorized for an additional three (3) year term by a two-thirds majority vote of the full Board after two reads.

Standing committees will issue a report to the full Board at least semiannually or more frequently if requested by the Board Chair.

Standing committees will consist of the number of Board members defined in the Committee Charter.

The Board Chair shall be an ex-officio member of all standing committees.

Standing committee assignments are effective for the term specified in the Committee Charter.

A standing committee member may not be appointed consecutively to the same committee more than twice.

Special Committees

Special committees of the Board of Education shall be established as determined by the Board. Duties of the committee will be documented in a Committee Charter, a template for which is provided below, and shall be incorporated into these Bylaws as a subsection to this section. A special committee will be authorized when its Charter is approved by a two-thirds majority vote of the full Board after two reads.

Bylaws of the Board

Committees (continued)

A special committee will specify a termination date or final deliverable as one component of its charter. The charge, duration, or scope of a special committee shall only be changed by revising its charter and having that revised charter approved by a 2/3 majority vote of the full Board after two reads.

A special committee failing to give its final deliverable when due or at the next meeting of the Board thereafter shall be considered discharged unless an extension of time is granted by a charter revision as defined above.

Special committees will report to the Board as defined in its charter document, but no less frequently than semiannually or more frequently if requested by the Board Chair.

Unless otherwise specified in the Committee Charter, members are appointed to special committees for the anticipated full term of that committee.

Standing Committee Charter template

1. **Committee Name:** Define the name for the committee.
2. **Charge:** State the purpose, work, or role of the committee.
3. **Deliverables:** Describe the work products or outcomes the committee is responsible to produce.
4. **Scope and Composition:** Describe the composition of the committee, and if appropriate the roles and responsibilities of the committee members.
5. **Meeting Frequency:** Describe the planned frequency of committee meetings.
6. **Reporting Frequency:** Describe the planned frequency of status reporting to the full Board.
7. **Authority:** Describe the committee's authority to act or expend resources independent of the full Board, if any. Unless specifically authorized, a committee has no authority to act or expend resources independent of the full Board.
8. **Sunset Provision:** Describe the sunset provision for this committee, if less than the default described in the Committee Policy.

Bylaws of the Board

Committees (continued)

9. Subsection Number: Upon approval by the Board, this Charter is incorporated into the Bylaws as XXX.
10. Approval Date: The date the committee was approved by vote of the Board.
11. Revision History: Dates and notes on the nature of revisions to the committee's charter.

Special Committee Charter Template

1. Committee Name: Define the name for the committee.
2. Charge: State the purpose, work, or role of the committee.
3. Deliverables: Describe the work products or outcomes the committee is responsible to produce.
4. Scope and Composition: Describe the composition of the committee, and if appropriate the roles and responsibilities of the committee members.
5. Meeting Frequency: Describe the planned frequency of committee meetings.
6. Reporting Frequency: Describe the planned frequency of status reporting to the full Board.
7. Authority: Describe the committee's authority to act or expend resources independent of the full Board, if any. Unless specifically authorized, a committee has no authority to act or expend resources independent of the full Board.
8. Final Deliverable/End Date: Describe the final deliverables or anticipated completion date for the committee's work, after which the committee will be considered discharged unless this charter is revised and approved by the Board.
9. Subsection Number: Upon approval by the Board, this Charter is incorporated into the Bylaws as XXX.
10. Approval Date: The date the committee was approved by vote of the Board.
11. Revision History: Dates and notes on the nature of revisions to the committee's charter.

Bylaws of the Board

Committees (continued)

Legal Reference: Connecticut General Statutes
1-200 through 1-241 of the Freedom of Information Act.
1-200 Definition.
1-225 Meetings of government agencies to be public.

Bylaws of the Board

Vacancies on the Board of Education

If a vacancy occurs in the office of any member of the Board of Education, it shall be filled by a vote of the remaining members of the Board until the next biennial municipal election, at which election a successor shall be elected for the unexpired portion of the term, and the official ballot shall specify the vacancy to be filled. If the Board of Education fails to fill any vacancy which occurs on the Board within 90 days after the vacancy occurs, the Board of Selectman may fill such vacancy until the next biennial municipal election in accordance with Section C7-4 of the Town Charter.

Legal Reference: Connecticut General Statutes

7-107 Vacancy appointments by selectmen.

9-204 Minority representation on boards of education.

10-219 Procedure for filling vacancy on board of education.

10-156e Employees of boards of education permitted to serve as elected officials; exception.

10-232 restriction on employment of members of the board of education.

Charter, Town of new Canaan, Article VII, C7-4 and C3-5.

Bylaws of the Board

Resignation/Removal from Office/Censure

Resignation

When a member of a Board of Education shall cease to be a bona fide resident of the Town, membership in the Board shall immediately cease.

(cf. 9120 - Officers and Auxiliary Personnel)

(cf. 9221 - Filling Vacancies)

Bylaws of the Board

Board Member Protection

The New Canaan Public Schools shall maintain adequate insurance to protect the district and its Board of Education against loss because of fire, damage to school property, loss to other property, or general liability resulting as a responsibility of the school district, and save harmless its Board and staff while acting in behalf of the school district.

Legal Reference: Connecticut General Statutes

10-235 Indemnification of teachers, board members and employees in damage suits; expenses of litigation.

10-236 Liability insurance.

10-236a Indemnification of educational personnel assaulted in the line of duty.

Bylaws of the Board

Code of Conduct on Data Use

As a guide to the appropriate use of data in the decision-making process, Board members should:

1. Request information and data gathered by District staff that helps the Board members make better-informed decisions about policies affecting student achievement district-wide. Such request for information shall be made through the Chairperson, unless the information is readily available and will not redirect staff time.
2. Use data to represent all of the Board member's constituents honestly and equally.
3. Avoid using the Board position, and the information data supplied as a result of Board membership, for personal gain.
4. Recognize that decisions can be made only by a vote at a Board meeting after everyone on the Board has had adequate time to review all the data and information.
5. Respect the confidentiality of privileged information.
6. Abide by decisions of the Board, while retaining the right to seek changes through ethical and constructive channels.

Bylaws of the Board

Board Policies

Within the context of current law, the District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end the provisions of this policy manual are declared to be severable.

Policies and policy amendments may be initiated by the Superintendent, Board members, school personnel, or community citizens, but generally shall be recommended for the Board's consideration by the Superintendent.

The Board shall designate one copy of the policy manual as the official policy manual of the District. The official copy shall be kept in the Superintendent's office, and the Superintendent or designee shall be responsible for its accuracy and integrity and shall maintain a historical record of the District's policy manual.

Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the District. If discrepancies occur between different copies of the manual distributed throughout the District, the version contained in the official policy manual shall be regarded as authoritative.

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules, policies and procedures

Bylaws of the Board

Formulation, Adoption, Amendment of Policies

Policy proposals and suggested amendments to, deletions of, or revisions of existing policies shall normally be submitted to all members of the Board of Education by the Superintendent in writing prior to a regularly scheduled Board of Education meeting in which such proposed policies, amendments or revisions thereof shall be read and discussed.

Policies will, unless by vote of two-thirds of the members present of the Board of Education, be adopted or amended after consideration at two regular meetings of the Board of Education. The agenda and minutes shall indicate policy matters.

The formal adoption or amendment of policies shall be by majority vote of all members present of the Board of Education and the action shall be recorded in the minutes of the Board of Education. Only those written statements so adopted and so recorded shall be regarded as official policy.

Reference: Robert's Rules of Order, Newly Revised

Bylaws of the Board

Formulation, Adoption, Amendment of Bylaws

Proposed new bylaws and suggested amendments to or revision of existing bylaws may be adopted by a majority vote of all members of the Board of Education. This will usually occur during the second of two regularly scheduled meetings of the Board of Education not less than two (2) weeks apart in the calls for which meeting the proposed additions, amendments, or revisions shall have been described in writing.

Reference: Robert's Rules of Order

Bylaws of the Board

Suspension of Policies, Bylaws and Regulations

Policies, bylaws and Board of Education adopted regulations shall be subject to suspension for a specified purpose and limited time by majority vote of all members of the Board of Education at a meeting in the call for which the proposed suspension has been described in writing, or upon a two-thirds vote of all members of the Board of Education when no such written notice has been given.

Reference: Robert's Rules of Order, Newly Revised

Bylaws of the Board

Meetings of the Board

Both Regular and Special meetings of the Board of Education are open to the public and to representatives of the press except that, by law, a part of any meeting may be designated an Executive Session.

The Board of Education welcomes participation of interested organizations and individuals. Advance announcement of all Regular and Special meetings of the Board of Education is made to the Town Clerk by January 31 of each year and updated regularly, and through the posting of the agenda in the office of the Board of Education, and directly to citizens and community and professional organizations who specifically request such notification in writing.

A reasonable charge shall be made for those persons or organizations requesting advance announcement of meetings. Any person who or organization that applies in writing will receive a plain or certified copy of any public record of the Board of Education. A fee, not to exceed \$.25 per page, will be established (or, in the case of a printout or transcription, the fee shall not exceed the cost to the Board).

Legal Reference: Connecticut General Statutes

1-206 Denial of access to public records or meetings.

1-225 Meetings of government agencies to be public.

1-227 Mailing of notice of meetings to persons filing written request.

1-228 Adjournment of meetings. Notice.

1-229 Continued hearings. Notice.

1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.

10-218 Officers. Meetings.

Bylaw adopted by the Board: September 6, 2016

NEW CANAAN PUBLIC SCHOOLS
New Canaan, Connecticut

Bylaws of the Board

Board of Education Work Sessions

The Board may schedule special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Topics for discussion and study will be announced publicly. Work sessions will be conducted in accordance with the state law on public meetings.

Legal Reference: Connecticut General Statutes

1-206 Denial of access to public records or meetings.

1-225 Meetings of government agencies to be public.

1-227 Mailing of notice of meetings to persons filing written request.

1-228 Adjournment of meetings. Notice.

1-229 Continued hearings. Notice.

1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.

10-218 Officers. Meetings

Bylaws of the Board

Meetings of the Board

Annual Meeting

The annual meeting of the Board of Education will be, and terms of office commence on, the second Monday next following the day at which such members of the Board of Education are elected. In all other years, the annual meeting of the Board of Education shall be held on the first Monday in November.

Regular Monthly Meetings

The Board of Education shall hold regular meetings two times each month. The Chairman or Secretary of the Board shall file with the Town Clerk, not later than January 31 of each year, the schedule of the regular meetings of the Board for the ensuing year, and no such meeting of the Board shall be held sooner than 30 days after such schedule has been filed. The agenda of the regular meetings of the Board shall be available to the public as provided in Section 1-21 of the Connecticut General Statutes.

Special Meetings

Special meetings of the Board may be scheduled by majority vote of the members of the Board at a regular meeting of the Board, by the Chair when deemed necessary or by the Chair when requested in writing to do so by any three of the Board's members. Notice of each special meeting of the Board of Education shall be given not less than twenty-four hours prior to the time of such meeting by posting a notice of the time and the place of such meeting in the office of the Town Clerk who shall post said notice. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. In addition, such written notice shall be delivered to the usual place of abode of each member of the Board so that the same is received prior to such special meeting. In case of emergency, a special meeting may be held without complying with the foregoing requirement for the posting of notice, but a copy of the minutes of any such special meeting adequately setting forth the nature of the emergency and the proceedings occurring at such meeting shall be filed with the Town Clerk not later than 72 hours following the holding of such meeting.

Legal Reference: Connecticut General Statutes
1-200 (2) Definitions. "Meeting"
1-206 Denial of access to public records or meetings.
1-225 Meetings of government agencies to be public, as amended by June 11 Special Session, PA 08-3.

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Meetings of the Board

Legal Reference: Connecticut General Statutes (continued)

- 1-227 Mailing of notice of meetings to persons filing written request.
- 1-228 Adjournment of meetings. Notice.
- 1-229 Continued hearings. Notice.
- 1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.
- 10-218 Officers. Meetings.

Bylaws of the Board

Public and Executive Sessions

Public Meetings

All meetings of the Board of Education, regular, special and emergency shall be open to the public with the exception of executive sessions. A chance or social meeting, a caucus, a meeting of a personnel search committee for executive level employment candidates, or a discussion of strategy or negotiations with respect to collective bargaining are not defined as “meetings” under the Freedom of Information Act. A meeting is defined as a hearing or other proceeding of the Board, any convening or assembly of a quorum of the Board and any communication by or to a quorum of the Board, whether in person or by means of electronic equipment to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction, or advocacy power. Communications between and among a quorum of members convening on electronically linked personal computers or by telephone conference call are subject to the Freedom of Information Act.

Executive Sessions

The public may be excluded from meetings of the Board of Education which are declared to be executive sessions. Executive sessions may be held upon a two-thirds vote of the members present and voting taken at a public meeting for only one or more of the following reasons, and may not be held for any other reason:

1. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting.
2. Strategy and negotiations with respect to pending claims and litigation that the Board or a member of the Board, is party.
3. Matters concerning security strategy or the deployment of security personnel, or devices affecting public security.
4. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.
5. Discussion of any matter which would result in the disclosure of public records or the information contained therein described in Subsection (b) of Section 1-210 of the Connecticut General Statutes.

Bylaws of the Board

Public and Executive Sessions (continued)

Non-Meetings

Not every meeting of the Board of Education constitutes a “meeting” under the Freedom of Information Act (FOIA). A meeting does not include:

- Any meeting of a personnel search committee to executive level employment candidates;
- Any chance meeting, or a social meeting neither planned nor intended for the purpose of discussing matters related to official business;
- Any meeting discussing strategy or negotiations with respect to collective bargaining;
- A caucus of members of a single political party notwithstanding that such members also constitute a quorum of a public agency;
- A quorum of the members of the Board who are present at any event which has been noticed and conducted as a meeting of another public agency, in that case, the event shall not be deemed to be a meeting of the Board as a result of their presence at such event. (For example, if the Board of Education is invited to attend a meeting of the Board of Finance, such a meeting does not have to be noticed and posted by the Board of Education.)

Collective bargaining sessions shall be held outside the scope of the FOIA as a “non-meeting.” Such sessions may be held at any time without posting, and related strategy sessions or updates to the Board of Education may be held either before or after the end of a regular or special meeting, without the need to post such meetings.

Legal Reference: Connecticut General Statutes
 1-200 Definitions. (as amended by PA 02-130)
 1-206 Denial of access to public records or meetings.
 1-210 Access to public records.
 1-225 Meetings of government agencies to be public.
 1-226 Recording, broadcasting or photographing meetings.
 1-231 Executive sessions.
 19a-342 Smoking prohibited in certain places.

Bylaw adopted by the Board: September 6, 2016

NEW CANAAN PUBLIC SCHOOLS
 New Canaan, Connecticut

Bylaws of the Board

Agenda for Meetings

The Superintendent, after consultation with and approval by the Chairman, shall prepare an agenda for Board meetings to be furnished to members of the Board prior to the meeting. All members of the Board may propose agenda items.

Legal Reference: Connecticut General Statutes

1-225 Meetings of government agencies to be public. (as amended by PA 07-213)

Bylaw adopted by the Board: September 6, 2016

NEW CANAAN PUBLIC SCHOOLS
New Canaan, Connecticut

Bylaws of the Board

Quorum

A quorum shall consist of five (5) of the nine (9) members of the Board.

Bylaws of the Board

Parliamentary Procedures

Rules of Order

Except as otherwise provided by statute, Town Charter, or these bylaws, in its proceedings, the Board shall be governed by “Robert’s Rules of Order.”

Bylaws of the Board

Vote Recording

The votes of each member of the Board upon any issue before any regular, special or emergency session meeting of the Board shall be reduced to writing and made available for public inspection within seven (7) days and shall also be recorded in the minutes of the session at which taken, which minutes shall be available for public inspection as noted below.

Minutes

The Secretary of the Board of Education shall keep minutes of all meetings of the Board. Copies of the proceeding shall be made for distribution to the Board members with the agenda for the next regular meeting. The official minutes of the Board of Education meetings and the master copy of the policy manual shall be kept in the central office. Minutes shall be made available to the public for inspection within seven days after each meeting. The votes or minutes of a special meeting shall be made available to the public for inspection within seven days after each such meeting, excluding any Saturday, Sunday or legal holiday. The minutes of any emergency special meeting shall specify the nature of the emergency and shall be available within seven (7) days of the meeting.

Legal Reference: Connecticut General Statutes

1-225 (formerly 1-21) Meetings of government agencies to be public. Recording of votes. Schedule and agenda of meetings to be filed. Notice of special meetings. Executive sessions. (as amended by P.A. 99-71: An Act Clarifying Certain Time Periods in the Freedom of Information Act Eliminating Outdated and Unnecessary Freedom of Information Provisions.)

Bylaw adopted by the Board: September 6, 2016

NEW CANAAN PUBLIC SCHOOLS
New Canaan, Connecticut

Bylaws of the Board

Superintendent to Attend Meetings

The Superintendent or his designee is expected to be present at all meetings of the Board of Education with full power to advise and discuss issues with the Board, except at such meetings and during such times as his or her administration of the schools and matters affecting his or her salary and tenure are being discussed.

Bylaws of the Board

Meeting Conduct

Meetings of the Board of Education shall be conducted by the Chair in a manner consistent with the adopted bylaws of the Board.

All Board meetings shall commence at the stated time and shall be guided by an agenda which has been prepared and delivered in advance to all Board members and other designated persons.

The conduct of meetings shall, to the fullest possible extent, enable members of the Board to (1) consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and (2) receive, consider and take any needed action with respect to reports of accomplishment of students or of school system operations.

Provision for any individual or group to address the Board shall be as follows:

1. Two minutes may be allotted to each speaker and a maximum of fifteen minutes to each subject matter.
2. No unruly conduct shall be permitted at any Board of Education meeting. Persistence in unruly conduct shall be grounds for summary termination, by the Chair, of that person's privilege of address. If necessary, the Chair may clear the room so that the Board can continue the meeting.
3. No oral presentation shall include charges or complaints against any employee of the Board of Education, regardless of whether or not the employee is identified in the presentation by name or by another reference which tends to identify an individual. All charges or complaints against employees shall be submitted to the Board of Education under provisions of Board of Education policy.
4. Speakers are asked to express themselves in a civil manner, with due respect for the dignity and privacy of others who may be affected by their comments. While it is not the Board's intent to stifle public comment, speakers should be aware that if their statements violate the rights of others under the law of defamation or invasion of privacy, the speaker may be held legally responsible. Speakers unsure of the legal ramification of what they are about to say are urged to consult first with their legal advisor.
5. The Board will not respond to any comments made during the public comment, except to clarify issues.
6. The Board of Education will take into consideration comments made by the public at meetings and hearings. Questions, concerns and requests directed to the Board will usually be deferred pending administrative and Board consideration.

Bylaws of the Board

Meeting Conduct (continued)

The Board of Education may adjourn any regular or special meeting to a specified time and place. If all members of the Board are absent, the clerk may adjourn the meeting. A copy of the notice of adjournment shall be conspicuously displayed near the meeting room door within twenty-four hours of adjournment.

Actions by the Board

No action will be taken unless the subject acted upon was listed in the agenda published for that meeting, except that an item of business not included on the agenda of a regular meeting may be considered and acted upon after a two-thirds vote of the members present and voting to add such business to the agenda.

The Board of Education shall not adopt resolutions except where such adoption is required by law, or where the intent of the Board is to publish a status position of the Board, as in advising the General Assembly of the Board's position on a proposed law, or commending staff members or other agencies for work well done.

All actions taken by the Board shall be identified clearly in minutes of the Board meeting as provided in Bylaw 9326, Minutes.

(cf. 1120 - Board of Education Meetings re Public Participation)

(cf. 1312 - Public Complaints)

(cf. 9321 - Time, Place, Notification of Meetings)

(cf. 9322 - Public and Executive Sessions)

(cf. 9323 - Construction/Posting of Agenda)

Legal Reference: Connecticut General Statutes
 1-200 Definitions.
 1-206 Denial of access of public records or meetings. Notice. Appeal.
 1-210 Access to public records.
 1-225 Meetings of government agencies to be public.
 19a-342 Smoking prohibited in certain places. Sign required. Penalty.
 1-231 Executive sessions.
 1-232 Conduct of meetings (re disturbances).
 10-224 Duties of the Secretary.

Bylaw adopted by the Board: September 6, 2016

NEW CANAAN PUBLIC SCHOOLS
 New Canaan, Connecticut

Bylaws of the Board

Recording, Broadcasting or Photographing

The school system shall permit the electronic recording, broadcasting or photographing of activities on or in school facilities under the following conditions:

Board of Education Meetings: Recording, broadcasting or photographing shall be permitted at the meetings as long as these activities do not interfere with the activities of the Board of Education. Rules governing these activities will be discussed in advance by the Chairperson of the Board of Education or his/her designee.

School sponsored programs and school activities held within school buildings or on school grounds: Requests to record or photograph activities held within school (e.g., taking pictures at graduation) shall be allowed unless they are judged by the Superintendent or his/her designee to:

1. Disrupt the school program or school discipline.
2. Invade the privacy of students, employees, or other citizens making use of the schools, or which use these groups as a captive audience for special interests not compatible with the interests of the public school system.
3. Endanger the safety of people within the buildings or on school grounds.
4. Be used for commercial purposes.

Requests for non-school sponsored activities or projects held within school buildings or on school grounds must be approved in advance, in writing, by the Superintendent of Schools.

Legal Reference: Connecticut General Statutes

1-225 Meetings of government agencies.

Bylaw adopted by the Board: September 6, 2016

NEW CANAAN PUBLIC SCHOOLS
New Canaan, Connecticut

Bylaws of the Board

Meetings

Electronic Communications Among Board Members

The Board of Education recognizes that electronic communication among Board members and between Board members, District administration, and members of the public is an efficient and convenient way to communicate and expedite the exchange of information and to help keep the community informed about the goals, programs, and achievements of the District and its schools.

Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agendaized Board meeting.

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board.

Examples of permissible electronic communications concerning District business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

Board members shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate District process. As appropriate, communication received from the press shall be forwarded to the designated District spokesperson.

Legal Reference: Connecticut General Statutes
 The Freedom of Information Act.
 1-200 Definitions.
 1-210 Access to public records. Exempt records.
 1-211 Disclosure of computer-stored public records.

Bylaw adopted by the Board: September 6, 2016

NEW CANAAN PUBLIC SCHOOLS
 New Canaan, Connecticut

Bylaws of the Board

Retention and Disposition of Records

As a public entity as referred to in CGS §11-8, the District is subject to the State of Connecticut Public Records Policy #05, Disposition of Public Records. The policy provides guidance for the minimum retention requirements and the disposition of public records, including destruction or transfer.

Educational institutions must also comply with additional records maintenance requirements of applicable Federal laws, such as the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA).

Pursuant to CGS §11-8b and §7-109, records shall not be removed, destroyed, mutilated, transferred or otherwise damaged or disposed of, in whole or in part, except as provided by law or under the rules established by the Office of the Public Records Administrator.

The Municipal Records Retention Schedule M8, Education Records, revised 2/2005 and published by the Public Records Administrator, is hereby included in the Administrative Regulations defining the minimum retention requirements for “education records.” Any future changes to schedule M8 by the Office of the Public Records Administrator will automatically be incorporated into the district’s policy. The district may choose to retain selected education records for longer periods than that defined. However, disposition of those records remain subject to the approval of the Office of the Public Records Administrator.

Similarly, the minimum retention and disposition of other types of district records (see examples below) shall be consistent with the rules established by the Office of the Public Records Administrator. All of these schedules are maintained on the website of the Connecticut State Library (see reference below) and in the administrative regulations.

1. General Administration Records (Schedule M1)
2. Personnel/Labor Relations Records (Schedule M2)
3. Fiscal Records (Schedule M3)
4. Library Records (Schedule M11)
5. Electronic Data Processing Records (Schedule M16)

Pursuant to the Connecticut Freedom of Information Act (the “Act”), any person applying in writing shall receive a copy of any public record of the Board of Education. A fee, not to exceed \$.25 per page or the maximum amount permitted by law, shall be established.

In any copy provided in accordance the Act requires a transcription, or if any person applies for a transcription of a Board record, the fee for such transcription shall not exceed the cost to the Board.

Bylaws of the Board

Retention and Disposition of Records (continued)

In addition, the fee for any copies provided in accordance with Section 1-211 of the Act, relating to computer-stored public records, shall not exceed the cost to the Board. In the event copies pursuant to such Section 1-211 are requested, the Board, in determining its costs, may include the following:

1. An amount equal to the hourly salary attributable to those agents of the Board engaged in providing the requested record;
2. The cost, if any, to the Board of engaging an outside professional electronic copying service to provide such services;
3. The cost of the storage devices or media provided to the person making the record request; and
4. The computer time charges incurred by the Board in providing the record where another agency or contractor provides the Board with computer storage and retrieval services.

Legal Reference: Connecticut General Statutes
1-15 Application for copies of public records.
1-200 Definitions.
1-210 to 1-213 Access to public records. (as amended by PA 02-113).
1-211 Access to computer stored records.
1-214 Public contracts as part of public records.
1-225 to 1-204 Meetings of public agencies.
Federal Rules of Civil Procedure – 2006 Amendments.

Bylaws of the Board

Public Announcement of Accomplishments

The Board shall keep the public informed of the school system's progress in accomplishing its goals and priorities, including programs established to achieve them. The Superintendent shall maintain a communication program for this purpose, which shall include, but not be limited to, public meetings, publications in local newspapers, email broadcasts, PTC/PFA meetings, District website, and other appropriate methods.