

## Board of Education Bylaws

### BY-LAWS OF THE BOARD OF EDUCATION

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BYLAWS OF THE BOARD OF EDUCATION of New Canaan, Connecticut

Adopted by the Board of Education on August 13, 1990

Latest update: October 2014

## ARTICLE 1 COMPOSITION OF THE BOARD

### Section 1:

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

### Section 2: 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, as appropriate, at such biennial municipal election.

The term of office of all members shall commence on the second Monday\* following the municipal election at which such members are elected.

*[\*The BOE voted to change the day of the week from Tuesday to Monday at its 11/5/07 BOE meeting].*

### Section 3: 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.

## ARTICLE 2 FUNCTIONS OF THE BOARD OF EDUCATION

### Section 1: Governing Body

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

### Section 2: Budget and Appropriations

The Board of Education shall consider and approve an annual budget for submission to the Board of Finance and the Town Council of New Canaan. As provided in General Statutes Section 10-222, the Board of Education may expend the allocation of funds appropriated for the maintenance and administration of the public school system.

### Section 3: Superintendent

The Board of Education shall select a superintendent who shall serve as the executive officer of the Board. The superintendent shall be elected by ballot, a majority vote of all the members of the Board being necessary to an election. The superintendent's term of office shall not exceed three (3) years. The Board shall provide a written contract of employment which shall include, but not be limited to, the salary, employment benefits and terms of

office of such superintendent. The superintendent shall supervise the public school system in accordance with the requirements of the Connecticut General Statutes, the rules, regulations and policies of the New Canaan Board of Education, and shall carry out any duties which may be reasonably assigned by the Board of Education.

**Section 4: Employment of Personnel**

On the recommendation of the Superintendent of Schools, the Board shall employ principals, teachers and other school employees. The salaries of all employees shall be set by the Board of Education. The Board shall have the power to dismiss the superintendent, principals, teachers, and other school employees consistent with any relevant statutory provisions.

**Section 5: 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:

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;

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 pupils 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;

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;

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;

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;

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;

shall prescribe the rules for the management, studies, classification and discipline of the public schools;

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;

shall develop, adopt and implement written policies concerning homework, attendance, promotion and retention;

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;

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;

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;

shall approve all expenditures for purposes of public education and may approve transfer of funds from one budget account to another;

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;

shall furnish to the State Department of Education data required in the periodic reports specified by state statute;

shall adopt and file with the State Board of Education all required policy statements;

shall negotiate collective bargaining agreements with employees' exclusive bargaining representatives as authorized by the Connecticut General Statutes;

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

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

#### **Section 6: Adoption of Policies**

The Board of Education shall adopt such rules, regulations and policies as are required by the General Statutes and as are necessary or appropriate for the effective governing of the public school system.

#### **Section 7: 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.

## **ARTICLE 3 INTERNAL ORGANIZATION OF THE BOARD OF EDUCATION**

### **Section 1: Election of Officers**

a) From the members of the Board of Education, a chairman, vice chairman 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 chairman for more than two successive annual terms.

b) 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 minutes of the meeting at which taken, which minutes shall be available for public inspection as required by Section 10-218 of the General Statutes.

### **Section 2: Chairman**

It shall be the duty of the chairman to preside at meetings of the Board, to call special meetings of the Board when he or she deems it necessary, to sign official papers as Chairman of the Board, and to appoint special committees authorized by the Board when the personnel of the committee is not specified in the motion establishing the committee.

### **Section 3: Vice-Chairman**

It shall be the duty of the vice-chairman to preside at the meetings of the Board in the absence of the chairman.

### **Section 4: Secretary**

It shall be the duty of the secretary to keep a record of all proceedings in a "minute book" provided at the expense of the Town for that purpose, to submit to the town at its annual meeting a report of the actions of the Board, to see that members of the Board receive due notice of meetings, to sign official papers as secretary of the Board, and to see that official records and papers are properly kept in a secure vault.

### **Section 5: Committees [revised 6/10/10, approved 7/21/10]**

#### 1) General

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.

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.

## 2) 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.

### 3) 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 By-Laws 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.

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.

### 4) 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.
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.



## 5) 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.

### **5[3]5.1 Communications Special BOE Committee**

1. Committee Name: BOE Communications Committee
2. Charge: To develop a working communications strategy for the Board of Education. This strategy shall enhance the Board's internal and external means of communications so as to increase awareness and understanding of the New Canaan Public School System's goals, plans, actions, policies and programs. This strategy shall also promote good bi-directional communications between the Board and its stakeholders in the New Canaan Public School system, town bodies, and the community.
3. Deliverables:
  - a. Collect perceptions and viewpoints on "How can we improve our communications?"
  - b. Gather BOE communications best practices from a variety of sources.
  - c. Develop an online strategy, improve BOE website, and determine use of other social media.

d. Develop communications protocols between BOE, administration, parent and other community groups.

4. **Scope and Composition:** The committee will be comprised of at least three Board of Education members designated by the Board Chair. 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. Committee members will serve for one calendar year from appointment.

5. **Meeting Frequency:** At least monthly.

6. **Reporting Frequency:** At least quarterly.

7. **Authority:** No authority independent of the full Board.

8. **Final Deliverable/End Date:** Full communication plan as outlined above.

9. **Subsection Number:** Upon approval by the Board, this Charter is incorporated into the Bylaws as **5[3]5.1**

10. **Approval Date:** 12/16/13

11. **Revision History:** (Dates and notes on the nature of revisions to the committee's charter).

#### **5[3]5.2 Strategic Planning BOE Committee**

1. **Committee Name:** Strategic Planning Committee

2. **Charge:** To assist the Board of Education to develop and implement a long term vision for the New Canaan Public Schools as a sustainable high performing school district. This includes identifying a process to develop the vision and plan for the district, creating a timetable for the process that includes regular board updates and frequent opportunities for engagement and developing a budget to support the process and its implementation.

3. **Deliverables:**

Year 1

a. Process plan identifying stakeholders, external and internal data collection requirements and indicators.

b. Identify budget for process plan.

c. Timetable for process plan to create the vision.

Year 2

a. Clear and broad based metrics for long-term district success that are aligned with the articulated vision.

b. Plan, timeline and budget for implementation of the vision.

4. **Scope and Composition:** "The Committee will be composed of at least two Board of Education members designated by the Board Chair in accordance with Article 3, section 5 (1) of the BOE Bylaws." They will serve for one calendar year from appointment. The committee will elect a Chair.

5. **Meeting Frequency:** As needed, minimum quarterly.

6. **Reporting Frequency:** At least quarterly.
7. **Authority:** No authority independent of the full Board.
8. **Final deliverable/End Date:** Present the Board of Education's long-term vision for the school district with metrics to gauge success and plan for implementation by June 2016.
9. **Subsection Number:** Upon approval by the Board, this Charter is incorporated into the Bylaws as **5[3]5.2**
10. **Approval Date:** 9/22/14 (1<sup>st</sup> read), 10/6/14 (2<sup>nd</sup> read and approved)
11. **Revision History:**

**5[3]5.3 Educational Resources BOE Committee**

1. Committee Name: BOE Educational Resources Committee
2. Charge: Advocate for and ensure the acquisition of the resources (financial, facilities, transportation, staff, etc.) required to improve student learning to achieve the district's mission and vision. Ensure district resources are utilized effectively and efficiently to maximize student achievement.
3. Deliverables: a) Evaluate enrollment as it relates to facilities; b) study insurance costs and ensure that board has most efficient cost structure; c) review of lease agreements; d) work with key stakeholders to continue the transparent and efficient budget process.
4. Scope and Composition: The Committee will be comprised of at least two Board of Education members designated by the Board Chair in accordance with Article 3, section 5 (1) of the BOE Bylaws. They will serve for one calendar year from appointment. The Chair will be elected by the committee.
5. Meeting Frequency: At least monthly
6. Reporting Frequency: At least quarterly
7. Authority: No authority independent of the full Board
8. Final Deliverable/End Date: One year from approval of special committee
9. Subsection Number: Upon approval by the Board, this Charter will be incorporated into the Bylaws as 5[3]5.3
10. Approval Date: 1<sup>st</sup> read 9/22/14, 2<sup>nd</sup> read and approved 10/6/14
11. Revision History:

**ARTICLE 4 MEETINGS OF THE BOARD**

Section 1: 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. [*\*The BOE voted to change the day of the week from Tuesday to Monday at its 11/5/07 BOE meeting*].

Section 2: 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.

Section 3: 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 chairman when deemed necessary or by the chairman 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.

Section 4: Quorum

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

Section 5: Executive Session

Meetings shall be open to the public. The Board may hold an executive session as defined in Connecticut General Statutes Section (e) of Section 1-18a, upon an affirmative vote of two-thirds of the members of the Board present and voting, taken at a public meeting and stating the reasons for such executive session as defined in such section.

Section 6: 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.

Section 7: Vote Required

The Board's decision in all cases shall be by majority vote of those present and voting, unless otherwise provided by statute, Town Charter or these bylaws. All members of the Board, including the chairman, shall be eligible to vote on all motions and nominations.

Section 8: 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.

Section 9: Annual Report of the Superintendent

Following the end of each school year and prior to the start of the new school year, the superintendent will submit to the Board a full written report of the proceedings of the Board and of the condition of the schools during the preceding year, with plans suggestions for their improvement.

Section 10: Procedure

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."

ARTICLE 5 INVOCATION OF THESE BYLAWS: AMENDMENTS

Section 1: Amendments

These bylaws may be amended at any regular meeting of the Board of Education by unanimous consent of the members present. They may also be amended at any meeting by a two-thirds vote of all members present, providing such amendment was presented in writing at the previous meeting.

Section 2: Limitations on Amendments

No amendment to the bylaws shall be made which contravenes a state or federal statute, or policy of the State Board of Education.

Section 3: Conflict

In the event of a conflict between any provision of these bylaws and any applicable state or federal statute, or provision of the Town Charter, the latter shall control.

Section 4: Savings Clause

In the event that any provision in these bylaws is found to be invalid or unenforceable, the remainder of these By-Laws shall be valid.

**(Adopted by the Board of Education on August 13, 1990)**

*[\*The BOE voted to change the day of the week from Tuesday to Monday in Article I, Section 2 and in Article 4, Section 1 on November 7, 2007]*