

9312/The Bylaws of the Trumbull Board of Education

TRUMBULL PUBLIC SCHOOLS
BOARD OF EDUCATION
POLICY MANUAL

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CATEGORY: Bylaws of the Board
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Trumbull Board of
Education

THE BYLAWS OF THE TRUMBULL BOARD OF EDUCATION

Policy Statement

The purposes of the Bylaws of the Trumbull Board of Education are to provide for the organization of the Board and for an orderly and efficient method of performing its lawful functions; however, nothing in these Bylaws shall be interpreted to limit or modify in any way or to any degree the duties and responsibilities of the Board pursuant to Connecticut law.

Section 9-203 of the General Statutes of Connecticut requires each town to have an elected Board of Education to oversee its education system. The Charter of the Town of Trumbull defines the composition and terms of its Board of Education. The Trumbull Board of Education, in accordance with administering the powers and duties defined in all applicable sections of the Connecticut General Statutes, has adopted Bylaws and governing regulations to implement its charge.

Adopted: 10/19/1982
Revised: 2/7/1995, 3/23/2004,
8/19/2008, 1/9/2017

References

- Connecticut General Statutes
- Connecticut Freedom of Information Act
- Trumbull Town Charter
- Trumbull Code of Ethics
- CABA's Connecticut Code of Ethics for Boards of Education
- *Robert's Rules of Order, Newly Revised*

9312/The Bylaws of the Trumbull Board of Education

ARTICLE I – Composition and Election of Board of Education

Section 1

The Charter of the Town of Trumbull defines the composition and terms of the Board.

Section 2

Members of the Board of Education shall, before entering upon their official duties, take the oath of office provided in Section 1-25 of the Connecticut General Statutes.

Section 3

In accordance with the Charter of the Town of Trumbull, a vacancy on the Board of Education shall be filled by appointment by the First Selectman until the next Town election, at which time a successor shall be elected to fill the unexpired portion of the term, unless a petition for a special election shall be filed. Any person appointed by the First Selectman to fill a vacancy on the Board of Education shall be of the same political party, if any, of the person vacating the office.

ARTICLE II – Authority and Responsibilities

Section 1

When fulfilling its statutory duties and in light of the State constitutional mandate to furnish public education, the Trumbull Board of Education is not the agent of the Town but that of the State. In accordance with Section 10-220 of the Connecticut General Statutes, “It shall maintain . . . good public elementary and secondary schools, implement the educational interests of the State as defined in Section 10-4a (of the Connecticut General Statutes) and provide such other educational activities as in its judgment will best serve the interests of the Town.”

Section 2

The Trumbull Board of Education shall have all the powers and duties conferred or imposed upon it specifically by Sections 10-218 through 10-292 of the Connecticut General Statutes. The Board has all the powers and duties conferred on local boards of education in any other sections of the Connecticut General Statutes and shall have any additional powers and duties that may be conferred by the Connecticut General Statutes in the future.

Section 3

In accordance with Section 10-157 of the General Statutes, the Board of Education shall provide for the supervision of the schools under its control by a Superintendent who shall serve as the chief executive officer of the Board. The Superintendent shall have executive authority over the school system and the responsibility for its supervision. Employment of a superintendent shall be by election of the Board of Education; a quorum of the Board is required for an election. The Superintendent’s performance will be evaluated annually by the Board in accordance with applicable law.

Section 4

In accordance with Section 10-151 of the Connecticut General Statutes, the Board, at the recommendation of the Superintendent, may employ and dismiss teachers and other school employees.

9312/The Bylaws of the Trumbull Board of Education

Section 5

It shall be a function of the Board of Education to present and to 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.

Section 6

The Board of Education shall adopt such bylaws, policies, rules and regulations as are needed for the effective governance of the school system.

Section 7

In addition to the foregoing specifically mentioned powers, the Board of Education shall be vested with any other powers needed to govern and conduct the work of public education in the Town of Trumbull so long as these powers are in harmony with state statutes.

Section 8

In general, the work of the Board of Education is construed to be fourfold:

- (1) the formulation of policies underlying public education in Trumbull;
- (2) the appraisal of the effectiveness with which the program of public education is being carried on;
- (3) the approval of a budget setting forth the itemized estimate of the cost of maintenance of public schools for the ensuing year along with ongoing evaluation of the operation of the business of the district; and
- (4) the approval of all programs of instruction and curricula thereof.

The execution and administration of policies shall be delegated to the Superintendent and other members of the school staff.

Section 9

The Board may hear and judge appeals of complaints and grievances arising from its acts or the acts of the Superintendent or other staff.

Section 10

A quorum of the board will be defined as a simple majority. A quorum is required to conduct business.

Section 11

Board members do not have the authority as individuals to take action on behalf of the School District. Only the Board, sitting as a quorum in a legally constituted meeting, through a formal vote, may take action.

ARTICLE III – Organization & Officers of the Board of Education

Section 1

In accordance with Section 10-218 of the Connecticut General Statutes, the Board “shall, not later than one month after the date on which the newly elected members take office (the first (1st) Monday of December), elect from its number a chairman and elect a secretary If such officers are not chosen after one month because of a tie vote of the members, the Town Council . . . shall choose such officers from the membership of the Board.” Not later than one month after the date on which the newly elected members take office (the first (1st) Monday of December),

9312/The Bylaws of the Trumbull Board of Education

the Board shall elect from its number such other officers as it may deem necessary and adopt a meeting schedule for the ensuing year. The officers of the Board are: Chairman, Vice Chairman and Secretary.

The organizational meeting shall be called to order by the current Chairperson if still an elected member of the Board who will preside until his/her successor is chosen by a majority vote of the Board. In the absence of the Chairperson, the Vice-Chairperson, or Secretary if still an elected member of the Board, in that order shall preside until a new Chairperson is elected. If no previous officer remains, the First Selectman shall serve as the temporary chair.

The Chairman, Vice Chairman or Secretary may be removed as officers by a two-thirds vote of the whole membership of the Board. When a member of the Board of Education ceases to be a legal resident of the Town of Trumbull, membership on the Board shall immediately cease.

Section 2

In accordance with Section 1-225 of the Connecticut General Statutes, the Board shall file by January thirty-first (31st) of each year in the office of the Secretary of the State the schedule of its meetings for the ensuing year.

A. Regular Meetings

All regular meetings shall be open to the public and the press. Changes of regular meetings from scheduled dates shall be filed with the Town Clerk and publicized in accordance with requirements of the Charter of the Town of Trumbull and the Freedom of Information Act. Only items on the regular meeting agenda may be taken up by the Board unless a two-thirds vote of the Board approves additions to a regular meeting agenda.

B. Special Meetings

The Chairperson of the Board may call a special meeting whenever he/she deems it necessary and must call a special meeting when requested to do so by three members of the Board. The Secretary shall in the absence of the Chairperson, or in his or her inability to act, have the powers of the Chairperson to call special meetings as outlined herein.

Notice of special meetings of the Board of Education shall be given at least 48 hours prior to the meeting by filing a notice of the time and place and the business to be conducted in the office of the Town Clerk. In the case of an emergency, a special meeting may be held without complying with the foregoing requirement for the filing 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. Only business identified on the call of a special meeting shall be discussed or transacted by the Board at such special meeting.

In determining the time within which or by when a notice is required to be given, made available, posted or filed, Saturdays, Sundays, legal holidays, and any other day when the Town Clerk's office is closed shall be excluded.

The Board may schedule work sessions and retreats in order to provide its members and the executive staff with opportunities for planning, brainstorming and discussion without action. Topics for discussion and study will be announced publicly, and work sessions and retreats will be conducted in accordance with the state law on public meetings.

Section 3

The Chairperson shall preside at all meetings of the Board of Education and shall perform other duties as directed by law, by Connecticut Department of Education regulations, and by this Board. In carrying out these responsibilities, the Chairperson shall:

1. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board.
2. Consult with the Superintendent in the planning of the Board's agendas.
3. Confer with the Superintendent on crucial matters which may occur between Board meetings.
4. Appoint members to Standing Committees.
5. Call special meetings of the Board as necessary.
6. Be public spokesperson for the Board at all times except as this responsibility is specifically delegated to others.
7. Be responsible for the orderly conduct of all Board meetings.
8. Establish special committees when deemed necessary.
9. Be an ex-officio member to all standing and special committees of the Board of which he/she is not a member.

The Chairperson shall have the right, as other Board members have, to offer resolutions, discuss questions, and to vote.

Section 4

It shall be the duty of the Vice-Chairman to preside in the absence of the Chairman.

Section 5

In accordance with Section 10-224 of the Connecticut General Statutes, "The clerk of the Board of Education shall keep a record of all its proceedings in a book which he/she shall provide for that purpose . . . and shall submit to the town at its annual meetings a report of the doings of the Board. The report of the clerk and of the Superintendent of Schools . . . shall be printed with the reports of the town officers, and, on or before the fifteenth (15th) day of October, the Superintendent of Schools . . . shall send two copies of such report to the Secretary of the State Board of Education"

The Secretary of the Board of Education shall:

1. Perform the duties of the Chairperson at Board meetings in the absence or disability of the Chairperson and Vice-Chairperson.
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. Announce correspondence received by the Board at each regular meeting. If a constituent wishes for his/her e-mail comments to the board to be acknowledged during the Secretary's Report, the e-mail must be received by 3:00pm on the day of a Board meeting.

Section 6

In the case of a vacancy in any office, a successor shall be elected at the next special or regular meeting of the Board. If the vacancy occurs in the office of Chairman, the Vice-Chairman or Secretary, in that order, shall assume the responsibilities of this office until a successor is elected.

Section 7

The functions of the Board are construed to be primarily policy-making and legislative, and all members are expected to consider all proposed policies before enactment.

Section 8

A. Standing Committees

There shall be the following Standing Committees of the Trumbull Board of Education appointed by the Chairman and approved by the Board:

- Curriculum Review Committee
- Finance Committee
- Policy Committee
- Facilities Committee

Each Board member shall serve on at least one Standing Committee. Vacancies on all Standing Committees shall be filled by the Chairman of the Board.

B. Special Committees

Special committees may be established for other purposes as the Board finds it desirable to establish such committees. The duties of special committees are to be advisory and not executive or legislative. A special committee will be discharged as soon as its report has been accepted. A special committee failing to give its report when due or at the next meeting of the Board thereafter shall be considered discharged unless an extension of time is granted.

No committee shall have power other than to recommend to the Board of Education. No committee, or member of a committee, is authorized to make any contract or enter into any agreement which involves the expenditure of money, unless such contract or agreement is authorized by the Board.

Section 9

A Board member wishing to participate in a meeting electronically shall request approval from the Chairman. The Board authorizes the administration to provide the equipment required to implement this Board procedure and to ensure that the electronic communication is audible or otherwise discernible to the public in attendance at the meeting's location.

Section 10

All meetings, as defined in the Freedom of Information Act, of the Board of Education shall be open to the public with the exception of executive sessions. A chance or social meeting, a caucus, or a discussion of strategy and negotiations with respect to collective bargaining are not defined as "meetings" under the Freedom of Information Act.

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 also be held for any other reason permitted by the Connecticut Freedom of Information Act:

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;

9312/The Bylaws of the Trumbull Board of Education

2. Strategy and negotiations with respect to pending claims or pending litigation to which the Board of Education, or a member thereof because of his or her conduct as a member of the Board, is a party until such litigation or claim has been finally adjudicated or settled;
3. Matters concerning security strategy or the development 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 the Board of Education 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.

At an executive session of the Board of Education, attendance shall be limited to members of the Board and persons invited by the Board to present testimony or opinion pertinent to matters before the Board, provided that such persons' attendance shall be limited to the period for which their presence is necessary to present such testimony or opinion; minutes of executive sessions shall disclose all persons in attendance with the exception of job applicants who attend the executive session to be interviewed by the Board.

Section 11

The conduct of Board meetings shall be consistent with *Robert's Rules of Order, Newly Revised*.

Section 12

The order of business at a regular meeting shall be at the discretion of the Chairperson and may include the following items:

- Public Comment
- Recognitions
- Reports
- Informational Matters
- New Business
- Old Business

Section 13

A member of the public present at a meeting of the Board may address the Board during the period designated by the agenda. Comments at a regular meeting may deal with any topic related to the Board's conduct of the schools. Comments at special meetings must be related to the call of the meeting. The Board Chairperson may set a time limit on the length of this period and/or a time limit for the individual speakers.

The Board Chairperson will be responsible for recognizing all public speakers. To maintain proper order and to adhere to any set time limits, all speakers must properly identify themselves by providing their names and addresses on a signup sheet which will be available at all meetings and by stating their name at the start of their comments. Only residents of Trumbull and all employees of Trumbull Public Schools shall be recognized by the chairman for Public Comment.

Section 14

Any Board member who wishes an item to be placed on the agenda shall make a request to the Board Chairman to include it.

Section 15

Minutes of the Board of Education meetings shall be kept according to Connecticut law and consistent with *Robert's Rules of Order, Newly Revised*.

Section 16

It shall be the practice of the Board to convene a retreat meeting, at least once per year, for the purpose of self-evaluation and/or training.

Section 17

E-mail shall not be used in such a manner as to deprive the public of the rights given to it under the Freedom of Information Act. E-mail, like other written forms of communication relating to the conduct of the public business, is subject to the Freedom of Information Act and subject to disclosure.

- Board members shall not use e-mail as a substitute for deliberations at public Board meetings. Board members shall not discuss policy matters or vote informally via e-mail on any issues.
- E-mail may be used to pass along factual information.
- Personnel issues and other sensitive subjects should never be discussed on-line. The confidentiality of employee data, student data, and other sensitive subjects must always be maintained.

ARTICLE IV – Members of the Board of Education

Section 1

Board members shall adhere to the Town of Trumbull's Code of Ethics and to the most recent edition of CABA's Connecticut Code of Ethics for Boards of Education.

Section 2

The Board shall indemnify, defend and protect and hold harmless Board members against financial loss and expense, including attorney's fees and costs, to the extent provided by Connecticut law, and the Board shall maintain adequate insurance to protect Board members against such loss and expense.

Section 3

Board members shall comply with the following rules pertaining to conflicts of interest:

- A. No member of the Board shall have any direct monetary interest in contracts with the school district, nor shall a member furnish any labor, equipment or supplies directly to the School District. The School District, however, may contract with corporations or businesses in which a Board Member is an employee, in which case the member must declare his/her association with the firm and refrain from debating or voting on any related items. It shall not be a conflict of interest for a Board member to provide services, without compensation or remuneration, in his/her capacity as a Board member.

9312/The Bylaws of the Trumbull Board of Education

- B. A spouse, minor child, dependent of a Board member, or persons otherwise related to a Board member may be promoted by the School District but only if (1) the Board member fully discloses the relationship at a public meeting of the Board; and (2) the remainder of the Board, excluding the related Board member, subsequently votes to approve the change in employment by a simple majority.
- C. Board members shall comply with applicable Connecticut law and the Charter of the Town of Trumbull regarding conflict of interest and attempt to avoid any situations which might have even the appearance of a conflict of interest.

ARTICLE V – Responsibilities of the Superintendent

Section 1

The legislation of policies is the function of the School Board and the execution of the policies shall be the function of the Superintendent of Schools.

The Board reserves for itself the ultimate decision of all matters concerning policy and expenditures of funds; delegation by the Board of its executive powers to the Superintendent provides flexibility for the Superintendent to manage the school system according to the provisions of the Board's policies and decisions, and allows Board members to devote their time to policy making and appraisal functions.

The Superintendent is responsible for the administration of its policies and regulations, the execution of Board actions and decisions, the operation of schools and for keeping the Board informed about school system activities, operations, and concerns. The Board will:

- Give the Superintendent administrative authority for properly discharging all professional and legal responsibilities and duties;
- Hold all meetings of the Board in the presence of the Superintendent and/or his/her designee except when the Superintendent's contract and salary are under consideration;
- Refer all concerns to the Superintendent for appropriate investigation and action;
- Provide adequate safeguards for the Superintendent and his/her staff members so they can discharge their professional and legal responsibilities and duties.

ARTICLE VI – Invocation of these Bylaws: Amendments

Section 1

Proposed changes to these bylaws may be adopted by a two-thirds vote of the Board of Education at any regular Board meeting provided such proposed changes were properly noticed with the agenda. Proposed bylaw changes may not be added to the agenda with a two-thirds vote of the members. No amendment shall be made which contravenes a state statute.