# Chapter 9000 – Governance and Administration

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9000 Role of the Board and its Members

Bylaws of the Board

The ACES Governing Board is the governing body of ACES and derives its power and exists under the Constitution General Statutes of the State of Connecticut and the procedures of the Connecticut State Governing Board.

The Board has the power and responsibility to discharge any duty imposed by law upon it or upon the district of which it is the Governing Board.

Board-Related Responsibilities

In order to assure that its operations support the schools in providing all students with a high quality education, the Board hereby establishes as its goals:

1. to work to ensure that Board actions and performance reflect the concerns and aspirations of the member districts;

2. to identify the educational needs and aspirations of the member districts, and to transform such needs and aspirations into policies aimed at stimulating the students and the learning process;

3. communicate the educational programs services and opportunities to the member districts;

4. to provide leadership in order that the goals and objectives of ACES, as set forth by the Board, can be effectively carried out;

5. to employ an Executive Director capable of ensuring that the district maintains a position as an outstanding school system and service center and that school personnel carry out the policies of the Board with energy and dedication;

6. to formulate Board policies which best serve the educational interests of students and provide the Executive Director with sufficient and adequate guidelines for implementation;

7. to develop and provide data useful to the planning evaluation, organization and execution of Board management functions;

8. to perform all Board functions and operations in conformity with state, federal and local laws, rules, and regulations;

9. to evaluate the Board’s performance in relation to these goals, and to establish and clarify policies based upon the results of such evaluation; and

10. to adopt annual budgets.
**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

*Policy adopted: June 12, 2008.*

**9010 Limits of Authority**

No individual member of the Governing Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools, nor as an individual command the services of any school employee.

No member of the Governing Board shall be asked to perform any routine or clerical duties which may be assigned to an employee.

1. Board member’s primary responsibility is to serve the Agency as a member of the Governing Board whose authority is derived from its compliance with statutory requirements, and its bylaws, policies and regulations. As an individual, Board member’s legal authority exists at such time the Board is in session.

2. Individual Board members shall be granted authorization to conduct Board business upon Board approval. Such authorization will be with regard to such matters as, but not restricted to, educational needs, facility needs, transportation, budget preparations, negotiations, and those matters pertaining to the function of a standing committee or the responsibility of an officer of the Board.

3. Personnel records other than those made available to the entire Board by the Executive Director shall not be made available to individual Board members unless it is appropriate and necessary in order to fulfill specific responsibilities set forth by the Board.

4. Board members shall exercise respect in those matters pertaining to the responsibilities of the Executive Director whose authority for administering the educational program and conducting agency business is vested in his office and his professional and nonprofessional staff.

5. Board members shall uphold the position that they are without legal authority outside of meetings of the Board and shall conduct their relationships with school staff, district citizens and all media of communication on the basis of this fact.
9011 Accountability

The public is accountable for:

- Maintaining a vigorous interest in, concern for, and constructive criticism of the schools;
- Electing the most able men and women available to represent them on the Governing Board;
- Providing the resources necessary or the Board and staff to accomplish publicly endorsed goals and objectives of the school district.

The Board is accountable for:

- Being responsive to the community’s desires and concerns regarding the quality and performance of the school system;
- Carrying out its mandate to plan, to make policy, and to lead in the identification of goals and objectives;
- Requesting the resources necessary for the achievement of the goals and objectives through the budget process;
- Evaluating the degree to which the goals and objectives are accomplished;
- Selecting and evaluating the Executive Director.

The Executive Director is accountable for:

- Providing creative professional leadership counsel and management in all aspects of the school district programs;
- Being responsive to the Governing Board’s desires and concerns regarding the quality and performance of the school district;
- Effecting the policies, goals and objectives established by the Governing Board;
- Providing fiscal leadership in the implementation of the budget process;
- Selecting and evaluating all professional staff.

The administration, the teachers and other employees are accountable for:

- Achieving the goals and objectives related to their stated job responsibilities;
- Being responsive to the Executive Director’s desires and concerns regarding the quality and performance of their job responsibilities;
- Maintaining communications with students, parents and the community regarding their stated job responsibilities;
- Conforming to the policies established by the Governing Board.
The parents are accountable for:

- Providing an atmosphere that supports the education of their child;
- Maintaining close communication with the school.

The students are accountable for:

- Diligently pursuing their own learning;
- Following the rules of the school district.

Legal Reference: Connecticut General Statutes

10-220 Duties of boards of education.

Policy adopted: June 12, 2008.

9012 Legal Responsibilities of the Governing Board

The Governing Board shall have authority to take all action necessary or advisable to meet its responsibilities under state statute including but not limited to the following:

1. To annually establish, with the Executive Director, educational priorities for the school district.

2. Create, abolish, modify and maintain such positions, schools, divisions and classifications as may be necessary for the efficient administration of the educational enterprise.

3. To elect an Executive Director in accordance with state statutes.

4. To consider and adopt an annual budget, prepared by the Executive Director.

5. To determine the number, classification, duties and remuneration of employees.

6. To establish policy for employment, promotion and dismissal of personnel in accordance with state statutes.

7. To provide for the appraisal of the performance of personnel.

8. To initiate and approve the acquisition and disposition of school sites and to initiate and approve plans for school buildings.

9. To consider any specific recommendations made by the Executive Director.

10. To keep the citizenry informed of purposes, values, conditions and needs of public education in the Town.
11. To consider, revise and adopt any changes in the curriculum.

12. To take any other actions required or permitted by law.

13. To make reasonable provision to implement the educational interests of the State, as defined by law, so that

- each child shall have for the period prescribed in the General Statutes equal opportunity to receive a suitable program of educational experiences;
- the school district shall finance at a reasonable level an educational program designed to achieve this end;
- the school district shall provide educational opportunities for its students to interact with students and teachers from other racial, ethnic and economic backgrounds;
- the mandates in the General Statutes pertaining to education within the jurisdiction of the State Board of Education shall be implemented.

Legal Reference: Connecticut General Statutes

10-220 Duties of boards of education

Policy adopted: June 12, 2008.

9020 Public Statements

The ACES Governing Board recognizes that communication is a continuous two-way process. The Board believes that it is important to keep the public informed about educational programs, and, in turn, that the community should have the opportunity to provide input.

Communication will be a concurrent responsibility of the Governing Board and the Executive Director. The Executive Director will work with the members of the Governing Board to conduct an active and comprehensive program throughout the school district and community for the prompt dissemination of information about decisions made at all Board meetings. Releases to the press and brief summaries of Board meeting actions prepared for distribution to staff members and parent/guardians are regarded as appropriate media of information for meeting the requirements of this bylaw. Press releases relative to Governing Board action shall be released only by the Board Chairperson or the delegated agent of the Board.

(cf. 1112.2 - School News Releases)
(cf. 1120 - Board of Education Meetings)

Policy adopted: June 12, 2008.
Commitment to Democratic Principles in Relation to Community, Staff, Students

9030 Board-Staff Communications

The ACES Governing Board 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.

(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.

Policy adopted: June 12, 2008.

9040 Board-Related Responsibilities

The Governing Board shall:

1. Employ an able and qualified Executive Director.

2. Adopt policies to govern the operation of the school system.

3. Communicate the educational program to the people of the community.

4. Keep abreast of future educational needs of the town as well as the present.

5. Adopt annual budgets.

6. Take such specific actions as are required by law.
9110 Membership

The Board shall consist of one representative appointed by each member Governing Board from its membership. The Board shall be the policy body for ACES and shall approve all programs and services to be provided by ACES and shall adopt the annual budget.

The term of office of each Board member shall be for one year, commencing on July 1. Each member Governing Board shall designate in writing, on or before June 1 of each year its representative for the ensuing term. Any member Governing Board may remove its representative to the Board during said representative term by giving written notice to the Secretary of the appointment of a new representative. Board members shall be eligible for reappointment for additional terms.

In the event of a vacancy on the Board, whether by reason of resignation, death, disability or any other cause, the member Governing Board whose position is thus vacant shall promptly appoint a replacement to serve for the remainder of the current term.

Legal References: Connecticut General Statutes

10-66d Participation by boards of education and nonpublic schools 10-66l Boards of education may join centers within or outside area

Policy adopted: June 12, 2008.

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9120 Officers

The following officers of the Board shall be elected at the June meeting of each year, to take office at such meeting for a term of one year:

1. A Chairperson, who shall preside over all regular and special meetings of the Board, and who shall call special meetings in his/her own discretion or upon petition as set forth above.

2. A Vice-Chairperson who shall preside in the absence of the Chairperson, and who shall assist the Chairperson in such manner as the Chairperson shall direct.
3. A Fiscal Officer, who shall have the authority to co-sign checks and financial documents as necessary.

**Legal References: Connecticut General Statutes**

10-66b Officers. Meetings  
10-218 Operation and management

*Policy adopted: June 12, 2008.*

**9121 Chairperson**

The Chairperson shall preside at all meetings of the ACES Governing Board and shall perform other duties as directed by law, State 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 Executive Director in the planning of the Board’s agendas.
3. Confer with the Executive Director on crucial matters which may occur between Board meetings.
4. Appoint Board committees, subject to Board approval.
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. Assume such other duties as may be authorized by the Board.
9. Appoint a Clerk of the Board.

As presiding officer at all meetings of the Board, the Chairperson shall:

1. Call the meeting to order at the appointed time.
2. Announce the business to come before the Board in its proper order.
3. Enforce the Board’s policies relating to the order of business and the conduct of the meetings.
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
5. Explain what the effect of a motion would be if it is not clear to every member.
6. Restrict discussion to the question when a motion is before the Board.
7. Answer all parliamentary inquiries, referring questions of legality to the Board attorney.
8. Put motions to a vote, stating definitely and clearly the vote and result thereof.

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

(cf. 9325 - Meeting Conduct)

**Legal Reference: Connecticut General Statutes**

10-218 Officers. Meetings.

*Policy adopted: June 12, 2008.*

### 9122 Office of the Vice-Chairperson

The Vice-Chairperson will:

1. Act in place of the Chairperson when necessary and preside at meetings when the Chairperson is temporarily absent. The Vice-Chairperson cannot fill vacancies required to be filled by the Chairperson and does not serve as an ex-officio member of committees.

2. Work with the Chairperson and Executive Director to become generally informed of Board business.

3. In the absence of the Chairperson, act as a resource to the Executive Director on decisions which may require further input between board meetings.

4. In case of illness, resignation, or death of the Chairperson, the Vice-Chairperson, as deemed by the Board, becomes Chairperson until the Governing Board elects a new Chairperson at the next Governing Board meeting.

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

*Policy adopted: June 12, 2008.*
9126 Fiscal Officer

The Fiscal Officer will:

1. Countersign with the Executive Director all checks.

2. Sign all accounts payable checks and all state-reimbursed expenditures.

3. Periodically inspect the books of the District, by reviewing the income and expenditures of each account carried by the Board and central office.

In the absence of the Fiscal Officer, the Chairperson will be authorized to sign checks or appoint a person to temporarily fulfill this responsibility.

Policy adopted: June 12, 2008.

9130 Committees

The Board may appoint from time to time such subcommittees as it may deem necessary or appropriate.

An Executive Committee of three or more Board members may be designated by vote of a majority of all voting members of the Board. The Executive Committee, if there be one, shall have all of the authority of the Board between meetings of the Board, except that it shall not amend the Agreement, authorize the borrowing of money, or change the rate of compensation of any employee of ACES. The Executive Committee shall keep minutes of its proceedings and shall make such report thereof to the Board as the Board shall require:

There shall be an Executive Committee of the ACES Board and it shall be composed of:

1. The Chairperson of the Board
2. The Vice-Chairperson of the Board
3. The Fiscal Officer of the Board
4. Four members of the Board

The Executive Committee is empowered to act in the absence of a quorum at a regularly scheduled meeting of the Board subject to the restrictions existing in the agreement signed by the member school districts. On such occasions, all members of the Board present shall become members of the Executive Committee for the duration of that meeting.

The Executive Committee may be called together at the discretion of the Chairperson of the Board on an emergency basis with the provisions that:

1. All members of the Board be notified of said meeting.
2. A quorum for the Executive Committee will be a majority of those named to the Committee. Such a majority of those named to the Committee shall be necessary for any vote to be taken. A majority of those present at a meeting and voting shall be required for any action on any issue.

**Legal Reference: Connecticut General Statutes**

1-200 through 1-241 of the Freedom of Information Act.
1-200 Definitions.
1-225 Meetings of government agencies to be public.

*Policy adopted: June 12, 2008.*

### 9133 Special Committees/Advisory Committees

In contrast to standing committees, advisory committees are appointed to perform a specific task. Advisory committees may include administrators, staff, parents, students and/or community representatives as well as Board members. When it has made its final report or recommendation to the Board, the advisory committee ceases to exist.

(cf. 9130 – Committees)
(cf. 9131 – Committee of the Whole)
(cf. 9132 – Standing Committees)

**Legal Reference: Connecticut General Statutes**

1-200 through 1-241 of the Freedom of Information Act.
1-200 Definitions.
1-226 Meetings of government agencies to be public.

*Policy adopted: June 12, 2008.*

### Board Member Protection

#### 9260 Indemnification of Staff and Board Members-Damage Suits

The Governing Board shall protect and save harmless any member of the Board or any staff member employed by the Board from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence or other act resulting in bodily injury to or death of any person, or in accidental damage to or destruction of property, within or without school buildings, or other acts, including, but not limited to infringement of any person’s civil rights, resulting in any injury, which acts are not
wanton, reckless or malicious, provided such staff member, at the time of the acts resulting in such injury, damage or destruction, was acting in the discharge of his or her duties or within the scope of employment or under the direction of the Governing Board.

**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.

*Policy adopted: June 12, 2008.*

### 9270 Conflict of Interest

The Board desires its members not only to adhere to all laws regarding conflict of interest, but to be continually aware of situations which have the appearance of conflict of interest and to avoid actions that might embarrass themselves or the Board.

Two areas of Board operations must be guarded with particular care in order that there be no real or seeming conflict of interest. These are purchasing and hiring of new personnel. Therefore:

1. No member of the Board shall have any direct pecuniary interest in a contract with the school district, nor shall he/she furnish directly any labor, equipment, or supplies to the district. It is not the intent of this bylaw to prevent the district from contracting with corporations or businesses because a Board member is an employee of the firm. However, in such instances the member may be expected to declare his/her association with the firm and will refrain from debating or voting on the question.

2. If a member of the immediate family of a Board member—specifically parent/guardian, spouse, domestic partner of a civil union, child or grandchild -- is being considered for employment, that member shall disqualify him/herself from participation in discussion or vote.

3. The Board shall not give preferential treatment to companies in which town officials or paid town employees, have a major financial interest or to companies by which they are employed.

4. No Board member shall use his or her position to influence an employment or contractual decision other than those routinely made by the Board itself.

**Legal Reference:  Connecticut General Statutes**

- 7-479 Conflicts of Interest.
- 10-156e Employees of boards of education permitted to serve as elected officials; exception.
10-232 Restrictions on employment of members of the board of education.
P.A. 05-10 An Act Concerning Civil Unions

Policy adopted: June 12, 2008.

9271 Code of Ethics

The success of every school system depends on an effective working relationship between the Governing Board and Executive Director. This code incorporates those standards and responsibilities most critical to productive Board and Executive Director relations.

- Board members and Executive Directors ensure the opportunity for high quality education for every student and make the well-being of students the fundamental goal of all decision-making and actions.
- Board members and Executive Directors are staunch advocates of high quality free public education for all Connecticut children.
- Board members and Executive Directors honor all national, state and local laws and regulations pertaining to education and public agencies.
- Board members and Executive Directors will always carry out their respective roles with the highest levels of professionalism, honesty and integrity.
- Board members adhere to the principle that they shall confine the Board’s role to policy-making, planning and appraisal while the Executive Director shall implement the Board’s policies.
- Board members and Executive Directors both recognize that they serve as a part of an educational team with mutual respect, trust, civility and regard for each other’s respective roles and responsibilities.
- Board members are committed to the concept that the strength of the Executive Director is in being the educational leader of the school district.
- Board members and Executive Directors practice and promote ethical behavior in the Boardroom as a model for all district employees.
- Board members and Executive Directors consider and decide all issues fairly and without bias.

(cf. 2000.1 - Board-Superintendent Relationship)
(cf. 2300 - Statement of Ethics for Administrators)

Policy adopted: June 12, 2008.
9272 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.
2. Request data as a Board, not as an individual, unless the information is readily available and will not redirect staff time.
3. Use data to represent all of the Board member’s constituents honestly and equally and refuse to surrender the Board member’s responsibilities to special interest or partisan political groups.
4. Avoid using the Board position, and the information data supplies as a result of Board membership, for personal gain.
5. Recognize that decisions can be made only by a majority vote at a Board meeting after everyone on the Board has had adequate time to review all the data and information.
6. Respect the confidentiality of privileged information.

Policy adopted: June 12, 2008.

9300 Methods of Operation

The ACES Governing Board shall concern itself only with broad questions of policy and not with administrative details. The Board shall rely upon the Executive Director to recommend policies for adoption and to administer policies enacted by the Board. Such policies shall be broad enough to indicate a line of action to be taken by the Superintendent in meeting a number of problems and jobs. Application of such policies to individual problems and jobs is an administrative function to be performed by the Executive Director.

Policy adopted: June 12, 2008.

9310 Development, Distribution and Maintenance of Manual of Policies, Regulations, Bylaws

Policy Dissemination

The Executive Director is directed to preserve and to make accessible the policies adopted by the Governing Board and the administrative rules and regulations needed to put them into effect.

The Executive Director is directed to place the policies of the Governing Board “on-line” so that no personal copies of the policies need to be made or distributed. Until such time the policies are put “on-line” all policy manuals distributed to anyone shall remain the property of ACES and shall be considered as “on loan” to anyone, or any organization, in whose possession they might be at any time.
Manual Maintenance/Updating

The Governing Board directs the Executive Director to update the on-line policies if changes have been made. The update would take place during the months of July and August for purposes of administrative updating and Board review.

*Policy adopted: June 12, 2008.*

### 9311 Formulation, Adoption, Amendment of Policies

The ACES Governing Board considers policy development its chief function, along with appraisal of the result achieved through its policies. It is through the development and adoption of written policies that the Board shall exercise its leadership in the operation of the school system; it is through study and evaluation of reports concerning the execution of its written policies that the Board shall exercise its control over school operations.

It is the intent of the Board to develop policies and put them in writing so that they serve as guidelines and goals for the successful and efficient functioning of the public schools.

Written policies serve as guides for the discretionary action of those to whom it delegates authority and as a source of information and guidance for all persons who are interested in, and affected by, the district schools.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of present and future Boards. Thus policy development is an ongoing process.

Policy proposals and suggested amendments to, deletions of, or revisions of existing policies shall normally be submitted to all members of the Governing Board by the Executive Director in writing prior to a regularly scheduled Governing Board 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 Governing Board, be adopted or amended after consideration at two regular meetings of the Governing Board. The agenda and minutes shall be marked to indicate policy matters.

The formal adoption of policies shall be by two-thirds vote of all members present of the Governing Board and the action shall be recorded in the minutes of the Governing Board. Only those written statements so adopted and so recorded shall be regarded as official policy.

*Reference: Robert’s Rules of Order, Newly Revised*

*Policy adopted: June 12, 2008.*
9312 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 Governing Board. This will usually occur during the second of two regularly scheduled meetings of the Governing Board not less that four (4) 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

Policy adopted: June 12, 2008.

9313 Formulation, Adoption, Amendment of Administrative Regulations

The Governing Board does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Executive Director. Adoption and amendment of such Board of Education adopted regulations shall be by the same procedure as that specified for policies in 9311.

The Governing Board reserves the right to review and direct revisions of administrative regulations should they, in the Governing Board’s judgment, be inconsistent with the policies adopted by the Governing Board.

Policy adopted: June 12, 2008.

9314 Suspension of Policies, Bylaws and Regulations

Policies, bylaws and Governing Board adopted regulations shall be subject to suspension for a specified purpose and limited time by majority vote of all members of the Governing Board 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 Governing Board when no such written notice has been given.

Reference: Robert's Rules of Order, Newly Revised

Policy adopted: June 12, 2008.
9321 Time, Place and Notification of Meetings

The Board shall meet monthly on the second Thursday of each month from September through June, or on such other date as may be set at the prior monthly meeting.

Special meetings may be held upon the call of the Chairperson upon at least three days notice to all members. Special meetings shall also be called by the Chairperson upon written petition of at least one-fourth of the voting membership of the Board, and such meetings to be held within one week of receipt of the petition by the Chairperson.

At any special meeting, action may be taken upon only those matters specified in the call of the meeting. Notice of any special meeting may be waived in writing by all voting members of 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

Policy adopted: June 12, 2008.

9322 Public and Executive Sessions

Public Meetings

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

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.

(cf. 1331 - Smoking in School Facilities)

**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.

Policy adopted: June 12, 2008.

**9323 Construction of the Agenda**

The Executive Director in cooperation with the Chairperson of the Governing Board shall prepare an agenda for each regular meeting. Any member of the Governing Board may call the Executive Director and request any item to be placed on the agenda no later than 72 hours prior to the legally required public posting of the agenda.

**Posting of the Agenda**

At least 24 hours prior to the time of the regular meeting, the agenda shall be posted in ACES Central Office and in each school in a place readily available to parents, teachers and the general public, and shall be filed in the Executive Director's office.
9324 Advance Delivery of Meeting Materials

The Board meeting materials shall be disseminated as follows:

1. The complete Governing Board agenda and the appropriate materials pertaining thereto shall be sent to each Board member and Board clerk.

   The agenda will be available to the public at the administration building after 3:00 P.M. on Fridays preceding each regular Governing Board meeting. An agenda will also be available to each member of the press on Friday afternoons.

2. A copy of the agenda shall be sent to each building principal, one copy of which is to be posted upon the bulletin board in each school office.

   (cf. 9323 - Construction/Posting of Agenda)

Policy adopted: June 12, 2008.

9325 Meeting Conduct

Meetings of the Board of Education shall be conducted by the Chairperson 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, 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.

Provisions for permitting any individual or group to address the Board concerning any subject that lies within its jurisdiction shall be as follows:

1. Five minutes may be allotted to each speaker and a maximum of twenty minutes to each subject matter.
2. No boisterous conduct shall be permitted at any Board of Education meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person’s privilege of address. If necessary, the Chairperson may clear the room so that the Board can continue the meeting.

3. Speakers may offer objective criticism of district operations and programs, but the Board encourages members of the public to address complaints concerning individual district personnel through the proper chain of command. The Chairperson may direct the member of the public to the appropriate means to address concerns brought before the Board; however, the Board will not respond with action but will take comments under advisement and direct the comments to the appropriate staff member to address outside of the Board meeting.

4. Speakers are asked to express themselves in a civil manner, with due respect for the dignity and privacy to 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 right 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.

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 if the Board meeting as provided in Bylaw 9326, Minutes.

(cf. 1120—Board of Education Meeting 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)
9327 Meetings

Electronic Mail Communications

The Governing Board believes that Board members electronically connected to other Board members is an efficient and convenient way to communicate. The main goal of electronic mail (e-mail) is to expedite the passage of information. E-mail gives Board members quick access to one another. Communication among Board members via e-mail should conform to the same standards as other forms of communication. (i.e., committee meetings, etc.) as directed by the Freedom of Information Act. When used properly, e-mail is an effective communications tool and can provide a formal record.

Guidelines for Board E-Mail Usage

The Freedom of Information Act mandates that all meetings of public bodies such as school Boards be open to the public. It is the policy of the Governing Board that email 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. For this purpose, this bylaw sets forth guidelines for the uses intended to be made of e-mail by Board members when communicating with other Board members.

1. 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.
2. Board members shall not use e-mail as a substitute for deliberations at public Board meetings, and/or shall not discuss policy matters or vote informally on any issues.
3. E-mail should be used to pass along factual information.
4. Security of e-mail communication cannot be assured. Board members shall not reveal their passwords to others in the network or to anyone outside of it. If any Board member has reason to believe a password has been lost or stolen, or that e-mail is being accessed by someone without authorization, he/she shall notify the Executive Director, who will notify the district’s technology specialist.
5. 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.

Any usage contrary to the aforementioned shall be reported immediately to the Executive Director and may result in the suspension and/or revocation of system access.

**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.

**Policy adopted: June 12, 2008.**

### 9330 Board/School District Records

Any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by the Governing Board or the school district, whether handwritten, typed, tape-recorded, printed, photostated, photographed, or recorded by any other method is by definition a "public record" and access thereto during normal hours of business shall be granted to any citizen. The Board recognizes the need for its records to be stored as a blend of printed, bound and electronically recorded (i.e., audiotapes, videotapes, micro-fiche, computer disk) material. All such records shall be maintained at the office of the Executive Director, who shall be the custodian of all public records of the district.

Not included in the category of public records to which the privilege of access is given are the following:

1. Preliminary drafts or notes provided the custodian or the Governing Board has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure.
2. Personnel or medical files and similar files, the disclosure of which would constitute an invasion of personal privacy.
3. Records pertaining to strategy and negotiations with respect to pending claims and litigation to which the district is a party until such litigation or claim has been adjudicated or otherwise settled.
4. Trade secrets.
5. Test questions, scoring keys and other examination data used to administer a licensing examination, examination for employment or academic examinations.
6. The contents of real estate appraisals, engineering or feasibility estimates and evaluation made for or by the district relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all
proceedings or transactions have been terminated (except that the law of public domain is not affected by this provision).

7. Records, reports and statements of strategy or negotiations with respect to collective bargaining.

8. Records, tax returns, reports and statements exempted by federal law or state statutes or communications privileged by the attorney-client relationship.

9. Names or addresses of students enrolled in the public schools without the consent of each student whose name or address is to be disclosed who is eighteen or older and a parent or guardian of such minor student.

10. Records including engineering and architectural drawings; security systems’ operational specifications (except a general description, cost and quality of the system); training manuals that describe security procedures, emergency plans or security equipment; internal security audits; and logs and other documents containing information on security personnel movement or assignments if reasonable grounds exist to believe their release would pose a safety risk, including harm to anyone, a facility or equipment.

11. Security manuals, emergency plans, emergency recovery or response plans and staff meeting minutes or records or portions of them that contain or reveal security information or otherwise exempt records.

Availability of Records

Any person shall receive promptly on request, a plain or certified copy of any public record except those which access is not permitted under law, at a cost not to exceed fifty cents per page. If any copy requested required a printout or transcription, or if any person applies for a printout or transcription of a public record, the fee shall not exceed the cost to the school district. The district will require prepayment of the fee if the fee is estimated to be two dollars or more. There will be no sales tax for this service. There will be no charge if the person requesting the record is an indigent, the record requested is exempt from disclosure, or if, in the judgment of the custodian of records, compliance with the request benefits the general welfare.

An additional charge of one dollar for the first page and fifty cents for each additional page may be made for certification of any records or of any fact within the record.

The Executive Director on behalf of the Governing Board shall notify an employee in writing when a request is made for disclosure of the employee's personnel, medical or similar files, if the Executive Director reasonably believes disclosure would invade the employee's privacy.

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 1-240 Meetings of public agencies.
Policy adopted: June 12, 2008.

9350 Hearings

Public Hearings

All requests for public hearings to come before the Governing Board shall be presented to the Executive Director and the Chairperson of the Board in writing, stating clearly and definitely the purpose(s) of such requests and the action(s) desired thereon. Failure to adhere to these standards shall be reason for the Board to reject the request for hearing.

Policy adopted: June 12, 2008.