

## West Hartford Public School District

**Agenda Item:** Motion by Bruce Putterman and Terry Schmitt to Accept Revised Bylaws 8100, 8120, 8146, 8160, 8210, and 8353--**First Reading**

**Meeting Date:** May 6, 2014

**From:** Bruce Putterman and Terry Schmitt

**Through:** Karen L. List, Superintendent of Schools

### **Recommendation:**

THAT the Board of Education accept as a First Reading the following bylaws which were revised by the Board Policy Subcommittee:

- 8100 Purpose of the Board of Education
- 8120 Limits of Authority
- 8146 Attorney
- 8160 Board Representatives
- 8210 Orientation of New Board Members
- 8353 Smoking and Other Tobacco Use When Using or Visiting Board of Education Property

Note: Words in (*italics*) within parentheses are being removed from the current bylaw and words in **Bold** are being added to the current bylaw.

### **Background:**

Since these revisions constitute substantial change, they are being brought to the Board as a First Reading.

The Board is in the process of reviewing and revising, where appropriate, all of its policies and bylaws, section by section. Board Policy Books are divided into 8 sections or series: 1000s Community Relations, 2000s Administration, 3000s Business, 4000s Personnel, 5000s Students, 6000s Instruction, 7000s Board Operations, 8000s Bylaws.

The Board has appointed a sub-committee comprised of Bruce Putterman and Terry Schmitt to meet regularly with Kimberly Boneham, Assistant Corporation Counsel, and Tom Moore, Assistant Superintendent for Administration. The Policy Subcommittee has spent many hours considering its own recommendations, input from Corporation Counsel and the administration, and reviewing certain policies and bylaws from other districts.

As reviewed and revised policies and bylaws are approved by the full Board, they are put on the West Hartford Public Schools website.

Bruce Putterman, Terry Schmitt, Tom Moore, and Kimberly Boneham will be available to answer any questions.

**Agenda Item:  
V.B.**

WEST HARTFORD PUBLIC SCHOOLS

(BYLAW 8100)

(Role of the Board and Members--Powers, Purposes, Duties)

(Organization)

*(In accordance with the General Statutes and Town Charter, the West Hartford Board of Education is the agent of the state and the duly constituted authority of the Town of West Hartford in all matters relating to the organization and administration of the schools. As such, "the board of education shall perform such duties and have such powers as are imposed or vested by the General Statutes upon boards of education in the several towns." (Charter of the Town of West Hartford, p. C44)*

*In carrying out this mandate, the board of education shall act as a legislative and appraisal body, delegating executive functions to the superintendent of schools and his/her staff. The board shall concern itself with broad questions of educational policy, and not with administrative details. The board shall act as a committee of the whole, and individual members shall make no commitments for the board, except when executing an assignment requested by the board.*

<i>Legal Reference:</i>	<i>Connecticut General Statutes</i>
<i>1-18a</i>	<i>Definitions ("Public Agency")</i>
<i>10-186</i>	<i>Duties of local and regional boards of education re school attendance . . .</i>
<i>10-220</i>	<i>Duties of boards of education</i>

*Bylaw adopted  
by the board: October 19, 1987)*

(BYLAW 8110)

(Role of the Board and Members--Powers, Purposes, Duties)

(Powers and Duties)

*(The board of education shall be responsible for the maintenance and operation of the public schools as required by law and by the Charter of the Town of West Hartford. The board shall be responsible for carrying out the following duties:*

- Interpret the needs of the community and the desired educational requirements to its professional organization.*
- Elect the superintendent of schools, appoint a clerk, select attorney(s), and approve the appointment of principals and anyone above the rank of principal.*
- Adopt an annual budget, prepared by the superintendent of schools.*

- Provide the Town Council with statements of the need for additional school facilities, including proposed additions to or extensions of existing school buildings, and set forth such information as the board may deem appropriate.*
- Approve preliminary and final plans and specifications for all new buildings and additions.*
- Evaluate the total program of the schools in West Hartford and appraise the efficiency of executive personnel.*
- Keep people intelligently informed of purposes, values, conditions and need of public education in West Hartford.*
- Consider any other specific actions recommended by the superintendent of schools.*
- Take any other actions required by law.*

*Legal Reference: Connecticut General Statutes*

*10-221 Board of education to prescribe rules*

*10-240 Control of schools*

*10-241 Powers of school districts*

*Bylaw adopted*

*by the board: October 19, 1987)*

*(BYLAW 8370)*

*(Legislative Program)*

*(The board of education will take an active role in the legislative process. The board will maintain regular contact with legislators and committees responsible for the passage of laws and regulations that affect the students and parents of West Hartford.*

*Bylaw adopted*

*by the board: October 5, 1987)*

**Note: Above bylaws 8100, 8110, and 8370 have been combined to create new Bylaw 8100 which starts on the next page:**

Purpose of the Board of Education

In accordance with the General Statutes and Town Charter, the West Hartford Board of Education is the duly constituted authority of the Town of West Hartford in all matters relating to the organization and operations of the schools.

The Board of Education shall act as a policy-making and appraisal body, delegating all administrative functions to the Superintendent of Schools and his/her staff. The Board of Education shall have the following responsibilities:

- Identify and interpret the needs and values of the community for the Superintendent.
- Adopt an annual budget.
- Select, review, compensate and if necessary, terminate the Superintendent.
- Establish broad board policy.
- Engage in periodic long-term district-wide planning.
- Affirm or amend district mission framework regularly.
- Affirm or amend district goals and related indicators regularly.
- Recommend capital improvements to the Town Council.
- Educate and engage the community in the life of the schools.
- Other actions as required by law or regulation.

**Legal Reference: Connecticut General Statutes:**

- 1-200 Definitions (“Public Agency”)
- 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, policies and procedures
- 10-240 Control of schools
- 10-241 Powers of school districts

Bylaws 8100, 8110, & 8370: Adopted October 1987  
Combined and Revised to create new Bylaw 8100:

WEST HARTFORD PUBLIC SCHOOLS

**BYLAW 8120**

**Bylaws of the Board**

**Limits of Authority**

*(The board of education is the unit of authority. Apart from the normal function as part of the unit, the board member has no individual authority. Individually the board member may not commit the school system to any policy, act or expenditure. The board member cannot do business with the school system served, nor should the board member have an interest in any contract with the school system in general. The board member does not represent any factional segment of the community, but is rather a part of the body which represents and acts for the community as a whole.*

*No individual member of the 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 members of the board of education shall be asked to perform any routine or clerical duties which may be assigned to an employee.)*

**The Board of Education shall act as a committee of the whole. No individual board member may make a commitment on behalf of the board, except when expressly permitted to so when executing an assignment requested by the board.**

**No individual member of the board shall exercise any administrative responsibility with respect to the schools or the district.**

**No individual member of the board shall command the services of any school district employee.**

**No individual member of the board shall perform any routine or clerical duties which may be assigned to an employee.**

Adopted: October 5, 1987

**Revised:**

WEST HARTFORD PUBLIC SCHOOLS

**BYLAW 8146**

**Bylaws of the Board**

*(Attorney(s))*

*The attorney(s) of the board of education shall be the legal advisor of the board and its officers in questions related to their official duties. The board of education may appoint, either on a full-time or retainer basis, an attorney or attorneys to provide professional legal counsel and representation for the board and superintendent.*

*The attorney(s) shall*

- 1. represent the board of education in legal proceedings.*
- 2. give written opinion on all legal questions referred to his/her by the board of education or the superintendent.*
- 3. attend all board of education meetings, conferences and other meetings as requested by the board or superintendent.*
- 4. fulfill such other legal duties as the board of education may assign.*

*The performance of the school attorney(s) shall be subject to annual evaluation by the board of education and the superintendent.)*

**Attorney**

**The Board of Education may engage external legal counsel on a retainer or as-needed basis to provide legal services related to the official duties of the Board of Education. All interaction between the Board and such legal counsel will occur through the Chairperson of the Board of Education. The Chair may, at his or her discretion, include the full Board in discussions with legal counsel.**

**The administration may, but is not required to hire the same external legal counsel to represent the district in routine matters related to litigation, negotiations, labor disputes, personnel actions, general counsel, and other legal services.**

Adopted: October 5, 1987

**Revised:**

WEST HARTFORD PUBLIC SCHOOLS

**BYLAW 8160**

**Bylaws of the Board**

**Board Representatives**

Negotiations

*(The board of education designates the superintendent of schools as the official representative of the board on matters of common concern, as determined by the board as being negotiable, in the preliminary stages of negotiations. However, the final decision on any matter and/or problem of common concern, considered by the board as negotiable, shall be made by the board.)*

**The Board of Education designates the Superintendent of Schools (or his/her designee) as the official representative of the Board in all labor relations matters, including negotiations. However, final authority for all labor contracts rests with the Board of Education, and each labor contract must be approved by the Board of Education at a regularly held meeting and signed by the Board Chair upon ratification.**

Adopted: October 5, 1987

**Revised:**

WEST HARTFORD PUBLIC SCHOOLS

**BYLAW 8210**

**Bylaws of the Board**

*(Orientation of Board Members)*

*(The board of education and the administrative staff shall assist each new member-elect to understand the board of education's functions, policies and procedures, and operation of the school system before the member takes office. The following methods shall be employed.*

- 1. The incoming member shall be given selected material on the function of the board of education and the school system.*
- 2. The incoming member shall be invited to attend board meetings and to participate in its discussion.*
- 3. The incoming member shall be invited to meet with the superintendent and other administrative personnel to discuss services they perform for the board.*
- 4. The incoming member shall be provided with a copy of the board's policies and bylaws, administrative regulations and copies of pertinent materials developed by the Connecticut Association of Board of Education.*
- 5. The incoming member may attend, at school system expense, workshops for newly elected members as approved by the board of education.)*

**Orientation of New Board Members**

**The Board of Education and the administrative staff shall assist each new-elected board member in their orientation regarding the authority, limitations, functions, policies, procedures, and operations of the Board of Education as well as the entire school system. The following methods are among those that may be employed in this effort:**

- 1. The incoming board member(s) shall be provided with an up-to-date copy of board policies and administrative procedures.**
- 2. The incoming board member(s) shall be invited to meet with the superintendent and other administrative personnel to discuss the work they perform for the system on behalf of the Board.**
- 3. The incoming member may attend, at school system expense, workshops for newly-elected board members as approved by the Board, such as, but not limited to, seminars held by the Connecticut Association of Boards of Education. New members are also encouraged to attend the next available CABA/CAPSS convention, or partake in other gatherings of professional development for board members during the year.**

Adopted: October 5, 1987

**Revised:**



*Deletion*

*(WEST HARTFORD PUBLIC SCHOOLS)*

***(BYLAW 8353)***

***(Bylaws of the Board)***

***(Smoking at Meetings)***

***(Smoking and Other Tobacco Use When Using or Visiting Board of Education Property)***

*(Commencing immediately, no person will be allowed to smoke or use tobacco in any form when visiting Board of Education property in accordance with section 1250 of the Board of Education Code.)*

*(Policy adopted: October 5, 1987)*