

II.A.1.

Connecticut State Board of Education Hartford

TO BE PROPOSED:

August 4, 2021

RESOLVED, That the State Board of Education, pursuant to Section 3 of Article III of its Bylaws, approves the 2021-23 Bylaws of the Connecticut State Board of Education.

Approved by a vote of _____ this fourth day of August, Two Thousand Twenty-One.

Signed: _____
Charlene M. Russell-Tucker, Secretary
State Board of Education

D R A F T

CONNECTICUT STATE BOARD OF EDUCATION
BYLAWS 2021-23 [2017-19]

(Presented for Approval _____)

ARTICLE I. The Bylaws of the Connecticut State Board of Education

Section 1. General Purpose and Effect

These Bylaws shall govern the operating procedures of the Board, its officers, committees, agents and the administrative officers and employees of the Department of Education including the Connecticut Technical Education and Career System [High School System].

Section 2. Definitions

"Board" shall mean the Connecticut State Board of Education as constituted by the Connecticut General Statutes. (C.G.S. Section 10-1 et seq.)

"Commissioner" shall mean the Commissioner of Education who shall be the chief administrative officer of the Department and shall administer, coordinate, and supervise the activities of the Department in accordance with the policies established by the Board. (C.G.S. Section 10-3a(a)) The Commissioner shall serve as secretary. (C.G.S. Section 10-2(a))

"Department" shall mean the Department of Education, the administrative arm of the State Board of Education. The Department shall be under the direction of the Commissioner. (C.G.S. Section 10-3a(a))

"Secretary" shall mean Secretary to the State Board of Education. (C.G.S. Section 10-2(a)). **Secretary shall be deemed to mean or refer to the Commissioner of Education. (C.G.S. Section 10-2(b)).**

Section 3. Amendments

These Bylaws may be amended by an affirmative vote of seven members at any regular meeting of the Board or at any special meeting where the proposed amendment is included on the agenda. The text of any proposed amendment shall be submitted in writing to the Board and received by its members at least two weeks prior to the meeting at which action is to be taken.

ARTICLE II. Board Organization

Section I. Appointment of Board Members

The Board shall consist of voting members, nonvoting student members, and ex-officio nonvoting [eleven voting members and two nonvoting student] members appointed by the Governor pursuant to Conn. Gen. Stat. Section 10-1. [In addition, the President of the Board of Regents for Higher Education and the Chair of the Technical

High School System Governing Board shall serve as ex-officio nonvoting members. (C.G.S. Section 10-1, as amended by Public Act 12-116)]

Section 2. Officers of the Board, their Appointment and Duties

The officers of the Board shall be a Chairperson and Vice-Chairperson.

The Chairperson

The Governor shall select one of the voting members of the Board to serve as Chairperson. (C.G.S. Section 10-2(a)) The Chairperson shall be the presiding officer of the Board and shall have the same right to vote on and discuss pending questions as any other member. The Chairperson, or the Chairperson's designee, shall be the person authorized to speak publicly for the Board.

The Chairperson shall be authorized to schedule contested case hearings and appoint one or more members, or a non-member hearing officer, to hear such matters as may be necessary for the timely administration of these cases under law or regulation.

The Vice-Chairperson

The Board may elect at its biennial organizational meeting, or by no later than the third meeting following its biennial organizational meeting, a voting member as a Vice-Chairperson who shall take office upon election and shall serve until the next biennial organizational meeting or until a successor has been elected. If a vacancy occurs in the office of Vice-Chairperson, the Board shall elect a voting member to serve in this position until a successor has been elected.

The Vice-Chairperson shall act in the absence of the Chairperson at any meeting of the Board and shall assume such duties as may be delegated by the Chairperson.

The Chairperson Pro Tem

In the absence of the Chairperson and Vice-Chairperson, the Board shall elect a voting member as a Chairperson Pro Tem, who shall perform the duties of the Chairperson.

Section 3. The Secretary and Assistant Secretary

The Commissioner shall serve as Secretary and may appoint an Assistant Secretary, provided neither the Secretary nor Assistant Secretary shall be members of the Board. The Commissioner shall record all acts of the Board and certify the same; shall be the custodian of records and papers of the Board; shall prepare such routine business for presentation to the Board as may be necessary or advisable; shall compile and publish, under the direction of the Board, all regulations and acts which may be required; and shall perform such duties as the Board prescribes.

Section 4. Committees

There shall be the following standing committees:

- A. Finance, Audit, and Budget;
- B. Legislation and Policy;
- C. Academic Standards and Assessment; and
- D. Accountability and Support.

The Chairperson shall have the authority to nominate for appointment the members of the standing committees, but shall notify the Board membership seven days in advance of seeking appointment approval from the Board. In making nominations, the Chairperson shall appoint a voting member to serve as Chairperson of the committee.

The Chairperson may also designate alternate committee members who shall serve at the request of the committee chair, limited to instances where the presence of the alternate member is necessary to constitute a quorum.

Ad hoc committees shall be formed by and at the discretion of the Chairperson. Membership to these committees shall be designated by the Chairperson.

ARTICLE III. Board Procedures

Any provision of Article III may be suspended at any meeting of the Board by a vote of two-thirds of the voting members present and voting. Suspension of the Bylaws shall be for a specified purpose. Provisions of the Bylaws incorporating compulsory statutory provisions as well as provisions regarding the constitution of a quorum and the designation of a parliamentary authority may not be suspended.

Presentation of any report to the Board shall not be construed as approval by the Board of the content of the report.

Section 1. Regular Board Meetings

The Board shall hold at least nine regular monthly meetings in accordance with Connecticut General Statutes, including but not limited to Section 1-225, at least one of which shall be scheduled during evening hours at a location that is accessible to the public. Any regular meeting may be postponed by the Chairperson for good cause with such notice as is practicable.

Section 2. Special Meetings

Special Board meetings shall be held in accordance with the Connecticut General Statutes, including but not limited to Section 1-225, on call of the Chairperson or upon request to the Chairperson from four voting members of the Board.

Section 3. Organizational Meeting of the Board

Not later than the first regular meeting on or after June 1 of each odd numbered year, the Chairperson shall conduct an organizational meeting of the Board. The first item of business shall be action on any proposed Bylaws amendments. The Board may elect a Vice-Chairperson at this meeting or by no later than the third meeting following its biennial organizational meeting, and shall vote on appointments to standing committees at its organizational meeting (see Article II, Section 4).

Section 4. Agenda

The agenda shall be prepared by the Commissioner in consultation with the Chairperson and Vice-Chairperson. Members may submit to the Chairperson items to be included on the agenda. Such items shall be on the agenda if received not less than 10 days prior to the date of the meeting upon which the item is to be included.

Section 5. Parliamentary Authority

Unless otherwise specified in these Bylaws, the Board shall conduct its business pursuant to Robert's Rules of Order [, **Tenth Edition**].

Section 6. Quorum

A majority of the legally appointed voting members of the Board shall constitute a quorum for the transaction of business.

Section 7. Votes

Unless otherwise required, all questions pending before the Board shall be decided by a majority of the voting members present and voting. "Present" means physically in the meeting room or by electronic equipment as provided for in C.G.S. Section 1-200(2).

Section 8. Business at each Regular Meeting

The agenda for each regular meeting of the Board shall include:

- I. Call to Order
- II. Public Participation
- III. Executive Session
- IV. Consideration of Minutes
- V. Items Requiring Action
- VI. Report of the Chair
- VII. Report of the Commissioner
- VIII. Financial Matters
- IX. Consent Agenda (Any item may be removed from the consent agenda at the request of a board member.)
- X. Items for Discussion
- XI. Committee Reports

The order of the agenda may be set at the discretion of the Chairperson and Commissioner as circumstances require.

Public Participation

The Board considers it important to hear the viewpoints of citizens of Connecticut. It shall schedule time during each regular meeting and when practicable at special meetings for public participation.

During public participation, the Chairperson shall recognize speakers, request proper identification and maintain proper order. The Chairperson shall allow a reasonable time (i.e., 3 minutes) for each speaker. The Board shall hear only concerns, views and opinions which are within the jurisdiction of the Board. Any public comment which relates to an area appropriate for executive session will not be heard in public session.

The Board shall give due attention to all comments and contributions from the public, but shall not be expected to respond to questions immediately. Inquiries requiring detailed responses shall be referred to the Commissioner, who shall respond within a reasonable period of time.

Executive Session

By a two-thirds vote of the voting members present and voting, the Board may hold an executive session in accordance with the Connecticut General Statutes. (C.G.S. Section 1-200 (6))

Items Requiring Action

Items requiring action shall be submitted in writing and received by Board members at least seven days prior to the time action is expected except in cases of emergency.

Committee Reports

Committee reports shall be presented to the Board at the next regular meeting after a committee meeting has been held.

Section 9. Minutes

The actions taken by the Board shall be recorded in its minutes. A member may request that his or her remarks be made part of the minutes, and shall state same as briefly as possible. The minutes, along with the printed agenda and its back-up materials, shall constitute the official record of the Board. Minutes of committee meetings shall be **[provided] made available** to all members of the Board.

ARTICLE IV. Functions of the Board

The Board is the legally established body charged with responsibility for the educational interests of the state, which interests shall include preschool, elementary and secondary education, special education, vocational education and adult education. **As described by C.G.S. Section 10-4a, “the educational interests of the state shall include, but not be limited to, the concern of the state that (1) each child shall have for the period prescribed in the general statutes equal opportunity to receive a suitable program of educational experiences; (2) each school district shall finance at a reasonable level at least equal to the minimum budget requirement pursuant to the provisions of section 10-262j an educational program designed to achieve this end; (3) in order to reduce racial, ethnic and economic isolation, each school district shall provide educational opportunities for its students to interact with students and teachers from other racial, ethnic, and economic backgrounds and may provide such opportunities with students from other communities; and (4) the mandates in the general statutes pertaining to education within the jurisdiction of the State Board of Education be implemented.”**

The Board establishes policies to direct the Department. The Department, under the direction of the Commissioner, shall serve as the administrative arm of the Board and shall implement laws of the state and the policies of the Board.

The Board shall act, with the advice and assistance of the Commissioner, on all proposals relative to the educational interests of the state. Policy statements shall be placed on the agenda under discussion at a meeting prior to placement on the agenda under items requiring action.

The Board, in delegating administrative powers and duties to the Commissioner, retains and reserves to itself functions and powers, including but not limited to the following:

- A. To recommend to the Governor the appointment of the Commissioner of Education (C.G.S. Section 10-3a and C.G.S. Section 4-5);
- B. To select, appoint and remove from office the Director of Internal Audit;
- C. To appoint and terminate, upon recommendation of the Commissioner **and where consistent with statutory requirements for state employees**, managerial employees as follows: Deputy Commissioner, Chief Financial Officer, Chief Operating Officer, Chief Academic Officer, Chief Turnaround Officer, Chief Talent Officer, and Chief Performance Officer;

[D. To appoint and terminate, upon recommendation of the Connecticut Technical High School System Board and Commissioner, the Superintendent of the Connecticut Technical High School System;]

- D. To review, amend and adopt a biennial general fund budget based on estimates and recommendations prepared by the Commissioner for transmittal to the Governor and General Assembly;
- E. To review, amend and approve, prior to transmittal, requests to the Office of Policy and Management and Finance Advisory Committee for appropriation transfers and appropriation deficiencies;
- F. To prepare every five years a five-year comprehensive plan for education and to report annually on progress in implementing the goals and objectives of the plan to the Governor and to the Education Committee of the General Assembly;
- G. To advocate the educational interests of the state, **including but not limited to formulating policy that advances equal opportunity for all students and that reduces racial, ethnic and economic isolation in accordance with C.G.S. Section 10-4a**;
- H. To articulate the educational interests of the state in matters under litigation or possible litigation or other matters under its scope of authority involving the board, its members or agents;

- I. To consider appropriate communications and petitions on matters of public interest concerning educational policies and programs, and appropriate complaints as to the acts or rulings of the Board, its members or agents;

- J. To formulate and approve an annual listing of legislative proposals for presentation to the General Assembly;

- K. To carry out **[its]any** statutory responsibility, **if applicable**, for the Connecticut Technical **Education and Career System [High School System]** in concert with the Technical **Education and Career System [High School System]** Board (C.G.S. Section 10-95 *et seq.*);
- L. To organize the Department into such bureaus, divisions and other units as may be necessary for the efficient conduct of the business of the Department. Upon such organization or reorganization the Board shall adopt regulations pursuant to the provisions of Chapter 54 (C.G.S. Section 10-3a(b)); and
- M. To create such advisory boards as it deems necessary for the efficient conduct of the business of the Department (C.G.S. Section 10-3a (b)).

ARTICLE V. Duties of the Commissioner of Education

The Commissioner

The Commissioner shall be the chief administrative officer of the Department and shall administer, coordinate and supervise the activities of the Department in accordance with the policies established by the Board. (C.G.S. Section 10-3a(a))

The Commissioner shall be appointed by the Governor for a term coterminous with that of the Governor. (C.G.S. Section 10-3a(a); (See also C.G.S. Section 4-5).

The Board delegates and assigns functions and powers to the Commissioner, including but not limited to the following:

- A. To provide staff services to the board and its members;
- B. To properly administer all personnel matters concerning State Department of Education employees;
- C. To recommend the appointment and termination of managerial employees as follows: Deputy Commissioner, Chief Financial Officer, Chief Operating Officer, Chief Academic Officer, Chief Turnaround Officer, Chief Talent Officer, and Chief Performance Officer; and to confer with the Board on all significant matters relating to audit exceptions and litigation;

[To recommend in concert with the Connecticut Technical High School System Board, the appointment and termination of the Superintendent of the Connecticut Technical High School System;]

- D. To recommend a biennial state general budget request to the Board for approval prior to transmittal to the Governor and General Assembly
- E. To apply for federal, private and other discretionary funding for projects and programs and to receive and expend such funds for the purpose or purposes for which they are made available to the Department (C.G.S. 10-11);

- F. To disburse and monitor all grants appropriated by state or federal government to local education agencies and other eligible recipients;
- H. To approve agreements and contracts; the Commissioner may delegate approval of such agreements and contracts to the Deputy Commissioner, Chief Operating Officer or the Chief Financial Officer;
- I. To advise the Board on matters coming before it and of its statutory responsibilities;
- J. To discharge all duties and exercise all authority granted by law;
- K. To direct staff to implement actions of the Board and to ensure appropriate follow-up;
- L. To act as the Board's legislative liaison to the state and federal governments. Said duty may be delegated as appropriate; and
- M. To make technical and typographical changes to approved board regulations as may be required.

ARTICLE VI. Effective Period

These Bylaws shall take effect upon adoption by the Board, and shall continue until modified or rescinded.

Presented for approval on _____