

**Darien Public Schools  
Darien, Connecticut**

**POLICY**

**Series 9100  
Legal Status of the Board**

**Policy 9170**

**REMOVAL OF BOARD OFFICERS**

It is the policy of the Darien Board of Education that an officer of the Board will:

1. adhere to all Board policies, rules and regulations;
2. conduct himself or herself in a fair and impartial manner; and
3. carry out the duties of his or her respective office in accordance with law.

An officer of the Board may be removed for cause by a majority vote of the entire Board. A vote to remove a Board officer shall only take place at a regular meeting or a special meeting called for that purpose. "Cause" includes, but is not limited to, any conduct that:

1. specifically relates to and affects the administration of the office in a manner deemed to be deleterious to Board operations;
2. negatively and directly affects the rights and interests of the public;
3. violates Board policies, rules and regulations; or
4. conduct that interferes with the orderly and efficient operation of the Board.

**Procedures for Removal:**

Prior to any vote to remove a Board officer for cause:

1. The Board may review the performance and/or conduct of the Board officer in open or executive session (as determined by the Board and the Board officer) prior to taking any formal action;
2. If the Board determines that formal action is necessary, the Board officer shall be provided with reasonable notice of the Board's intent to consider possible removal from office (such notice to be given in writing after being authorized by Board vote at a prior meeting of the Board);
3. Upon the written request of the Board officer within seven days of such action, he/she shall be provided with an opportunity for a hearing before the Board of Education before the Board votes on removal;
4. At any such hearing, the Board officer shall have the right to be represented by counsel at his/her own expense and to present relevant evidence to the Board.

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5. Upon being removed as an officer of the Board, the Board member shall continue his or her term on the Board in the normal course.

**Standard for Removal**

Service as a Board officer is a privilege, not a right, the purpose of which is to assist the Board in conducting its business in an appropriate, orderly and efficient manner. Therefore, any Board member serving as an officer shall have no legally-protected right to continue in that position. A decision that there is cause for removal shall be made by a majority of board members present and voting, provided that no less than a majority of the board membership as a whole shall be required for removal.

Legal References:

Connecticut General Statutes

- 10-218 Officers. Meetings.
- 10-220 Duties of boards of education.

Lapointe v. Winchester Board of Education, CV040093257S, 2004 Conn. Super.LEXIS 2574 (Sept. 14, 2004).

ADOPTED: ***December 9, 2008***

REVISED: \_\_\_\_\_