

Special Darien Board of Education

Policy Committee Meeting

Friday, March 18, 2022

8:30 a.m.

**Darien Public Schools' Administrative Offices
35 Leroy Avenue
Board of Education Meeting Room**

AGENDA

- 1. Proposed Revised Board Policies (Series 2000 - Administration):
2100, Goals of Administrative Body; 2210, Duties of the Superintendent; 2220, Recruitment and Appointment of the Superintendent of Schools; 2230, Superintendent's Contract; 2240, Superintendent of Schools – Opportunities for Development; 2250, Superintendent of Schools – Evaluation; 2260, Unavailability of the Superintendent; 2310, Administrative Team; 2410, Dissemination and Implementation of Policies and Administrative Regulations; 2420, Uniform Treatment of Recruiters; 2610, Annual Report of the School District**
- 2. Public Comment***
- 3. Adjournment**

*** * The Board of Education meeting will be available to the public in person and via Zoom. Wearing of masks is optional and seating is limited by room capacity. Doors open at 8:15 a.m. for the 8:30 a.m. meeting. Those members of the community wishing to participate in public comment may join the meeting via Zoom:**

<https://darienps.zoom.us/j/98609801961>

Those members of the community wishing to view only, should do so through the Darien Youtube link: <https://www.youtube.com/channel/UCUnvyKBfFrTWQRuoB6OZA>

In order to reduce audio interference, members of the community are requested not to simultaneously view by Youtube while participating on Zoom.

Memorandum

To: Policy Committee

From: Tara Ochman
Marjorie Cion

Date: March 18, 2022

Re: Series 2000 Policies

We have reviewed the Series 2000 policies with Jessica Richman Smith of Shipman and Goodwin. Jessica has identified several of our policies that she recommends that the Board repeal, since they are already covered by state law. In addition, she highlighted a concern that maintaining a relatively large number of policies that are not required exposes the Board of Education to claims that the policies are not being followed in practice. However, the Board of Education and this Committee may, in their discretion, decide to retain these policies. Here are the recommendations from counsel:

Board Policy 2100, Goals of Administrative Body: Repeal this Policy. This policy is not legally required and seems unnecessary in that it does not appear to articulate a specific goal or vision of the Darien Public Schools.

Policy 2210, Duties of the Superintendent: Repeal this policy and instead treat this as a “job description” for the Superintendent, which may be amended by the Board as necessary and appropriate. This would afford the Board greater flexibility in crafting the Superintendent’s job description and drafting a related contract. A job description may be amended by the Board as necessary and appropriate and at any time. This could help the Board with its recruitment and retention of Superintendents and could reduce the focus on circumstances in which certain aspects of the description must be amended or “waived”.

Please note that the legal requirements related to superintendents are as follows (see Conn. Gen. Stat. § 10-157):

- The superintendent 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.
- No person shall assume the duties and responsibilities of the superintendent until the board receives written confirmation from the Commissioner of Education that the person to be employed is properly certified or has had such certification waived by the Commissioner.

Policy 2220, Recruitment and Appointment of the Superintendent of Schools: Repeal this policy. This policy is not legally required and seems unnecessary in that (1) the Board is required to elect the

Superintendent by statute and (2) it permits the Board to take appropriate steps to select a Superintendent, which the Board could take with or without a policy. In addition, the policy requires the Board to “announce the vacancy” but does not specify the mechanism by which the Board must make such announcement. At a minimum, this ambiguity should be addressed.

Please note that the legal requirements related to the appointment of superintendents are as follows (see Conn. Gen. Stat. § 10-157):

- A majority vote of all members of the board shall be necessary to an election, and the board shall fix the salary of the superintendent and the term of office, which shall not exceed three years.

Policy 2230, Superintendent’s Contract: Repeal this policy. This policy is not legally required and seems unnecessary in that it tracks the provisions of the statute and signals that it must comply with applicable law. Moreover, given that a Board vote is required to elect a Superintendent, and given further that the Board must agree on the terms of the contract, it is implicit that the Board would review the contract before it is executed.

Please note that the legal requirements related to superintendents’ contracts are as follows (see Conn. Gen. Stat. § 10-157):

- A majority vote of all members of the board shall be necessary to an election, and the board shall fix the salary of the superintendent and the term of office, which shall not exceed three years.
- Upon election and notification of employment or reemployment, the superintendent may request and the board shall provide a written contract of employment which includes, but is not limited to, the salary, employment benefits and term of office of such superintendent.

Policy 2240, Superintendent of Schools – Opportunities for Development: Repeal this policy. These provisions are more appropriate for inclusion in the Superintendent’s contract than in a Board policy.

Policy 2250, Superintendent of Schools – Evaluation: Repeal this policy. This policy is not legally required and seems unnecessary.

Please note that the legal requirements related to superintendents’ evaluations are as follows (see Conn. Gen. Stat. § 10-157):

- The board of education shall evaluate the performance of the superintendent annually in accordance with guidelines and criteria mutually determined and agreed to by such board and such superintendent.

Policy 2260 – Unavailability of the Superintendent: Proposed revisions to specify that the development of a hierarchy of administrative succession in the event that the Superintendent is temporarily unavailable should be made by the Superintendent in consultation with the Board of Education. The policy has also been revised to include additional reasons when the Board Chair would convene a special meeting to appoint an Acting or Interim Superintendent.

Policy 2310 - Administrative Team: Proposed revisions to confirm that the Board of Education will appoint any administrative personnel that the **Board** determines to be necessary for the efficient **and effective** operation of the schools.

Policy 2410, Dissemination and Implementation of Policies and Administrative Regulations: Proposed revisions to this policy to clarify that the Superintendent has the discretion to direct that a handbook be developed for staff and that the handbook contain relevant policies. She suggested that it might be preferable to repeal this policy and include the provisions as part of the district's internal procedures.

Policy 2420, Uniform Treatment of Recruiters Proposed revisions to update the legal references and to clarify that these requirements pertain to all secondary school students and not only high school students.

Policy 2610, Annual Report of the School District. Repeal this policy. This policy is not legally required and seems unnecessary in that it alludes to the provisions of the statute (but does not track them).

Please note that the legal requirements related to the required written report of the Superintendent are as follows (see Conn. Gen. Stat. § 10-157):

- The superintendent shall, at least three weeks before the annual town or regional school district meeting, submit to the board a full written report of the proceedings of such board and of the condition of the several schools during the school year preceding, with plans and suggestions for their improvement.

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2100

GOALS OF ADMINISTRATIVE BODY

The general purpose of the administration shall be to coordinate and supervise, under the policies of the Board of Education, the creation and operation of an environment in which students learn most effectively.

ADOPTED: December 9, 2008

REVISED: _____

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2210

DUTIES OF THE SUPERINTENDENT OF SCHOOLS

A. Reports to:

Board of Education

B. In General:

Perform the duties of the chief executive officer and educational leader of the Darien School System in accordance with the policies and directives of the Board of Education and state law.

C. Qualifications:

- 1.** Possess and maintain in "current" status all certifications and certificates required by the State of Connecticut.
- 2.** Doctorate or a degree or experience which the Board deems equivalent to a Doctorate.
- 3.** Prior experience as an administrator in a recognized educational environment or the equivalent;
- 4.** Such other qualifications as the Board may require from time to time.

D. Job Goal:

To provide the professional leadership necessary to develop and improve the Board's educational programs and services to attain the highest standards of excellence; to administer and supervise (or cause to be administered and supervised) the budget and all programs, services and activities of the school system; to inspire, lead, guide, direct and supervise the certified and non-certified staffs.

E. Responsibilities:

Perform all functions normally performed by a Superintendent of Schools in the State of Connecticut and the Town of Darien, including, but not limited to, the following:

1. participate in all Board meetings unless expressly requested by the Board not to attend or participate; and serve as an ex-officio member of all Board committees;
2. conduct a systematic evaluation of the total school program, and advise the Board on recommendations for the educational advancement of the schools;
3. formulate annual objectives; oversee the preparation of individual school objectives; formulate plans and programs to carry out Board policy;
4. prepare and present, (or direct the preparation and presentation of) the facts and explanations necessary to assist the Board in discharging its duty to adopt policies;
5. develop and provide to the Board long range plans to implement the goals and objectives of the district in accordance with Board policy;
6. advise the Board as to the most effective use of school property, buildings and facilities and as to the disposition of all such property, buildings and facilities no longer required by the Board, and supervise the proper execution of such disposition;
7. hire, direct, assign, evaluate, transfer, promote, demote, discipline, discharge and otherwise supervise Board employees, both certified and non-certified, subject to applicable legal requirements and limitations;
8. direct the preparation of the annual budget for adoption by the Board, and administer the Board's budget in accordance with legal requirements and Board policies;
9. maintain, directly or through delegation, such personnel records, pupil accounting records, business records and other records required by law and by Board policy;
10. represent the schools before the public, as appropriate
11. delegate responsibilities to the management team to the extent appropriate and coordinate and evaluate the performance of the management team members in their efforts to implement Board policy;
12. supervise the effective implementation of all constitutional or statutory laws, state regulations and Board policies;

13. communicate to all employees, directly or through delegation, all Board actions pertaining to personnel matters; and receive from employees all communications to be made to the Board;
14. establish such regulations as may be necessary to implement Board policy effectively and instruct school employees and students in their effective implementation to the extent required;
15. act as necessary and appropriate in any matter not covered by Board policy, report such action to the Board as soon as practicable, and recommend policy as required in order to provide guidance in the future;
16. keep the Board informed as to the operation of the schools and events that impact such operation, the educational program, the pupils or staff;
17. administer all collective bargaining agreements and employment contracts applicable to Board employees;
18. file or cause to be filed all reports required by the state and federal governments, as well as those appropriate in connection with grants and other government programs;
19. keep current with respect to developments in education and advise the Board with respect to such developments as required;
20. perform such other tasks as may from time to time be assigned by the Board.

F. Miscellaneous

1. This position is a twelve-month position.
2. Performance will be evaluated by the Board periodically in accordance with Board policy and practice.

ADOPTED: December 9, 2008

REAFFIRMED: _____

REVISED: _____

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2220

Recruitment and Appointment of the Superintendent of Schools

- A.** The Board of Education shall elect the Superintendent of Schools.
- B.** When a vacancy occurs in the position of Superintendent of Schools, the Board of Education shall announce the vacancy and may advertise for applications for the position in all appropriate newspapers, journals, periodicals, and university placement offices. In order to provide the most capable leadership available for this school district, the Board may engage in a nationwide search for applicants for this position and may use the services of consultants to assist in this process as needed.

Legal Reference:

Connecticut General Statutes

Section 10-157

Superintendents: Relationship to local or regional board of education; verification of certification status; written contract of employment; evaluation of superintendent by board of education.

ADOPTED: December 9, 2008

REVISED: _____

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2230

SUPERINTENDENT'S CONTRACT

- A. The Board, upon the selection of a candidate or upon reappointment of the incumbent Superintendent, shall provide the Superintendent with an explicit contractual agreement. The terms of such contract shall include, but not be limited to, the Superintendent's salary, employment benefits and term of office; shall meet all additional requirements of Connecticut law and the regulations of the State Board of Education; and shall protect the rights of both the Board and the Superintendent.
- B. The contract, in its entirety, shall be presented to the Board prior *to* its execution.

ADOPTED: December 9, 2008

REVISED: _____

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2240

SUPERINTENDENT OF SCHOOLS – OPPORTUNITIES FOR DEVELOPMENT

- A.** The Board should offer the Superintendent encouragement and assistance for his or her own professional development. So that he or she may keep the Board and professional staff informed of new and promising educational developments, the Board should encourage the Superintendent to attend educational conferences, seminars, workshops, and other professional meetings and outside activities; visit other school systems; and use other means to keep abreast of modern educational thought and practices.
- B.** The Superintendent shall notify the Chairperson of the Board of any professional meetings that will cause him or her to be absent from the district for more than two days.

ADOPTED: December 9, 2008

REVISED: _____

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2250

SUPERINTENDENT OF SCHOOLS - EVALUATION

- A.** Evaluation is an essential and ongoing part of a systematic approach to management and a necessary element in a program of planned improvement. As part of the evaluation procedures for the operation of the school district, the Darien Board of Education shall conduct an annual written evaluation of the Superintendent.
- B.** The objectives of this evaluation are to:
1. clarify for Board members the performance responsibilities of the Superintendent as specified in his/her job description;
 2. evaluate the Superintendent's progress towards achieving district goals and objectives;
 3. further clarify for the Superintendent his/her role in the school system as seen by the Board;
 4. maintain an effective working relationship between the Board and the Superintendent;
 5. identify strengths and opportunities for improvement;
 6. be a guide in determining the Superintendent's compensation and contractual responsibilities.
- C.** Evaluation shall be based on an instrument mutually developed and agreed-to by the Board and the Superintendent.
- D.** The Board and Superintendent shall meet no later than mid June to discuss the Board's evaluation of the Superintendent.

Legal Reference:

Connecticut General Statutes

Section 10-157

Superintendents: Relationship to local or regional board of education; verification of certification status; written contract of employment; evaluation of superintendent by board of education.

ADOPTED: December 9, 2008

REVISED: _____

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**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2260

UNAVAILABILITY OF THE SUPERINTENDENT

- A. The Superintendent, in consultation with the Board, shall develop a hierarchy of administrative succession that delineates the individuals with decision-making authority in the event that the Superintendent is temporarily unavailable. The Superintendent shall provide this hierarchy to the Board.
- B. In the event of the incapacity (including, but not limited to serious illness) unavailability or death of the Superintendent, the Chairperson of the Board shall convene a special or emergency meeting of the Board to appoint an Acting Superintendent or Interim Superintendent, as appropriate.

ADOPTED: December 9, 2008

REVISED: _____

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2310

ADMINISTRATIVE TEAM

The Board of Education, upon the recommendation of the Superintendent, shall appoint ~~the~~ any assistant superintendents and or other administrative personnel that the Board determines to be necessary for the efficient and or effective operation of the Darien Public Schools.

ADOPTED: December 9, 2008

REVISED: _____

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 2000
Administration**

Policy 2410

**DISSEMINATION AND IMPLEMENTATION OF POLICIES AND
ADMINISTRATIVE REGULATIONS**

- A.** Those in supervisory positions are responsible for informing all personnel within their responsibility of existing policies and regulations and for seeing that they are implemented in the spirit intended.
- B.** The Superintendent or his/her designee shall develop a handbook for personnel detailing the operating procedures for the Darien Public Schools, which handbook shall include relevant policies and procedures of the district.
- C.** The Superintendent or his/her designee shall approve all publications within the school district that concern the policies and procedures of the district, including curriculum guides, manuals, handbooks, and pamphlets.

ADOPTED: December 9, 2008

REVISED: _____

DARIEN PUBLIC SCHOOLS

Darien, CT

Series 2000
Administration

Policy 2420

UNIFORM TREATMENT OF RECRUITERS

Subject to the provisions of law, all bona fide recruiters, including commercial, military and nonmilitary concerns, recruiters representing institutions of higher education, and prospective employers shall be provided equal opportunities of access to students enrolled in the district's high-secondary schools. Access may be granted through programs conducted by the Guidance Department. Such programs may consist of career days, college fairs, individual school visitations and in-school recruiting.

The recruiter must assure the ~~High School~~ Guidance Department that the purpose of the recruitment activity does not have a direct, profit-making motive, for example, a recruitment activity designed to encourage a student to apply to a business for employment of the military as an alternative to employment will not be deemed to be an activity with a direct, profit-making motive. A commercial or business recruitment with the purpose of selling goods or services to students will be considered to have a direct, profit-making motive.

Recruiters who are engaged in activities that do not have a direct profit making motive may be allowed to meet with students, provided that ample notice (generally considered to be at least one week) of a recruiter's visit is provided so that interested students may sign up to meet with the recruiter in a place and at a timer designated by the school. Recruiters who wish to confer with school guidance counselors as opposed to meeting with students must call in advance to set up appointments for such conferences.

Except as provided below, military recruiters and institutions of higher education shall, upon request, be given access to the names, addresses and telephone numbers of secondary school students.

On an annual basis, the school district will notify parents of high-secondary school students of their right to object to the disclosure of the student's name, address and telephone number to military recruiters or to an institution of higher education. If a high-secondary school student or the parent of a high-secondary school student objects in writing to the disclosure of a student's name, address or telephone number to a military recruiter or an institution of higher education, then the district shall not disclose the student's name, address or telephone number to a military recruiter or an institution of higher education. The objection shall remain in force until the district re-issues the annual notification referenced above, after which time the parents and/or secondary school student must inform the school district in writing again of their objection to the disclosure of the information described above.

DARIEN PUBLIC SCHOOLS

Darien, CT

Legal References:

Conn. Gen. Stat. §10-221b Boards of Education to establish written uniform policy re
treatment of recruiters

~~No Child Left Behind Every Student Succeeds~~ Act, ~~Sec 8025~~, 20 U.S.C. § 7908
Armed Forces recruiter access to students and student recruiting information.
National Defense Authorization Act for Fiscal Year 2002, ~~Pub. L. No. 107-107, 115 Stat.~~
~~1012~~, ~~Sec 544~~, 10U.S.C. Sec 503 enlistments: recruiting campaigns; compilation of
directory information

ADOPTED: December 9, 2008

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DARIEN PUBLIC SCHOOLS

Darien, CT

POLICY

Series 2000
Administration

Policy 2610

ANNUAL REPORT OF THE SCHOOL DISTRICT

An annual report covering the diversified activities of the school system shall be prepared by the Superintendent and presented to the Board by December 1st following the close of each school year. The report shall be made available to the public and used as one means for informing parents and citizens, the state education agency, and other school districts in the area of the programs and condition of the Darien Schools.

Legal Reference:
Connecticut General Statutes
Section 10-157

Superintendents: Relationship to local or regional board of education; verification of certification status; written contract of employment; evaluation of superintendent by board of education.

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