

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/UCUnvyKBFbFrTWQRuoB6OZA>

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.