

BYLAWS OF THE COUNCIL (ATTACHMENT C)

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Role of the Council and Members (Powers, Purposes, Duties)

The C.E.S. Representative Council is the governing body of Cooperative Educational Services, a Regional Educational Service Center, established and operated in accordance with Section 10-66a et. seq. of the General Statutes of the State of Connecticut.

Duties

The Council shall exercise all the powers, duties, responsibilities, and obligations given to it by the Constitution of Cooperative Educational Services.

Council members are responsible for being informed about the agency and its programs. Membership on the Council obligates each member to spend sufficient time to be qualified to make decisions which are important to the operation of the agency and the educational welfare of the students and school districts it serves.

Specifically, the duties of the Council shall be to:

1. Employ the Executive Director.
2. Determine the programs and services to be provided by the agency.
3. Adopt sound bylaws and policies to govern the operation of C.E.S. relative to the:
 - A. Employment of personnel.
 - B. Management of agency fiscal affairs.
 - C. Operation of agency programs and services.
4. Carry out any other purposes authorized by law.

Section A

Limits of Authority

The C.E.S. Representative Council does not exist between meetings. Council members have no authority except at council meetings or when discharging an assignment made by the council. Motions duly adopted by majority vote become the expressed will of the council as a whole regardless of the existence of a minority vote.

Confidential Matters

The member shall not discuss confidential council business outside board meetings.

Section B

Public Statements

Publicity relative to council action shall be released only by the council president or the delegated agent of the council.

Section C

Council-Related Responsibilities

Citizen Complaint

A council member shall advise a person with a complaint to discuss his/her complaint first with the professional staff involved. If unable to reach a satisfactory understanding in this manner, the person may refer his/her complaint to the council through the executive director.

Unauthorized Staff Requests

If an individual council member is approached by an employee with a complaint or request, the member shall refer the employee to the administrative staff.

Section C1A

Committee of the Whole

The council shall act as committee of the whole in final consideration of all matters; however, the council may delegate authority to the executive committee as outlined in the constitution.

Legal Reference: Conn. General Statutes
 1-18a Definitions
 1-21 Meetings of government agencies to be public.

Section C1B

Other Committees

Standing Committee

The standing committee of the council shall be the finance committee (comprised of the Executive Director, Director of Finance and Operations and Representative Council members.) All committee members shall be appointed by the president and approved by the council, and the president shall be an ex officio member.

The duties of the committee shall be outlined at the time of appointment.

Special Committees/Advisory Committees

The president of the council shall appoint, with approval by the council, temporary and special committees as may be deemed necessary or advisable by the council and the president shall be an ex officio member of each committee.

The duties of the committee shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made to the council.

All committees of the council shall follow the provisions of the Freedom of Information Act as required by statute.

Section C2A

Orientation of Council Members

The council and the administrative staff shall help each new member to understand the council's functions, policies and procedures, and operation of the agency. The following methods shall be employed:

1. The incoming member shall be given selected materials on the function of the agency.
2. Upon appointment by the LEA (Local Educational Agency), the new member shall be provided with a copy of the C.E.S. Constitution, the Council's Policies and Bylaws, Administrative regulations, and copies of pertinent materials developed by the council and agency.
3. The president of the council (or the president's designee) and the executive director shall be responsible for the orientation of the new member.

Section C2B

Remuneration and Reimbursement

Remuneration

Council members shall receive no compensation for their services.

Reimbursement

Council members may be reimbursed, consistent with agency procedures, for expenses incurred while conducting authorized council business.

Section C2C

Conflict of Interest

No member of the council or member of his/her immediate family shall have an interest in any contract with the agency, unless such interest is specifically permitted by statute.

“Interest” shall mean pecuniary or material benefit accruing to a council member or his/her relatives resulting from a contractual relationship with the agency.

No member of the council may be employed for compensation by the agency. If a council member is employed by the agency, the office to which he or she was appointed shall become vacant.

Section 3A1

Formulation, Adoption, Amendment of Policies

Policy proposals and suggested amendments to or revisions of existing policies shall be submitted to all members of the council by the Executive Director in writing prior to a regularly scheduled council meeting in which such proposed policies, amendments, or revisions thereof should be read and discussed.

Policies will be adopted or amended after consideration at two meetings of the council. The agenda and minutes shall be marked to indicate policy matters.

The formal adoption of policies shall be by a two-thirds majority vote of all member districts present and the action shall be recorded in the minutes of the council. Only those written statements so adopted and so recorded shall be regarded as official policy.

Reference: Robert's Rules of Order

Section 3A2

Formulation, Adoption, Amendment of Bylaws

Proposed new bylaws and suggested amendments to or revision of existing bylaws may be adopted by a two-thirds majority vote of all member districts present. This will occur not less than four (4) weeks apart in the calls for which meetings the proposed additions, amendments, or revisions shall have been described in writing.

Section 3A3

Formulation, Adoption, Amendment of Administrative Regulations

The council does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Executive Director. Adoption and amendment of such council-adopted regulations shall be by the same procedure as that specified for policies in Formulation, Adoption, and Amendment of Policies procedure.

The council reserves the right to review and direct revisions of administrative regulations should they, in the council's judgment, be inconsistent with the policies adopted by the council.

Section 3A4

Suspension of Policies, Bylaws and Regulations

There shall be no suspension of policies, bylaws and council-adopted regulations unless by a majority vote of all members of the council at the meeting in the call for which the proposed suspension has been described in writing, or upon a two-thirds majority vote of member districts present.

Section 3A5

Authority of RESCs to Provide Services and Operate Programs

Upon the recommendation of the Executive Director, and in recognition that service to member districts may be enhanced by providing programs and services to entities other than member districts in accordance with statute, it is moved that Cooperative Educational Services (C.E.S.), acting through its Executive Director, is authorized as follows:

- (a) to join the RESC Alliance, a group of all Connecticut RESCs, to provide programs and services on a statewide basis, including but not limiting to applying for and dispersing State and grant funds, and to act on behalf of all RESCs as a group;
- (b) to provide programs and services as may be requested by non-member school districts, provided such program or service is not available from the RESC of which such board is a member; and
- (c) to provide programs and services as may be requested by two or more boards of education in accordance with statute; and
- (d) with one or more other RESCs jointly to provide programs and services as the respective executive directors may recommend and the respective boards may approve.

Section 3B1

Time, Place, and Notification of Meetings

Regular Meetings

The council shall file with the town clerk of member towns, not later than January 31st of each year, the schedule of the regular meetings of the council. No meeting shall be held sooner than thirty days after such filing.

Special Meetings

Notice of each special meeting of the council shall be filed not less than twenty-four hours in advance of the meeting with the town clerk of member towns and be posted in the office of the clerk giving the time and place of the special meeting and the business to be transacted. No other business shall be considered by the council at that special meeting. Each member of the council shall be notified by the executive director not less than 24 hours prior to the time of the special meeting and shall be advised of the time, place and business to be transacted, although any council member may waive the 24-hour notification by a written waiver of notice to the purpose.

Notice of Meetings

Notice of meetings will be mailed to persons filing a written request renewable in January of each year. The council will charge a fee for these notices based upon cost of the service, as provided by law.

Legal Reference:	Conn. General Statutes
	1-21 Meetings of government agencies to be public
	1-21c Mailing of notice of meetings to persons filing written request
	1-21f Regular meetings to be held pursuant to regulation, ordinance or resolution
	1-21i Denial of access of public records or meetings
	10-218 Officers. Meetings.

Section 3B2

Public and Executive Sessions

Public Meetings

All meetings of the council shall be open to the public with the exception of executive sessions.

Executive Sessions

The public may be excluded from meetings of the council which are declared to be executive sessions. Executive sessions may be held upon a two-thirds vote of the members present and voting taken at a public meeting for only one or more of the following reasons, and may not be held for any other reason:

1. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting.
2. Strategy and negotiations with respect to pending claims and litigation.
3. Matters concerning security strategy or the deployment of security personnel, or devices affecting public safety.
4. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.
5. Discussion of any matter which would result in the disclosure of public records of the information contained therein described in subsection (b) of section 1-19 of the Connecticut General Statutes.

Legal Reference:	Conn. General Statutes
	1-18a Definitions
	1-19 Access to public records
	1-21 Meetings of government agencies to be public
	1-21a Recording, broadcasting, or photographing meetings
	1-21i Denial of access to public records or meetings
	1-21g Executive sessions

Section 3B4

Meeting Conduct

Meetings of the council shall be conducted by the president in a manner consistent with the adopted bylaws of the council.

All council meetings shall commence at the stated time and shall be guided by an agenda which will have been prepared and delivered in advance to all council members and other designated persons.

The conduct of meetings shall, to the fullest possible extent, enable members of the council to (1) consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems and (2) receive, consider and take any needed action with respect to reports of accomplishment as to students, programs and agency operations.

Provisions for permitting any individual or group to address the council concerning any subject that lies within its jurisdiction shall be as follows:

1. The council president may establish rules limiting the time for speakers and the time for each subject matter.
2. No boisterous conduct shall be permitted at any council meeting. Persistence in boisterous conduct shall be grounds for summary termination by the president of that person's privilege of address. If necessary, the president may clear the room so that the council may continue the meeting.
3. No oral presentation shall include charges or complaints against any employee of the council, regardless of whether or not the employee is identified in the presentation by name or by another reference which tends to identify. All charges or complaints against employees shall be submitted to the council under provisions of council policy.

The council may adjourn or recess any regular or special meeting to a specified time and place. Less than a quorum may do likewise. A copy of the notice of adjournment shall be conspicuously displayed near the meeting room door within twenty-four (24) hours of adjournment.

Legal reference:

Conn. General Statutes
1-21 Meetings of government agencies to be public
1-21d Adjournment of meetings
1-21h Conduct of meetings (re disturbances)
10-224 Duties of the secretary

Section 3B 4(a)

Actions by the Council

At any such meeting, a quorum exists when at least **one third (1/3) of the member districts who have appointed a Representative Council member entitled to vote are represented.** An item of business not included on the agenda of a regular meeting may be included, considered and acted upon after a two-thirds vote of the members present and voting to add such business to the agenda, provided a majority of the member boards are represented by a member entitled to vote.

The council shall adopt resolutions only where such adoption is required by law, or where the intent of the council is to publish a status position of the council as in advising the General Assembly of the council's position on a proposed law or commending agency staff members or member boards for work well done.

All actions taken by the council shall be identified clearly in minutes of the council meetings.

Legal reference: Conn. General Statutes
 1-21 Meetings of government agencies to be public

Section 3B4(b)

Parliamentary Procedure

“Robert’s Rules of Order, Revised” shall govern the proceedings of the council except when in conflict with the council’s bylaws, C.E.S. Constitution, or Connecticut General Statutes and regulations. The elected secretary of the council shall serve as parliamentarian and rule on all points of order.

Section 3B4(c)

Voting Method

Unless otherwise specified to the contrary, all action (votes) of the council will be by majority vote of those present.

Proxy and Absentee Ballots

An absentee ballot or proxy vote is not acceptable at any meeting of the council.

Section 3B5

Minutes/Taping/Broadcasting

Minutes of Regular Meetings

The minutes shall be kept on file as a permanent official record of all council action and shall be open to inspection of the public.

- Legal Reference: Conn. General Statutes
- 1-19 Access to public records
 - 1-21 Meetings of government agencies to be public. Recording of votes. Schedule and agenda of Meetings to be filed. Notice of special Meetings. Executive sessions.
 - 1-21a Recording, broadcasting or photographing of meetings
 - 1-21g Executive sessions
 - 1-21i Denial of access to public records or meetings. Appeals. Notice. Orders. Civil penalty. Service upon commission.

Section 3C

Council/District System Records

The Executive Director of the agency and council secretary shall make records available for the inspection of the general public except where the law specifically states that a matter is exempt from such disclosure.

Copies of materials may be purchased at the rate of \$1.00 (\$.50) per page. Advance payment for said requested materials will be paid to C.E.S. before copies are made.

Therefore, the council directs the executive director and the council secretary, acting jointly and cooperatively, to make easily available copies of the council policy manual and the minutes of meetings of the council and its committees (except as exempt by law). Minutes shall be made available for public inspection within seven days of the session to which they refer. Policies shall be incorporated into the policy manual within thirty days of adoption.

Legal reference: Conn. General Statutes

- 1-18a Definitions ("Public records or files")
- 1-19 Access to public records. Exempt records.
- 1-19a Access to computer-stored records
- 1-19b Agency administration. Disclosure of personnel, birth and tax records....
- 1-20a Public employment contracts as public record
- 1-21 Meetings of government agencies to be public. Recording of votes. Schedule and agenda of Meetings to be filed. Notice of special meetings. Executive sessions.
- 1-21a Recording, broadcasting or photographing meetings.
- 1-21f Regular meetings to be held pursuant to regulation, ordinance or resolution
- 1-21i Denial of access to public records.

Bylaws adopted by the Council:

March 20, 1990

Revised by the Representative Council on November 1, 2007

Updated by the Representative Council on October 1, 2009

To reflect change in the Constitution re: Stand Committees

Revised by the Representative Council on March 4, 2010

Revised by the Representative Council on May 3, 2012

Revised by the Representative Council on October 6, 2022