

# **Lincoln Public Schools**

## **Lincoln School Committee By-Laws**

### ARTICLE I. ORGANIZATION

#### SECTION 1. ORGANIZATIONAL MEETING

The organizational meeting of the Lincoln School Committee will take place on the latter of the date school committee elections are duly certified or at the first regular meeting in January following a School Committee election year. The organizational meeting may be convened by a quorum of the School Committee and a majority vote of the Committee members present at the organizational meeting is required to elect the officers of the Committee. The organizational meeting shall be conducted pursuant to the terms of these bylaws.

#### SECTION 2. ELECTION OF OFFICERS

The Committee Chair, Vice-Chair and the Committee Clerk will be elected at the organizational meeting referred to in Section 1, or at such time as any such offices shall become vacant as further provided in this section. The Chair, or the Vice-Chair in the Chair's absence, or the Clerk, if both the Chair and Vice-Chair are absent, will preside over the election of officers. A majority vote of the Committee members present at the election is required to elect the officers of the Committee. The office of Chair will be elected first, followed by the office of Vice-Chair, followed by the office of Clerk. The election is for a period of two (2) years from biennial meeting to biennial meeting.

If the office of the Chair becomes vacant for any reason, the Vice-Chair shall assume the duties of the Chair until a new Chair is elected.

If the office of the Vice-Chair and/or the office of Clerk becomes vacant for any reason, the Committee Chair will appoint a temporary Vice-Chair and/or temporary Clerk from the Committee Membership until a new Vice-Chair and/or Clerk is elected.

In the event that the Chair, Vice-Chair and/or Clerk resigns from the Committee, the election of a new Chair, Vice-Chair and/or Clerk will take place after the resignation has been formally accepted by the Committee and the vacated positions are filled pursuant to law.

### ARTICLE II. MEETINGS

#### SECTION 1. REGULAR MEETINGS

The regular monthly meeting of the Lincoln School Committee will normally be held on the second Monday of each month at a time to be fixed and determined by the Committee. If the day of a regular meeting is a legal holiday, then the regular meeting

will be held on the third Monday of the month. The meeting date as well as the time and place may be changed, postponed or canceled by a majority vote of the Committee. Meetings of the School Committee shall be open to the public except when the Committee votes to go into executive session.

## SECTION 2. SPECIAL MEETINGS/EMERGENCY MEETINGS

Special meetings may be called by the Chair, the Superintendent of Schools, or upon the written request of any three (3) members of the School Committee. This written request shall be made to the Superintendent. The Superintendent or his/her designee shall immediately forward the request for special meeting to each School Committee Member. The Superintendent shall poll members to determine if a legal quorum is available to meet at the proposed time and date. If such a quorum is available, the Superintendent shall schedule, advertise, and post the special meeting consistent with state law and local charter.

Notice of the special meeting shall state the special matter or matters to be considered and all members shall receive notice one (1) week prior to the special meeting. At special meetings, only the business for which the meeting was called will be in order.

Emergency meetings may be called by the Chair and approved by a majority of the members when the meeting is deemed necessary and where the public welfare so requires. In such a case, the meeting notice and agenda will be posted as soon as possible as provided by applicable law.

## SECTION 3. CLOSED MEETINGS

By a majority vote at an open meeting, the Lincoln School Committee may call a closed meeting as specified by the Rhode Island Open Meetings Act including the following items:

1. Any discussions of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting;
2. Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation;
3. Discussion regarding the matter of security including, but not limited to, the deployment of security personnel or devices;
4. Any investigative proceedings regarding allegations of misconduct, either civil or criminal;
5. Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public;

6. Any discussions related to or concerning a prospective business or industry locating in the state of Rhode Island when an open meeting would have a detrimental effect on the interest of the public;
7. A matter related to the question of the investment of public funds where the premature disclosure would adversely affect the public interest. Public funds shall include any investment plan or matter related thereto, including, but not limited to, state lottery plans for new promotions;
8. Any executive sessions of a local school committee exclusively for the purposes: (i) of conducting student disciplinary hearings; or (ii) of reviewing other matters which relate to the privacy of students and their records, including all hearings of the various juvenile hearing boards of any municipality; provided, however, that any affected student shall have been notified in advance in writing and advised that he or she may require that the discussion be held in an open meeting;
9. Any hearings on, or discussions of, a grievance filed pursuant to a collective bargaining agreement;
10. Any discussion of the personal finances of a prospective donor to a library;
11. Any other purpose specified by the Rhode Island Open Meetings Act (RIGL 42-46-5) as it may be amended from time to time.

The reason for closing a meeting to Executive Session and the vote of each member shall be recorded in the Open Meeting Minutes.

#### SECTION 4. POSTING OF MEETINGS

Written notice of the dates, times and places of regularly scheduled meetings shall be established at the beginning of each calendar year. As specified by the Rhode Island Open Meetings Act, public notice of the agenda will be made available at least 48 hours before scheduled meeting to the press, the staff and community and published in a newspaper of general circulation in the Lincoln School District. Notice of the meeting and agenda shall also be posted in the Lincoln Town Hall and filed electronically with the Office of Rhode Island Secretary of the State.

#### SECTION 5. QUORUM/CONDUCT OF MEETINGS

A majority (4) of the entire Committee will constitute a quorum. In the absence of the Chair, Vice-Chair and Clerk, a temporary Chair shall be elected. In the absence of a quorum the only business allowed is to take measures to obtain a quorum, fix a time to adjourn, or take a recess.

In the absence of applicable rule or law, all meetings shall be conducted according to the latest version of *Robert's Rules of Order*. A copy of this handbook will be available for all meetings and the Clerk will act as parliamentarian in the case of questions by members of the Committee. A majority of the committee may override a decision or ruling of the parliamentarian.

Any time a quorum gathers to discuss the Committee's business a meeting is constituted. Consequently, members should be cautious to only hold meetings as permitted by these by-laws and state law.

## SECTION 6. WORKSHOPS

Workshops may be scheduled from time to time to provide School Committee members with opportunities for planning and discussion without formal action. Such meetings will be open and held in complete accordance with Rhode Island Open Meeting Law.

## ARTICLE III. DUTIES OF MEMBERS

### SECTION 1. CHAIR

The Chair shall exercise such powers and perform such duties as are fixed by statute and as usually devolve upon the presiding officer of a deliberative body, and unless otherwise restricted by these by-laws or other Committee established regulations, shall appoint all sub-committees and/or liaisons.

The Chair has no more authority than has any member of the Committee, and the Chair's actions are not binding on the Committee unless given such authority by the Committee. The Chair will assist in preparation of the agenda, maintain order and see that debates and discussion remain relevant and to the issue.

Either the Chair or the Clerk are the authorized signatories to all legal documents on behalf of the Committee provided the Committee votes to grant such authority.

With the assistance, as necessary, from the Superintendent, the Chair will represent the Committee in all its relationships with the Lincoln Town Government.

In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair.

The Chair may be removed from the position of the Chair office at the pleasure of the Lincoln School Committee upon a majority vote of the total Committee membership.

### SECTION 2. VICE-CHAIR

In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair, as stated in Section 1 of Article III.

The Vice-Chair may be removed from the position of Vice-Chair office at the pleasure of the Lincoln School Committee upon a majority of the total Committee membership.

### SECTION 3. CLERK

The Clerk shall serve as an official signatory of the district and shall certify copies of official district documents as necessary. The Clerk or designated member of the School Committee will be the authorized signatory for the payment of all bills that have been approved by the Committee. In the absence of the Chair and Vice-Chair, the Clerk shall perform the duties of the Chair.

A non-union administrative secretary under the direction of the Clerk will keep a complete and accurate record of all meetings. Minutes are the legal record of a School Committee's actions and must therefore, be accurate and in compliance with the Rhode Island Open Meetings Law.

Unofficial minutes will be reviewed by the Chair and/or Clerk as to accuracy prior to the approval of the Committee. The Clerk will sign all approved minutes for the Committee prior to their assignment to the permanent record.

The Clerk may be removed from the position of the Clerk office at the pleasure of the Lincoln School Committee upon a majority vote of the total Committee membership.

### SECTION 4. INDIVIDUAL MEMBERS

School Committee members have legal authority only during meetings convened in accordance with these bylaws and Rhode Island law. Members fulfill their obligations by participating in meetings. The method of participation is discussion, deliberation, debate and voting.

The Lincoln School District does hereby establish a code of basic principles and ethical standards for school committee members acting individually and collectively as boards of education in the management of the public schools of the Town of Lincoln, which principles include but are not limited to the following:

- (1) Formulate written policy for the administration of schools to be reviewed regularly and revised as necessary.
- (2) Exercise legislative, policy-making, planning and appraising functions and delegate administrative functions in the operation of schools.
- (3) Recognize their critical responsibility for selecting the superintendent, defining his or her responsibilities, and evaluating his or her performance regularly without directly engaging in administrative processes.
- (4) Support the appointment of the most qualified candidate to a school system opening, after carefully considering the Superintendent's recommendation.
- (5) Accept and encourage a variety of opinions from and communication with all parts of the community.
- (6) Make public relevant institutional information in order to promote communication and understanding between the school system and the community.

- (7) Act on legislative and policy-making matters only after examining pertinent facts and considering the superintendent's recommendations.
- (8) Conduct meetings with planned and published agendas.
- (9) Give the superintendent full responsibility for discharging his/her professional duties and hold him/her responsible for acceptable results.
- (10) Encourage and promote professional growth of school staff so that quality of instruction and support services may continually be improved.
- (11) Refer to the superintendent all complaints and criticisms of the school system, its personnel and operations and act publicly with him or her in their resolution, unless the private resolution of these matters is mandated by law or school department regulations.
- (12) Act only through public meetings since individual board members have no authority to bind the committee.
- (13) Openly debate and vote on all issues that come before the school committee and support the majority decision of the committee.
- (14) Make no personal promises nor take private action that may compromise the integrity of the school committee.
- (15) Accept the office as a committee member as a means of unselfish service with no intent to "play politics" in any sense of the word, or to benefit personally from his or her committee activities.
- (16) Recognize that the first and greatest concern must be the educational welfare of the students attending the public schools.
- (17) Work with other committee members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent.
- (18) Avoid being placed in a position of conflict of interest, and refrain from using the committee position for personal gain.
- (19) Attend all regularly scheduled committee meetings as possible, and become informed concerning the issues to be considered at those meetings.

The committee may convene a duly posted meeting, under the provisions of applicable law, to sanction a member who does not comply with the individual limits, responsibilities and ethical standards set forth in this Article and in applicable law.

#### SECTION 5. CONFLICT OF INTEREST

School Committee members are expected to understand and comply with the language and spirit of the Rhode Island Code of Ethics in Government Act and disclose any personal interests or ties prior to discussion or to voting. Specific attention should be paid to items involving personnel, purchasing, or votes requiring expenditure of funds. School Committee members are expected to recuse themselves from all real or potential conflicts, as required by applicable law.

School Committee members are expected to avoid being placed in a position of conflict of interest, and refrain from using the committee position for personal gain. If the committee member is in doubt about a possible conflict, an advisory opinion may be

requested from the Ethics Commission. Members shall abstain from seeking employment in the Lincoln School Department for at least four (4) years subsequent to completing their tenure as a Lincoln School Committee member.

#### ARTICLE IV. ORDER OF MEETINGS

##### SECTION 1. ORDER OF BUSINESS, REGULAR MEETING

The order of business at a regular meeting shall be as follows, unless a majority of those present vote otherwise:

1. Open Ceremony
2. Right to be Heard
3. Consent Agenda<sup>1</sup>
4. Approval of Minutes
5. Correspondence
6. Recognition of Delegates(s)
7. Superintendent's Report
8. Civic Use of Buildings
9. Personnel Recommendations
10. Awarding of Bids
11. Salary Warrants
12. Expense Warrants
13. Old Business
14. New Business
15. Community Comment
16. Closing of Meeting

##### SECTION 2: RECOGNITION OF DELEGATES

The Lincoln School Committee is the policy-making board for the Lincoln School District, and as such, conducts school department business in public according to the Rhode Island Open Meeting Law. The open meeting is not considered a public hearing.

Comments by members of the community on issues that pertain to School Department business are appropriate and may be presented either during Right to Be Heard, Correspondence, or Community Comment.

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<sup>1</sup> The consent agenda is approved in its entirety. The Committee shall, from time to time, designate items to be routinely placed on this Agenda. Any member may remove an item for discussion and require a separate vote. The consent items are generally routine in nature unless, as mentioned previously, a Member of the Committee requests its removal from the consent agenda to discuss/debate.

Members of the community desiring to address the Committee on issues that pertain to School Department business shall be given fair opportunity to be heard. The public may address the Committee as follows:

1. Right to Be Heard. Prior to the convening of the meeting, the person(s) who would like to be heard need(s) to complete the appropriate form and submit it to the Chair. Under Right to Be Heard, members of the public may only address members on the agenda of that meeting, and shall be limited to five (5) minutes per individual.
2. Correspondence. An individual or a group will provide a written request to be placed on the agenda under correspondence. Said request must be received by the Chair and/or Superintendent seven (7) days prior to the meeting date. The request shall include the name of the individual or group, mailing address, telephone number of spokesperson, and the reason for coming before the School Committee.
3. Community Comment. Comments by the public that pertain to School Department issues on or not on the meeting's agenda will be heard, prior to adjournment of the meeting. Public comments made during Community Comment shall be limited to three (3) minutes per individual.

No comments on personnel issues or confidential matters shall be permitted during Right to Be Heard or Community Comment.

### SECTION 3. SUSPENSION OF ORDER OF BUSINESS

The order of business for any meeting may be suspended by a majority vote of the members present providing a quorum has been maintained.

## ARTICLE V. AGENDA

### SECTION 1. DEVELOPING THE AGENDA

It will be the duty of the Chair, or the Vice-Chair in the Chair's absence, or the Clerk, if both the Chair and Vice-Chair are absent, in cooperation with the Superintendent, to prepare the agenda for all meetings of the Lincoln School Committee.

Any individual School Committee member may request in writing to the Superintendent or through the Chair, or the Vice-Chair in the Chair's absence, or the Clerk, if both the Chair and Vice-Chair are absent, that an item be placed on the agenda. The established deadline for committee member requests for items to be included in the agenda shall be seven (7) days prior to the meeting. Such requests shall not be unreasonably denied. If such a request is refused, the member may direct that the item request be placed on the agenda under new business for consideration. A majority vote of the Committee may allow it to be considered as an action item on the next meeting agenda.

The agenda and supportive material will be written and distributed to School Committee members by the Friday prior to the regular Monday meeting, 48 hours prior to special meetings and as soon as practicable for emergency meetings. Exception to this procedure requires acceptable rationale to the Committee.

No item shall be acted upon at any meeting of the School Committee unless it had been placed on the distributed and posted agenda according to the Rhode Island Open Meetings Law.

## ARTICLE VI. POLICY DEVELOPMENT

### SECTION 1. POLICY LAW, PHILOSOPHY, AND ENFORCEMENT

Good policies:

1. Clarify the operation of the school system;
2. Create understanding and good will;
3. Provide direction;
4. Facilitate control and efficiency.

The Committee will ensure that its policies conform to the higher supremacy of municipal, state, and federal laws, including the provisions of municipal bylaws and state and federal constitutions. Questions concerning the legality of any policy should be addressed to the Office of the Superintendent. Further, while it is not feasible to reiterate the principles of the Committee-adopted Educational Philosophy into the language of each and every policy statement, it is to be assumed that the spirit of this document will prevail in the implementation of all policies. The Committee expects compliance with its formally-adopted policies. Failure to comply with these policies will be considered cause for disciplinary action.

### SECTION 2. FORMULATION OF POLICIES

The School Committee will reserve to itself the establishment of guidelines within which it shall function. It will also provide discretionary limits upon the actions of those to whom it delegates authority. These guidelines and limits of action shall constitute the policies governing the operation of the school system.

The formulation and adoption of written policies shall constitute the basic method by which the School Committee will exercise its leadership in the operation of the school system. The study, review and evaluation of reports concerning the adoption and execution of its written policies will constitute the basic method by which the School Committee shall exercise its control over the operation of the school system.

The adoption of all policies shall be recorded in the minutes of the School Committee meetings and placed in the Official Lincoln School Committee Policy Manual. Only

those written statements so adopted and so recorded will be regarded as official School Committee Policy.

### SECTION 3. ADOPTION OF POLICIES

Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the School Committee following a second reading, when such action has been scheduled and advertised on the agenda of a regular or special meeting.

To permit time for study of all new policies, amendments to policies, repeal of existing policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as agenda items to the School Committee in the following sequence:

1. Information item-distribution with agenda (this may be an announcement that a policy is being developed in a particular area and that interested persons may submit suggestions).
2. Discussion item-first reading of proposed policy or policies; response from Superintendent; report from any School Committee member assigned responsibility in the area; School Committee discussion and directions for any redrafting.
3. Action item-second reading of proposed policy(s), discussion, adoption/rejection.\*

\*Amendments to the policy at the action stage, will not require repetition of the sequence, unless the School Committee so directs.

Policies will be effective upon the date set by the School Committee. The date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation.

Policies will continue from year to year and School Committee to School Committee until and unless the School Committee changes them in accordance with these by-laws. The School Committee will evaluate new and amended policies from time to time, and will revise them if they prove unwise or untenable.

### SECTION 4. EMERGENCY PROCEDURE

On matters of unusual urgency, the Committee may waive the adoption of policies procedures set forth in Section 3 and take immediate action by a majority vote of the members of the Committee at a regular or special meeting called for that purpose.

### SECTION 5. REVIEW OF ADMINISTRATIVE PROCEDURES

The School Committee reserves the right to review and veto administrative procedures should they, in the Committee's judgment, be inconsistent with the policies adopted by the Committee.

## SECTION 6. POLICY DISSEMINATION

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Committee and the administrative procedures needed to put them into effect which shall include posting of the adopted policies on the Lincoln Public Schools website.

Accessibility is to extend at least to all employees of the school district, to members of the Committee, and to persons in the communities of the town insofar as is conveniently possible.

All policy manuals distributed to anyone shall remain the property of the Town of Lincoln School Committee and shall be considered "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary by the Superintendent for purpose of updating.

## ARTICLE VII. MEMBER ORIENTATION

### SECTION 1. NEW MEMBERS

The School Committee and its administrative staff shall assist each new member-elect to understand Committee functions, policies, and procedures before and when the member takes office. The new member-elect shall be brought up to date with regard to current problems, concerns and issues. The following methods may be employed:

- a. The electee shall be given section material related to Committee membership;
- b. The electee shall be invited to attend interim school committee meetings and may be invited to participate in the discussions held therein;
- c. The Superintendent and Committee members may supply, under the direction of the Clerk, pertinent materials and explain their use to electees;
- d. The electees shall be invited to meet with the Superintendent and Chair to discuss the services that the Administration performs for the Committee and they shall be offered:

- \* Title 16 Laws of the State of Rhode Island
- \* Rhode Island Special Education Regulations
- \* Lincoln School Committee By-Laws
- \* Current Policy Manual
- \* Agreements
- \* Capital and Operating Budgets
- \* Bargaining Unit Contracts
- \* Key Works Book
- \* Tour of all Lincoln Public Schools and Facilities

\* Opportunities to attend professional development workshops sponsored by the Rhode Island Association of School Committees (RIASC).

## SECTION 2. OPPORTUNITIES

The Superintendent will prepare members of the School Committee for maximum service to the Community through:

- a. Conferences with other School Committee members;
- b. Conferences with the Superintendent;
- c. Visits to observe administrative office practices;
- d. Membership in the State School Committee Association;
- e. Annual visits to schools as a committee or individually;
- f. Participation in curriculum committee studies;
- g. Attendance and participation at educational conferences and conventions;
- h. Reading educational magazines and periodicals;
- i. Appearances at Parent-Teacher Association, Civic and Church group meetings;
- j. Study of by-laws of the School Committee;
- k. Familiarization with school department policies and procedures.

## ARTICLE VIII. SUB-COMMITTEES/LIAISONS/ADVISORY COMMITTEES

The Committee may from time to time establish sub-committees/liaisons/advisory committees to assist in the completion of its business and serve as representatives of the committee on approved advisory committees and boards. The Chair has the responsibility to appoint all members of such sub-committees, liaisons and advisory committees. Committee members may make nominations of non-school committee members (Lincoln residents) to the Chair for such positions, when applicable. School Committee members may also serve in such positions, but no more than three (3) may serve on any sub-committee or advisory committee, provided, however, that an alternate member may be appointed to any sub-committee or advisory committee.

All such appointed groups/individuals shall be given a written charge, including, but not limited to a statement of the problem or concern initiating the sub-committee, instructions, desired investigations, dates for progress reports to the Lincoln School Committee and a termination date of service.

Sub-committees and advisory committees shall elect their own officers and schedule their own meetings at times and locations of their own choosing. The operation of all sub-committees and advisory councils must meet all applicable state regulations and laws. Reports of all sub-committees are advisory in nature and made only to the School Committee.

At the request of the School Committee, the Superintendent shall appoint an administrative support person to all such sub-committees to assist in meeting arrangements, informational gathering and report writing. Such support persons are not

to be considered a member of the sub-committee or advisory committees, nor are they to be held responsible for advisory outcomes of the sub-committee.

All sub-committees, liaisons and advisory committees may be dissolved or terminated at any regular or special meeting of the School Committee.

#### ARTICLE X. SUPERINTENDENT

The Superintendent serves as the chief executive officer of the School Committee. The Superintendent carries out all policies, rules and regulations established by the School Committee. The School Committee expects its Superintendent to fulfill the role of educational leader in the community. This means the Superintendent will keep the public informed as to the activities, achievements, needs and directions of the school system. In so doing, the Superintendent should employ all avenues of communication including various media, small group discussions, speeches and other personal appearances. As the educational chief executive, the Superintendent, as a matter of routine, should inform the Committee regularly of new trends in education and their implications, if any, for the system. The Committee also needs to be kept informed regarding the school system's performance as compared to other systems within the state and throughout the nation with appropriate rationale and/or explanation. The Superintendent shall carry out the powers and duties of Superintendent as set forth in applicable state law.

#### ARTICLE XI. REAFFIRMATION AND AMENDMENT OF BYLAWS

##### SECTION 1. ANNUAL REAFFIRMATION OF BYLAWS

These bylaws shall be readopted at each biannual organizational meeting, subject to the understanding that all bylaws not established by law and/or contractual agreements may be changed through Committee action as described in Article XII, Section II below.

##### SECTION II. AMENDMENT OF BYLAWS

These by-laws may be amended only by the affirmative vote of a majority of the members of the School Committee when such action has been scheduled and advertised on the agenda of a regular or special meeting. All revisions or additions may be approved by the School Committee after two readings.

First Reading: January 14, 2013  
Second Reading: January 23, 2013  
Date Adopted: January 23, 2013