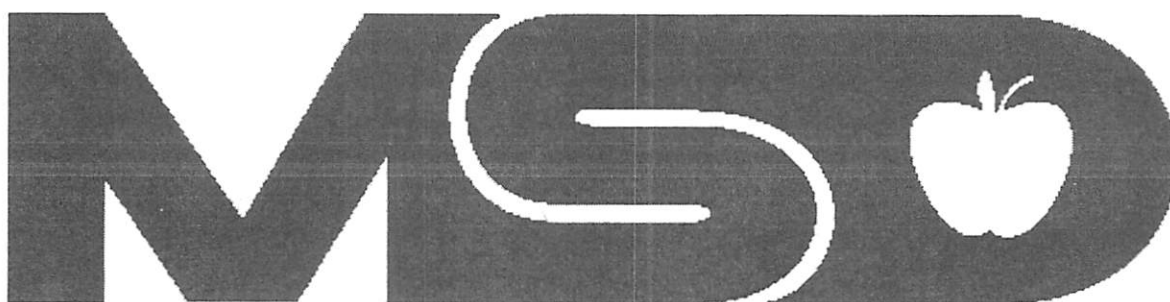


# Rules of the **Board of School Committee**

Manchester School District

2014 6

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**MANCHESTER SCHOOL DISTRICT**

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## **AUTHORITY OF THE BOARD**

Nothing in any of these rules shall be construed as taking away the right of appeal to the Board of School Committee in any matter. The authority of the Board of School Committee is recognized as superior to that of any subcommittee or official.

### **Chapter 1 ORGANIZATION OF THE BOARD**

- 1.01 The Board of School Committee shall meet for organization on the first Tuesday of January following the biennial election. The meeting shall be called to order by the Mayor. In the Mayor's absence, it shall be called to order by the Clerk.
- 1.02 The officers of the Board of School Committee shall be the Vice Chairman, the Clerk, and the Treasurer, all of whom shall be elected by open ballot at the organizational meeting of the Board of School Committee in January and shall hold their respective positions for a term of two years.
- 1.03 The Chairman shall appoint all standing committees of the Board of School Committee and shall designate the Chairpersons.
- 1.04 Standing Committees shall be as follows:
  - a. Committee on Finance - Committee of the Whole
  - b. Committee on Buildings and Sites - five members (5)
  - c. Committee on Curriculum and Instruction - five members (5)
  - d. Committee on Athletics and Extracurricular Fine Arts - five members (5), with at least one member (1) from each high school district
  - e. Committee on Student Conduct - five members (5)
  - f. Committee on Information Technology - five members (5)
  - g. Committee on Coordination/Administration- Vice Chairman, Mayor and five (5) members.
- 1.05 Every member of the Board of School Committee shall be appointed to serve on at least one standing committee.

- 1.06 No member of the Board of School Committee shall serve as Chairman of more than one standing committee, until each member has been named as Chairman of a standing committee, or has refused to accept the chairmanship of a standing committee when tendered.
- 1.07 The back-up information for all items of business from standing or special committees which are to be considered by the Board of School Committee or a committee, shall be submitted in writing with the agenda, with copies ~~distributed~~ **delivered Via E-Mail or hard copy depending on the member's choice** to all members of the Board of School Committee **no later than the Thursday prior to the regular scheduled meeting in advance.**

This rule will not apply to reports of any committee meeting on the same date as the Board of School Committee meeting or if by majority vote the School Board members decide to take up the issue.

- 1.07A Any and all agenda materials not exempt from public dissemination by RSA 91-A shall be posted online in conjunction with the posting of any board or committee agenda with hard copies available for the public at the time of posting in the district office. No fewer than five hard copies of the agendas and any supporting documentation not subject to the exemption of RSA 91-A shall also be available to the public in whatever public place in which any board or committee is being held.**

**Personnel items made public by a vote of the board or any committee shall be published on the district's Web site immediately following the meeting in which they are made public.**

- 1.08 The Committee on Finance is assigned the following duties and responsibilities:
- a. Hold at least one regular monthly meeting.
  - b. Monitor the School District budget, revenues, and expenditures for the current fiscal year and consider and act on transfers among line items as proposed by the School District Administration in accordance with procedures and policies approved by the Committee and adopted by the full Board of School Committee for budget and fiscal administration.
  - c. Consider and act on the budget process proposed by the Administration consistent with the requirements of law and City Charter and develop and approve the School District budget for submission to the full Board of School Committee for approval and forwarding to the Board of Mayor and Aldermen.
  - d. Revise the budget after adoption of the final appropriation by the Board of Mayor and Aldermen if the appropriation differs from the budget adopted by the Board of School Committee and submit the revised budget to the full Board of School Committee for adoption.

- e. Assure and review an annual audit of School District finances as required by law and report the results thereof to the full Board of School Committee.
- f. Consider such other matters as may be referred to it by the Administration or other committees of the Board of School Committee.
- g. Review and make recommendations relative to Board of School Committee policies related to the fiscal operation of the School District.

**1.08A Subcommittee of Finance**

- a. ~~Consider and act on manifests of expenditures reviewed by at least two (2) members of the Board of School Committee after approval of such expenditures by the Administration and after release of the checks by the Treasurer.~~  
**The treasurer shall have custody of all monies belonging to the district and shall pay out the same only upon orders of the School Board or upon orders of the two or more members of the school Board empowered by the School Board as a whole to authorize payment.**

**Pursuant to this statute, and with the adoption of these rules, the board designates each and every member of the subcommittee on finance to review and approve the district's manifest in advance of payment by the Treasurer. Further, the manifest shall be placed on the finance committee agenda each month.**

- b. On a semi-annual basis, the Administration shall provide a list of checks that are processed weekly or bi-weekly. These pre-approved checks shall continue to be included in the monthly warrant log. In the event that additional pre-approvals are required, the Administration shall present a request to the Committee.
- c. Consider and act on contracts and the acceptance of grants (substantive provisions of grants to be subject to the approval of the appropriate Board of School Committee committee, as well.)
- d. Report to the Finance Committee of the Whole.

**1.09 The Committee on Buildings and Sites is assigned the following duties and responsibilities:**

- a. Periodically examine the condition of school buildings and sites and report its findings to the Board of School Committee, recommending such repairs, changes, and capital improvements as it may deem necessary.

- b. Consider problems brought to its attention by the Administration relative to school buildings and grounds maintenance.
- c. Examine potential sites for school buildings or facilities and recommend such sites to the Board of School Committee as it may deem advisable.
- d. Determine which site or sites it shall examine further and request funds necessary to appraise land and conduct engineering studies, and the Committee shall proceed to implement such decisions. As soon as funds are allocated for this purpose by the Finance Committee and the Board of School Committee, the Committee shall obtain site appraisals and engineering studies and shall present reports of such studies, together with its recommendations, for consideration by the Board of School Committee.
- e. Upon a decision by the Board of School Committee to proceed with the site acquisition, the Committee and/or its designee shall negotiate a purchase price and recommend a specific sum to the Buildings and Sites Committee to be requested from the Board of Mayor and Aldermen for acquisition of a site and for authorization to the City Solicitor to take necessary action to acquire the site for transfer to the Board of School Committee.
- f. Three members of the Committee shall serve as the Board's representatives on the Joint School Buildings Committee required by RSA 199:3 to oversee expenditures of such funds to construct a new facility or to proceed with other capital improvements to buildings and sites.
- g. Keep the Board of School Committee informed of progress of construction and of JSBC actions and shall represent the interests of the Board of School Committee in all matters relative to construction. In cases of major changes in plans originally approved by the Board of School Committee, the Committee shall report such change requests for confirmation by the Board of School Committee prior to JSBC approval that such changes may be made by the architects or contractors.
- h. In all its deliberations, the Committee shall take care that matters of site studies, appraisals, and identification of land parcels are kept confidential in order to protect both the Board of School Committee and the City from land speculation transfers.
- i. Adhere to the provisions of RSA 199:2, 199:3 and 199:6 requiring Board of School Committee decision in matters of site selections and school construction plans.
- j. Review and make recommendations relative to Board of School Committee policies related to Building and Sites to the Board of School Committee.

1.10 The Committee on Curriculum and Instruction is assigned the following duties and responsibilities:

- a. Initiate and coordinate studies of the curriculum with the assistance of the administration and teaching staff. Recommend changes in compliance with Board of School Committee Policies: Curriculum Development, Instruction 104, and Curriculum Adoption, Instruction 105.
- b. Approve the adoption of all curricula, textbooks, and ancillary materials for all District programs.
- c. Analyze, assess and evaluate budget proposals related to classroom instructional needs, which may include equipment, computer software, furniture, and fixtures.
- d. Review administrative recommendations of matters relating to instructional responsibilities and organizational structure, including class size.
- e. Review all curricular related applications for federal, state, or private funds before submission to the Finance Committee.
- f. Encourage presentations by administrators, teachers, and/or community agencies for the purpose of familiarizing committee members with school projects and curricular initiatives.
- g. Ensure that the Administration provide regular, ongoing assessment and analysis of the effectiveness of all programs.
- h. Ensure that the Administration provide regular, ongoing assessment of the effectiveness of all instructors and instructional strategies.
- i. Review and make recommendations relative to Board of School Committee policies related to Curriculum and Instruction to the Board of School Committee.

1.11 The Committee on Athletics and Extra-Curricular Fine Arts is assigned the following duties and responsibilities:

- a. Direct all athletic, both intramural and inter-scholastic, and extra-curricular activities at the middle schools and the high schools.
- b. Initiate and coordinate studies of athletic and extra-curricular related issues with the assistance of the administration, coaching staff, advisors, and in conjunction with other relevant parties.
- c. Review administrative recommendations and adopt policies relating to athletic and extra-curricular procedures, guidelines and organizational structure. Encourage presentations by administrators, coaches, students and professionals for the purpose of familiarizing committee members with issues and initiatives.
- d. Recommend coaching nominations to the Board of School Committee.
- e. Review and make recommendations relative to Board of School

Committee policies related to Athletics and Extra-Curricular Fine Arts to the Board of School Committee.

1.12 The Committee on Student Conduct is assigned the following duties and responsibilities:

- a. Review the progress of programs and activities that relate to student conduct and recommend policies for the alternative education programs.
- b. Review and recommend policies relating to the Student Code of Conduct.
- c. Hear and make decisions on student expulsion cases and appeals of long-term suspensions.

The Committee shall conduct disciplinary hearings in accord with the disciplinary procedures set forth in Ed. 317.04. All votes by the Committee which pertain to a student disciplinary case in which a parent has requested a non-public hearing shall remain confidential and shall not be subject to the requirement of these rules that votes take place in public session. Any appeal of a student disciplinary decision made by the Committee on Student Conduct shall be to the State Board of Education and not to the Board of School Committee. The Committee on Student Conduct shall provide statistical reports to the Board of School Committee on a quarterly basis regarding student disciplinary decisions. These reports shall be presented in a manner which preserves the Federal and State privacy rights of individual students.

1.13 The Committee on Information Technology is assigned the following duties and responsibilities:

- a. Initiate and coordinate studies related to technology with the assistance of the administration and IT staff.
- b. Approve the adoption of the District's Technology Plan.
- c. Analyze, assess and evaluate budget proposals related to District and classroom technology needs, which may include equipment, software, furniture, and fixtures.
- d. Review administrative recommendations of matters relating to responsibilities and organizational structure of the Information Technology Department.
- e. Review all technology applications for federal, state, or private funds before submission to the Finance Committee.
- f. Encourage presentations by administrators, staff, and/or community agencies for the purpose of familiarizing committee members with school projects and technology initiatives.
- g. Ensure that the Administration provide regular, ongoing assessment and analysis of the effectiveness of all programs.
- h. Ensure that the Administration provide regular, ongoing



assessment of the effectiveness of all staff and operational strategies of the Information Technology Department.

- i. Consider and act on contracts and the acceptance of grants (substantive provisions of grants to be subject to the approval of the appropriate Board of School Committee, as well.)
- j. Review and make recommendations relative to Board of School Committee policies related to Information Technology to the Board of School Committee.

1.14 The Committee on Coordination/Administration is assigned the following duties and responsibilities:

- a. To provide coordination of general administrative matters and other issues affecting areas of concern affecting more than one committee of the Board of School Committee.
- b. The Vice Chairman will serve as Chairman of the Committee on Coordination.
- c. Serve as an advisory and consulting committee for the Administration in matters pertaining to no other standing committee.
- d. Consider matters referred by the Board of School Committee or the Vice Chairman as they deem advisable.
- e. Review new and/or policy revisions recommended by the Board or Administration.

## **Chapter 2 RULES OF ORDER**

2.01 The regular meeting of the Board of School Committee shall be held on the second **and fourth** Monday of every month, ~~except during the month of August.~~ The Vice Chairman is authorized to designate an alternative date whenever the meeting date falls on a holiday or holiday eve.

2.02 Subject to the Right-to-Know Law, special meetings may be held whenever called by the Clerk upon request of the Chairman, Vice Chairman, or the written request of five members of the Board of School Committee. Except by **2/3rds** majority consent of all members elect, only matters contained in the notice shall be considered at a special meeting.

- a. Members shall address the presiding officer, shall confine their remarks to the question under debate, shall avoid personalities, and shall address another member by name, the ward he/she represents or the place where he/she sits. No member shall be

interrupted by another, but by rising to call to order, or to correct a mistake. At all times the Board shall act with respect and professionalism when in ~~non-public~~ session. The presiding officer shall preserve decorum and order.

- 2.02A Public comment sessions shall be conducted at each Regular monthly meeting. This allows residents of Manchester the opportunity to address the Board on items of concern affecting the community. Members of the public may be given a total of three minutes to speak. A member of the public must register name, address and topic with the clerk prior to the session beginning. A registered member of the public cannot relinquish allotted time to another speaker. The ~~Mayor~~ **presiding officer** reserves the right to select speakers of different issues to be permitted to speak, in order to provide a forum of various topics to be presented. Speakers may offer comments on school operations and programs that concern them. In public session, however, the Board shall not hear personal complaints of school personnel or complaints against any person connected with the District. Other channels are provided for Board consideration and disposition of legitimate complaints involving individuals, which should be referred to the Superintendent.

The Board vests in its Chairperson or other presiding officer authority to terminate the remarks of any individuals who do not adhere to the rules established above as to content or time limitation.

Persons appearing before the Board are reminded, as a point of information, that members of the Board are without authority to act independently as individuals in official matters.

- 2.02B The Mayor shall take the chair at the hour appointed, and the Clerk shall call the roll. In the absence of the Mayor, the Vice Chair shall preside. **If the Mayor and the Vice Chair are absent then the longest seated board member willing to preside shall preside over the meeting.** The Mayor or in his/her absence the Vice Chairman or **if both are absent the longest seated board member willing to preside** shall preserve decorum and order. He/she may speak to points of order in preference to other members and shall decide all questions of order, subject to an appeal, to the Board.

- 2.02C The Chairman or Chairman pro temp of any committee of the Board of the School Committee shall preserve decorum and order. He/she may speak to points of order in preference to other members and shall decide all questions of order, subject to an appeal, to the Committee.

- 2.02D (Motions)  
When a motion is made and seconded, it shall be considered by the

Board and not otherwise. When a motion is under debate, no motion shall be received, but:

- |    |                                     |               |
|----|-------------------------------------|---------------|
| a) | To adjourn;                         | non debatable |
| b) | To lay on the table;                | non debatable |
| c) | To close debate; move the question: | non debatable |
| d) | To postpone to a certain time;      |               |
| e) | To commit;                          |               |
| f) | To amend;                           |               |
| g) | To postpone indefinitely;           |               |

These motions shall have precedence in the order in which they are arranged.

**2.02E (Reconsideration)**

A motion for the reconsideration of a vote shall be open for debate, but such motion shall not be considered unless made by a member voting with the majority, or unless notice be given at the meeting at which the vote is passed, in which case, the motion shall be made at the next regular meeting after and only one motion for consideration of any vote shall be permitted.

**2.03 The order of business at the regular meetings, unless otherwise voted by the Board of School Committee, shall be as follows:**

1. Call to Order
2. Pledge of Allegiance
3. Moment of Meditation
4. Roll Call
5. Approval of Minutes of Previous Meeting
6. Recognition
7. Public Forum
8. Consent Session:
  - Coordination/Administration Committee
  - Curriculum and Instruction Committee
  - Buildings and Sites Committee
  - Athletic and Extra-Curricular Fine Arts Committee
  - Information Technology Committee
9. Superintendent's Communications
10. Committee Members' Communications
11. Finance Committee Meeting
12. Action Session
13. Personnel Report
14. **Tabled Items**
15. New Business
16. Non-public Session

17. Return to General Session
18. Adjournment

**2.03A The superintendent shall itemize any and all items to be presented the under “Superintendent’s Communications” agenda item to ensure members of the public and board are aware, in advance, of any items that may require or result in board action.**

**Items presented by board members under “Committee Members’ Communications” shall be limited to recognition and announcements of pending events.**

**Items of business requiring board discussion and or action shall be submitted as agenda items in advance by members of the board and shall be placed on the agenda for the next scheduled meeting of the board.**

**Any and all presentations by the administration to the board or any committee shall be contained in the agenda and made available to the public in its original format online so the public may download or access the information prior to or during board meetings.**

- 2.04 A majority of the whole Board of School Committee shall constitute a quorum. An affirmative vote of the majority of the whole Board of School Committee shall be necessary to appoint or remove any employee of the School District, to modify salaries, or to appropriate money.**
- a. A 2/3rds majority of the whole Board of School Committee shall be required to amend or suspend the Board of School Committee Rules.**
- 2.05 No vote taken by the Board of School Committee shall be by secret ballot. All votes shall be taken in public session.**
- 2.06 Roll call may be requested by any member. Voting shall begin with the maker of the Roll Call and continue by the seating arrangement with the Chairman casting the final vote.**
- 2.07 The Board of School Committee may go into non-public session at any time to discuss matters allowed in such sessions under RSA 91-A (Right to Know Law), as described in the Appendix to Chapter 2. All votes shall be taken in public session.**

- 2.08 Any motion for the amendment of these Board of School Committee Rules shall be tabled for at least one week, unless suspended by a 2/3rds majority vote of the Board of School Committee.
- 2.09 All laws of the State of New Hampshire and all rules of the State Board of Education shall take precedence over these rules and regulations.
- ~~2.10 Any member of the Board of School Committee, excepting the Mayor, who fails to attend the regular monthly meeting or his assigned subcommittee duties for a period of two months, shall be considered for disciplinary action by the Committee of the Whole. Such action shall require a majority vote of the whole Board of School Committee.~~
- 2.140 The Chair and Vice Chairman Board of School Committee shall authorize Board members and chief administrators to attend such conferences, institutes, and conventions which will assist and facilitate the orientation and development of an informed membership.
- Committee members shall be reimbursed for authorized expenses, according to the following guidelines:
- ~~a. The number of members in attendance at a meeting shall be determined by the Board of School Committee.~~
  - b. The mileage reimbursement for use of personal automobiles shall be commensurate with the rate set or established by the United States Government.
  - c. The membership and registration fees, as well as expenses such as meals, lodging, tips, parking, taxi, and services, are allowable.
  - d. Board of School Committee members shall file appropriate vouchers for all requests for reimbursement.

**Addendum to Rules of Order**  
**What Every Board of School Committee Member Needs to Know**  
**About the Right-to-Know Law and Non-Public Sessions**

**What is a Non-Public Session?**

RSA 9 1-A:3 sets forth six grounds upon which Board of School Committees may enter non-public session: (1) dismissal, promotion, compensation or disciplining of any public employee, unless that employee has a right to an open meeting and requests the meeting be open; (2) hiring of a public employee; (3) discussion of matters that are likely to adversely affect the reputation of a person other than a member of the Board of School Committee; (4) consideration of the acquisition, sale or lease of real or personal property; (5) consideration or negotiation of pending legal claims or litigation; and (6) consideration of matters relating to the preparation and carrying out of emergency functions.

A Board of School Committee's decision to enter non-public session must be included in the minutes of the open meeting. A Board of School Committee may enter non-public session only if a recorded roll call vote is taken during public session. A motion to enter non-public session must be made, the motion must be seconded, and the motion must state one of the six statutory bases cited above. It is vital that a specific reference to one of these grounds be made on the record before entering non-public session.

Once in non-public session, a Board of School Committee should only discuss and decide matters set forth in the motion to enter non-public session. Some Board of School Committees choose to discuss numerous matters in a single non-public session. Others choose to discuss one matter at a time. Whatever method your board chooses, the board should only discuss and decide issues that were originally stated in the motion to enter non-public session. Any issues the Board of School Committee discusses or acts upon that are not within the originally stated reason(s) for entering non-public session must be included in the minutes of the open meeting.

At all times the Board shall act with respect and professionalism when in non-public session. The presiding officer shall preserve decorum and order.

Failure to abide by these requirements may result in serious consequences to your school district. Penalties for failure to follow the requirements of New Hampshire's Right-to-Know Law are discussed below.

#### Minutes of Non-Public Session

Boards of School Committees are required to record minutes of all non-public sessions. The law requires minutes of non-public sessions be made publicly available within 72 hours of the meeting, unless the Board of School Committee votes to seal the minutes of the non-public session.

At a minimum, minutes of non-public sessions shall include: (1) names of all Board of School Committee members present; (2) time and place of the non-public session; (3) a brief outline of the matter(s) discussed; and (4) a brief description of all final decisions reached by the board. Though many Board of School Committees insist on creating verbatim transcripts of meetings, this is not required as a matter of law. Board of School Committees should remember that the goal of having sufficient minutes is to create a record of the Board of School Committee decisions and action - not just a record of debate.

Board of School Committees may only seal minutes of non-public sessions by a two-thirds vote. Minutes of non-public sessions may be sealed only if divulging such information would: (1) adversely affect the reputation of a person other than a board member; (2) render a proposed board action ineffective; or (3) thwart

safety considerations pertaining to terrorism or other emergency functions of a Board of School Committee. As with the decision to enter non-public session, it is vital that the vote to seal minutes of non-public sessions adequately state one of these reasons.

Any vote to seal minutes of a non-public session should be taken immediately after the non-public session. The decision to seal minutes of non-public sessions must affirmatively state one of the statutory bases listed above. Even though Board of School Committee minutes of non-public sessions may be sealed, minutes of the decision to seal are public records - they must be publicly disclosed and made available for inspection. The purpose of the motion to seal non-public minutes is to create a record indicating the Board of School Committee carefully considered the implications of disclosing certain matters, and that the Board of School Committee determined such disclosure was not warranted for one of the reasons listed above.

The decision to seal minutes of non-public sessions does not necessarily mean the minutes are permanently sealed. Over time, the Board of School Committee must review sealed minutes to determine whether or not the reasons for sealing non-public minutes still exist. If a majority of the Board of School Committee determines sufficient reasons still exist, the minutes may remain sealed. However, if a majority of the Board of School Committee determines that the circumstances giving rise to the decision to seal are no longer applicable, the Board of School Committee may decide to release the sealed minutes of non-public sessions.

#### Penalties for Violations of the Right to Know Law

Failure to comply with Right-to-Know requirements may subject a Board of School Committee to penalties. Courts may simply order a Board of School Committee to make public certain records or documents. Courts may also issue orders enjoining Board of School Committees from violating the Right-to-Know Law with regard to future board actions. More serious action taken by a Board of School Committee, if the board's actions are contrary to Right-to-Know requirements. Additionally, courts may order school districts to pay attorneys fees and costs to the individual seeking disclosure of public records; attorneys fees and costs are generally awarded only if the Board of School Committee engaged in conduct that it knew or should have known was a violation of the Right-to-Know Law. Finally, the law imposes a criminal penalty on anyone who knowingly destroys any public record for the purpose of preventing such a record from being publicly disclosed.

#### Guidelines for Compliance

The following guidelines and practical tips will help ensure your Board of School Committee adequately complies with the Right-to-Know Law.

- A Board of School Committee's decision to enter non-public session must fit

squarely within one of the six statutory reasons. Absent one of these reasons, a Board of School Committee cannot legally enter non-public session.

- A proper motion must be made to enter non-public session, clearly stating one of six reasons. That motion must be seconded.
- Based on such a motion to enter non-public session, a recorded roll call vote must be made in open session.
- When in non-public session, Board of School Committee members should only discuss the matter(s) that were originally stated as the reason(s) for entering non-public session.
- If a Board of School Committee discusses matters beyond the reason(s) stated for entering non-public session, only the minutes pertaining to the reason for entering non-public session may be sealed. Matters discussed and decisions made that fall outside the reason(s) given for entering non-public session must be disclosed to the public.
- Minutes of non-public sessions must be made available to the public within 72 hours, unless your Board of School Committee has voted to seal such minutes.
- Minutes of non-public sessions may be sealed only by a two-thirds vote of the Board of School Committee. They may be sealed for only three reasons. The reason(s) for sealing such minutes must be stated immediately after the non-public session and must appear on the record of the open meeting.
- Board of School Committees should periodically review their sealed minutes of non-public sessions to determine if the reasons for sealing such minutes still exist. If the originally stated reason(s) for sealing the records is no longer pertinent, your Board of School Committee may vote to unseal such minutes.

*If you have other questions regarding New Hampshire's Right-to-Know Law, please contact the New Hampshire Board Legal Services Department at (603) 228- 2061.*

#### Checklist for Compliance: Right-to-Know Law and Non-Public Sessions

- Motion to enter non-public session is made during the open meeting.
- Motion states one of these reasons for entering non-public session:
  - Dismissal, promotion, compensation or disciplining of any public employee, unless that employee has a right to an open meeting and requests the meeting be open;
  - Hiring of a public employee;



- Discussion of matters that are likely to adversely affect the reputation of a person other than a member of the Board of School Committee;
  - Consideration of the acquisition, sale or lease of real or personal property;
  - Consideration or negotiation of pending legal claims or litigation; or
  - Consideration of matters relating to the preparation and carrying out of emergency functions.
- Motion to enter non-public session is seconded.
- Recorded roll call vote on the motion is taken during the open meeting.
- When in non-public session, the board only discusses and decides matters within the scope of the stated reason(s) for entering non-public session.
- Minutes of non-public sessions are made publicly available within 72 hours (unless the Board of School Committee votes to seal such records.)
- Minutes of non-public sessions can be sealed only by a two-thirds vote.
- Vote to seal minutes of non-public sessions taken immediately after the non-public session and is included in minutes of the open meeting.
- The decision to seal minutes of non-public sessions clearly states one of the following reasons:
  - Releasing information would adversely affect the reputation of a person other than a board member;
  - Releasing information would render a proposed board action ineffective; or
  - Releasing information would thwart safety considerations pertaining to terrorism or other emergency functions of the board
- Decision to seal minutes of non-public sessions is included in minutes of the open meeting.
- The Board of School Committee regularly reviews sealed minutes of non-public sessions to determine if sufficient reason(s) still exist for keeping such records sealed.
- The Board of School Committee may vote to release minutes of non-public sessions if no valid reason(s) exist for keeping the records sealed.

### **Chapter 3**

#### **GENERAL RULES**

- 3.01 The election of the Superintendent of Schools and the Assistant Superintendents shall be conducted as prescribed by the State Board of Education. A vote of the majority of the whole Board of School Committee shall be necessary to nominate candidates for these positions.
- a. The Superintendent of Schools and the Assistant Superintendents shall not be appointed to serve for more than two years. There shall be no limit to the number of reappointments.
- 3.02 All organizations of pupils using the name of Manchester schools shall be under the control of school authorities. No pupils shall meet in school buildings unless authorized adult supervisors are present.
- ~~3.03 The official channel for communication between the schools (teachers, students, parents, parent teacher associations, principals, supervisors, etc.) and the Board of School Committee, shall be the Superintendent of Schools.~~
- 3.04-3 A financial statement for the preceding year of all funds, private or public, which are under jurisdiction of the Board of School Committee or any committee thereof, shall be submitted according to a schedule established by the Superintendent of Schools.

### **Chapter 4**

#### **DUTIES OF OFFICERS**

- 4.01 The Chairman, or in his/her absence, the Vice Chairman, shall perform the usual duties of presiding officer, and shall vote upon any question that arises.
- 4.02 Duties of the Vice Chairman- The Vice Chairman shall have the following duties and responsibilities:
- a. Perform the duties of presiding officer in the Chairman's absence.
- b. Appoint all special committees, unless otherwise directed by the Board of School Committee.
- c. Provide periodic reports to the Board of School Committee of regular meetings with the Superintendent of Schools.

4.03

Duties of the Clerk - The Clerk shall have the following duties and responsibilities:

- a. Keep a complete record of all proceedings of the Board of School Committee and maintain all business and committee reports. Minutes of all meetings shall be available for inspection within the period of time as required by law.
- b. Give written notice and agendas to each member of the Board of School Committee, to all local media, student representatives, and all interested parties of every meeting of any standing committee or special committee of the Board of School Committee.
- c. Perform the duty of Clerk at all committee meetings.
- d. Sign all teacher contracts on behalf of the Board of School Committee.
- e. Keep for the use of the Board of School Committee properly indexed copies of the Board of School Committee Rules and Policies of the Board of School Committee, with such amendments as may be made from time to time.
- f. Inform all new members of unfinished business and planned priorities of the previous Board of School Committee, and of actions in process, no later than the end of the first month of the term of a new Board of School Committee, and inform members of the lack of authority of one Board of School Committee to commit a succeeding Board of School Committee to a course of action, pursuant to a ruling of the Attorney General to the State Board of Education (1975).
- g. Include in the agenda of the organizational meeting of the Board of School Committee, the adoption of rules, policies, and regulations to be followed.
- h. Ensure Board of School Committee compliance with the terms of the Right To Know Law- RSA:91-A. (See Addendum to Chapter 2)

**Chapter 5**  
**APPOINTMENTS AND PROMOTIONS**

5.01

When an additional teacher is required, or a vacancy is to be filled, the Superintendent of Schools shall make a nomination for election by the Board, stating the qualifications and experience of the candidate.

Notice of the nominations of new teachers shall be submitted to all Board members at least three days before the meeting.

**5.02 When an additional Director, Principal, Assistant Superintendent is required, or a vacancy is to be filled, the Superintendent shall present at least three names if available to the Board stating the qualifications and experience of the candidates. The Board shall interview the candidates presented by the Superintendent after which the Superintendent shall make a nomination for election by the Board.**

**5.02 3** No employee shall begin employment without the approval of the Board of School Committee.

*Note:*

**5.02 4** Under ED 302.02 (i) of the State Board's administrative rules, the Superintendent of Schools "shall provide for temporary staff to fill vacancies and provide for supplies needed immediately for the operation of schools." This authority allows the Superintendent of Schools to fill vacancies that may arise between Board of School Committee meetings.

## **REGULATIONS OF THE STATE BOARD OF EDUCATION POWER AND DUTIES OF BOARD OF SCHOOL COMMITTEES**

1. The Board of School Committee shall adopt such policies as are necessary and desirable to control and effectuate the recruitment, employment, evaluation, and dismissal of teachers and other employees and may delegate authority to the Superintendent of Schools to carry out the provisions of such policies excepting that no teacher shall be employed who has not been nominated by the Superintendent of Schools and elected by the Board of School Committee.
2. The Board of School Committee shall adopt such policies as are necessary and desirable to control and effectuate the purchase of equipment, supplies, or services and may delegate to the Superintendent of Schools the authority to make commitments in accordance with such policy.
3. The Board of School Committee shall, through appropriate planning and required action, make suitable provision for the physical accommodation of all students in approved schoolhouses or other suitable facilities; shall provide required transportation of students; and

shall provide that all school buildings and other learning environments be maintained in a manner consistent with acceptable standards of health and safety.

4. The Board of School Committee shall seasonably prepare a budget of school expenditures and make suitable and timely assignments of the school money to the various needs of the schools. In state-aided districts, accounts shall be kept as the State Board of Education shall require and shall be open at all times to the inspection of the Superintendent, and any other officer of the State Board of Education and to the public in accordance with the Laws of the State of New Hampshire.
5. The Board of School Committee shall hold meetings for the transaction of business at least once a month and shall require the attendance of the Superintendent of Schools or his designee. The Board of School Committee shall cause a written record to be kept of each meeting.
6. The Board of School Committee shall, in consultation with the Superintendent of Schools, and in accordance with statutes and regulations of the State Board of Education, determine the educational goals of the School District, develop long-range plans, and identify measurable and attainable short-term objectives. The Board of School Committee shall require the implementation of educational programs designed to reflect the goals and objectives and further, the Board of School Committee shall require the appropriate review of such programs and make public the results of such investigation.

## **REGULATIONS OF THE STATE BOARD OF EDUCATION POWER AND DUTIES OF SUPERINTENDENT OF SCHOOLS**

The Superintendent of Schools shall serve as the executive head of the public schools. He/she shall be responsible for planning and administering their affairs subject to statutory requirements, the regulations of the State Board of Education, and the policies of the local districts. The position shall develop and maintain a system of public schools, capably staffed to provide quality education and supportive services. The Superintendent of Schools shall provide, develop, and implement the procedures to achieve educational objectives within his/her administrative unit.

In performance of those duties, he/she shall be directly responsible to the State Board of Education through its Commissioner, and the Board of School Committee or Board of School Committees of the Supervisory Union.

The Superintendent of Schools may be supported by one or more assistants such

as assistant superintendents, business administrators, and teacher consultants. He shall delegate such of his duties as is necessary and desirable for the efficient completion of the requirements of the position.

1. The Superintendent of Schools shall nominate all professional central office personnel.
2. The Superintendent of Schools shall direct and supervise the work of all employees of the district and shall have all powers necessary to make such direction effective. While the Superintendent of Schools has ultimate responsibility, he may delegate powers and duties to other personnel.
3. The Superintendent of Schools shall nominate all certificated staff and appoint other employees in accordance with the laws, regulations of the State Board of Education, and Board of School Committee policies.
4. The Superintendent of Schools shall be responsible for the selection and purchase of textbooks and all other scholastic apparatus and supplies in accordance with the regulations of the Board of School Committee and the State Board and see that the same are suitably distributed to the school, accurately accounted for, and economically used.
5. The Superintendent of Schools shall be responsible for developing and recommending to the Board of School Committee the annual budget for the support of the educational program and for the operation and maintenance of schools in accordance with Board of School Committee policy.
6. The Superintendent of Schools shall be responsible for an accounting system and financial reporting procedure in order that all funds will be accounted for in accordance with local Board of School Committee policy, and local and state law.
7. The Superintendent of Schools shall be responsible for the development of an educational plan for the School District or School Districts and for recommending a program of studies suitable to the needs of the pupils and the community in accordance with local Board of School Committee policies, state statutes, and State Board of Education regulations.
8. The Superintendent of Schools may, for cause, remove a teacher or other employee of the School District in accordance with state statutes.

9. The Superintendent of Schools shall recommend the dismissal of certified staff to the Board of School Committee, recognizing its authority to dismiss according to the statutes.
10. The Superintendent of Schools shall provide for temporary vacancies and shall have the authority to secure supplies immediately needed for the operation of the schools.
11. The Superintendent of Schools shall be responsible for maintaining records and making reports as required by the State Board of Education and the local Board of School Committee.
12. The Superintendent of Schools shall admit pupils to school attendance in accordance with the laws of the state and the regulations of the State Board of Education and policies of the local Board of School Committee. The Superintendent shall assign them to such classes and grades as he finds their needs warrant.
13. The Superintendent of Schools shall provide for the alleviation of hazardous conditions of an emergency nature that affect the health and welfare of pupils.
14. The Superintendent of Schools shall be responsible for the evaluation of personnel and programs in accordance with local Board of School Committee policies.
15. The Superintendent of Schools shall be responsible, after notice, for the implementation of the policies and regulations of the State Board of Education. He/she is expected to participate in the development and evaluation of said policies and regulations as requested by the Commissioner of Education.

#### **REGULATIONS OF THE STATE BOARD OF EDUCATION POWER AND DUTIES OF PRINCIPALS**

1. The school principal shall be responsible for the internal organizational structure of the school, the programs of the school, the governance of the student body, the utilization of technology and the utilization of the plant in accordance with local Board of School Committee policy and/or as directed by the Superintendent of Schools.
2. The school principal shall evaluate and make recommendations to the Superintendent concerning candidates for professional and non-

professional positions within the school administrative unit in accordance with local Board of School Committee policy and/or as directed by the Superintendent of Schools.

3. The school principal shall assign, direct and evaluate all personnel employed within the school administrative unit in accordance with local Board of School Committee policy, administrative regulations, and as directed by the Superintendent of Schools.
4. The school principal shall perform any other duties assigned by the Superintendent of Schools in accordance with local Board of School Committee policy, state statutes and regulations of the State Board of Education.