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NATIONAL EDUCATION ASSOCIATION

Report of the Commission

ON

Administrative Legislation

MEETING OF DEPARTMENT OF SUPERINTENDENCE
Atlantic City, New Jersey
February, 1918



NATIONAL EDUCATION ASSOCIATION

Standing Committee on Administrative
Legislation

Report of the Commission
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CHARLES E. CHADSEY, 1876 -
CHAIRMAN

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REPORT OF COMMISSION ON ADMINISTRATIVE LEGISLATION

A resolution adopted last year at Kansas City recommended that "a commission of ten be created, to be known as the Commission on Administrative Legislation, to work out details in the form of rules suitable for adoption by boards of education, and model laws to be recommended to legislatures, and to present these to this department for action at the next annual meeting." In the performance of this duty the Commission on Administrative Legislation was instructed to give special attention to board rules and laws now in operation, and to support its recommendations by direct reference to such rules or by-laws. In compliance with these instructions the following tentative report is submitted for your consideration. The adoption of the resolution recommending the creation of this Commission resulted from the report of the Committee on Relation between Boards of Education and Superintendents, which submitted to the department at its Kansas City meeting a report including certain general principles which should be followed in the organization and determination of the powers of boards of education, and which should govern the relation between boards of education and superintendents. The following statements briefly summarize these principles, which were adopted by the Department of Superintendence and which governed this Commission in its preparation of this report:

1. A board of education should represent the school district as a whole and not by districts or wards.
2. The board of education should not be a subordinate body to any other branch of local government, but should have complete autonomy.
3. Definite and large responsibilities should be placed upon the executive head of the schools—the superintendent—if possible by the general law under which the board of education is organized, and where such definite power is not secured by the law itself such powers should be specifically delegated to the superintendent by the by-laws adopted by the board of education for the organization and conduct of the school system. Such laws or by-laws ought to provide for the superintendent the right of initiative in such matters as the nomination and discharge of subordinates, the courses of study and the selection of textbooks, and a determining voice in matters of building and equipment and in the preparation of the budget to be submitted to the board of education for its consideration.

In the consideration of the question as to the material to be presented to the department in this report, it was determined to follow, as far as possible, the exact suggestions of the resolution establishing the Commission, and to submit to the department certain by-laws which seem to carry out to a very great extent the principles already approved by the department. The members of the Commission were asked to study the rules and by-laws of boards of education with which they were familiar, and to endeavor to determine whether fundamental by-laws needed to differ materially in their form and content when designed for large city school districts or for

small units. Some study of these principles and a study of certain typical by-laws seem to indicate that there is no occasion for any such distinction.

It is true that in many of the larger school districts it is necessary that a department of business be established with administrative officers and the other paraphernalia of a business organization, but the fundamental principles governing this organization are the same even when the amount of this special business is not so great as to prevent the superintendent himself from directly administering it. In both small towns and large cities the relation of the board of education to the superintendent should be the same. The same general powers and the same privilege of initiative should exist in both cases.

Nor need there be any special difference in the organization of the board of education itself. The abolition of permanent committees and sub-committees of the board of education is equally desirable in large school units and in small school systems. Nor is there any occasion for changed methods in the technical operations of the board of education and its business department.

The following by-laws and rules of certain typical cities are submitted as embodying the approved principles of organization. It is easy to see that a large school system needs to have provision in its by-laws for the appointment of assistant superintendents, various supervisors, business manager, or assistant superintendents in charge of the business, subordinate in either case to the superintendent, special officials, such as chief engineer, supervising architects, etc., which might not be necessary at all in the by-laws of a small system. With these necessary modifications and other modifications in phraseology which may be necessary to comply technically with general or special school laws governing the organization of boards of education in various communities, it is believed that these typical by-laws and rules may be safely used as models for school systems whose rules need revision. It should be understood that this Commission is not submitting the entire rules or by-laws of these boards of education, but only such articles as have direct bearing upon the question of organization. Your Commission feels that a study of these by-laws indicates that widely different communities are at the present time operating under rules essentially the same, and is therefore encouraged in its belief that there need be little fundamental difference in such by-laws, and that, in many cases, cities now operating under the cumbersome plan of highly organized committee government with the necessarily sharp limitation of the powers and initiative of the superintendent may be placed under a simpler and more direct administration. The fact that this tendency toward simplification is in such absolute harmony with general tendencies in governmental procedure encourages us in our belief that in the immediate future many cities may improve their school organization thru a study of the principles herewith enumerated and the particular rules herewith submitted.

MINNEAPOLIS, MINNESOTA

BY-LAWS OF THE BOARD

I. ORGANIZATION

1. The meeting of the board for organization shall be held on the first Monday after January 1 of each year succeeding the biennial election of directors. It shall be called to order by the secretary, or in his absence by a senior member of the board, and a president and secretary *pro tempore* shall be chosen. The board shall then elect a president and a secretary for the ensuing two years.

2. The regular meetings of the board shall be held at its office on the second and last Tuesday of each month at 2:00 p.m.

3. The order of business shall be as follows:

- a) Calling to order
- b) Approval of minutes
- c) Report of superintendent
- d) Report of business superintendent
- e) Report of committees
- f) Petitions and communications
- g) Unfinished business
- h) New business
- i) Claims and accounts

4. *Roberts' Rules of Order* shall be the authority unless otherwise provided.

5. The president shall preside at all meetings of the board, appoint all committees not otherwise ordered, and perform such duties as are provided by law. In the absence of the president from any meeting, a president *pro tempore* shall be elected.

6. The secretary shall audit all claims, approve all bills, and perform such duties as are provided by law.

7. At the first regular meeting in February, or at any regular meeting when there is a vacancy in the superintendency, the board shall elect a superintendent of schools for a three-year term, which shall begin on August first, following the election, or on such other date as may be determined by the board.

8. The board shall employ an assistant superintendent in charge of business affairs and an assistant secretary, who shall be secretary to the superintendent, in accordance with the rules of the civil service commission, all of whom shall be and act under the general direction of the superintendent.

9. Special committees of the board, appointed by the president unless otherwise ordered, shall investigate and act for the board in such ministerial matters as may be assigned to them by the board and in other matters, subject to the approval of the board. Such committees shall report to the board in writing in such manner and at such times as called upon by the board.

10. Any by-law of the board may be enacted, amended, repealed, or suspended only at a regular meeting of the board and by unanimous vote of the full board membership, except that where notice of such proposed action shall have been given in writing at the regular meeting last preceding, such enactment, amendment, repeal or suspension may be made by the affirmative vote of five (5) members of the board.

II. SUPERINTENDENT

The superintendent is the executive officer of the board for the management of the schools.

He shall:

1. Attend the regular and special meetings of the board, and shall cooperate and advise with all committees of the board.

2. Prepare and submit to the board by-laws, rules, and regulations for the proper conduct and guidance of the board and the management of the schools.
3. Arrange and change the boundaries of the school districts, subject to the approval of the board.
4. Investigate the need of, and recommend to the board, provision for school facilities in the various districts.
5. When called upon, give written opinions to the board or its committees of all matters to be acted upon, and make written monthly reports of the general condition of the schools, with such recommendations for their improvement as require action of the board; at the second regular meeting in July he shall submit an annual report.
6. Recommend to the board from time to time administrative officers, principals supervisors, and teachers, and, in accordance with the rules of the Civil Service Commission where applicable, physicians, nurses, stenographers, clerks, and other employes as there is need for employment during the year; and on or before the last board meeting in March each year recommend principals for reappointment, and on or before the last board meeting in April of each year recommend teachers for reappointment, with salaries in accordance with the salary schedules.
7. When called upon by the board, cause to meet in conference with the board any person whom he may wish to recommend for appointment; and submit for approval of the board proposed transfers from one type of position to another.
8. Recommend to the board for approval courses of study and important changes in courses of study and all textbooks to be used in the schools.
9. Prepare in conference with the assistant superintendent in charge of business affairs an annual budget, showing by departments appropriations necessary to meet the estimated needs of the ensuing school year, and submit the same to the board for approval on or before the first regular meeting in May each year.
10. Immediately after the school tax has been allowed by the tax levy board and the same has been levied by the board, prepare and submit a detailed budget of estimated expenditures for each department of the school system during the then current fiscal year.
11. Within the limits of the detailed budget of estimated expenditures for the year, duly approved by the board, have power to approve and direct all purchases and expenditures, making to the board at any time such report of expenditures, in addition to the monthly report of the auditor, as the board may request.
12. Recommend to the board transfers from one budget to another as conditions may require.
13. In the interest of efficient administration have power to decide all matters of detail purely ministerial and administrative in character that may arise concerning which no specific provision is made in these by-laws, rules, and regulations. All decisions of the superintendent as herein authorized, must be reported by him to the board not later than the first regular meeting of the board following such decisions.

III. THE ASSISTANT SUPERINTENDENT IN CHARGE OF BUSINESS AFFAIRS

The assistant superintendent in charge of business affairs is responsible for the construction, operation, and maintenance of buildings and equipment, maintenance of grounds, accounting and auditing, purchase, storage and distribution of stores, insuring school property, supervision of all building by contract, safe-keeping of documents and records, and shall:

1. Give bond for the faithful performance of his duties.
2. When required, attend meetings of the board and advise and cooperate with the board's committees.
3. Represent the board under its direction in negotiations relating to the construction, repair, and maintenance of school property.

4. Purchase, receipt for, store, and distribute books, supplies, and materials as authorized by the board and as directed by the superintendent.

5. Recommend to the board thru the superintendent from time to time such assistants, stenographers, clerks, engineers, janitors, foremen, and mechanics as shall be needed for continuous employment in the business department; and have authority, with the approval of the superintendent, to employ for brief periods such workmen as are necessary for the execution of the work of this department, and to discharge the same, provided that all employment herein specified shall be made in accordance with the rules of the Civil Service Commission.

6. Make to the board thru the superintendent written monthly report of the general condition of the buildings and other property of the board as to repairs, construction, and improvement, including such requests of principals as require action of the board, with recommendations thereon.

7. Supervise all matters of repair and have general charge of all buildings belonging to the board.

8. Make and keep accurate and reliable real- and personal-property records which shall give the cost, time of purchase or acquisition, present value, and the location of the property.

9. Cause the property of the board to be insured in such amounts as the board may from time to time direct, and keep a record of insurance placed on school property.

10. Examine contracts and other papers in which the board is a party.

11. Receive tuition fees, money from the sale of books or other school property, the use of buildings or other sources, except such as are paid to the city treasurer according to law, and deposit all moneys collected by him with the city treasurer.

12. Audit all claims, approve all bills, and submit the same to the secretary of the board for his audit and approval.

13. Audit and control all cash collections received by agents of the board and determine the kind and form of reports to be required of such collecting agents.

14. Keep the revenue and expense, asset and liability accounts, budget-allotment ledger, registers of purchase orders, vouchers and warrants, expenditure distribution record by schools, civil service and pay-roll rosters, registers of leases, rents, personal bonds, and building construction contracts.

15. Draw all warrants in payment of claims against the board.

16. Submit to the board a monthly report of receipts, disbursements, and budget balances at the first meeting each month, and an annual report at the second regular meeting in July each year.

17. Act as custodian of all contracts, securities, documents, title papers, books of record, and other papers belonging to the board.

18. Perform such other duties as may be assigned by the board or the superintendent.

IV. THE ASSISTANT SECRETARY OF THE BOARD AND SECRETARY TO THE SUPERINTENDENT

The assistant secretary of the board, who shall be the secretary to the superintendent, shall:

1. Have immediate charge of stenographers, clerks, and other employes in the educational department of the administrative offices.

2. Keep the minutes of the meetings of the board and a calendar of all matters referred to committees and others, and report action or non-action on the same at each regular meeting.

3. Within three days after the meeting send a copy of the minutes of every meeting to every member of the board.

4. Forty-eight hours before each regular meeting send to every member of the board and to the superintendent written notice of the meeting, with calendar of all matters to

be brought before the meeting so far as these are known at the time of sending the notice.

5. Receive and reply to all communications to the board according to directions of the board.

6. Perform such other duties as may be directed by the board, the secretary of the board, or the superintendent.

RULES FOR THE USE OF THE BOARD OF EDUCATION IN THE GOVERNMENT OF THE CITY SCHOOLS, HURON, SOUTH DAKOTA

1. The meeting of the board of education for organization will be held the last Friday of May of each year. It shall be called to order by the clerk. The board shall then elect a president, a vice-president, and a clerk for the ensuing year.

2. The regular meetings of the board shall be held at the office of the superintendent on the last Friday of each month.

3. The order of business shall be as follows:

- a) Reading and approval of minutes
- b) Claims and accounts
- c) Communications
- d) Reports and recommendations of the superintendent
- e) Unfinished business
- f) New business
- g) Reports of special committees

4. *Robert's Rules of Order* shall be used in conducting the business of the board.

5. The president shall preside at all meetings of the board, appoint all special committees not otherwise ordered, and perform such other duties as are provided by law. In the absence of the president from any meeting, the vice-president shall preside.

6. Special committees of the board, appointed by the president, unless otherwise ordered, shall investigate and act for the board in such ministerial matters as may be assigned; but no standing committees shall be appointed. If so ordered, such special committees shall report to the board in writing in such manner and at such times as ordered by the board.

7. At the regular meeting in January, or at any regular meeting when there is a vacancy in the superintendency, the board shall elect a superintendent of schools for a three-year term, which shall begin on August first, following the election, or on such other date as may be determined by the board.

8. At any regular meeting of the board any rule or regulation governing the schools may be enacted, amended, or repealed by a majority vote of the full board membership, provided that notice of such action shall have been given at the last regular meeting preceding.

9. The superintendent is the executive officer of the board of education for the management of the schools.

10. He shall attend the regular and special meetings of the board and shall be a member of, and advise with, all special committees of the board.

11. He shall prepare and submit to the board rules and regulations for the management of the schools.

12. He shall investigate the need of, and recommend to the board, provision for school facilities in the school system.

13. He shall, when called upon, give written opinions to the board or its special committees of all matters to be acted upon, and make written reports of the general condition of the schools, with such recommendations for their improvement as require action of the board. At the regular meeting in July he shall submit an annual report.

14. He shall recommend to the board, from time to time, principals, supervisors, and teachers, and the other employes of the school system as there is need for such employment during the year, and the board shall elect no school employe not recommended by the superintendent. On or before the last Friday of March each year the superintendent shall submit the names of persons recommended to be appointed or reappointed for the ensuing year.

15. He shall recommend to the board for approval important changes in courses of study and textbooks to be used by the schools.

16. He shall have power to suspend any pupil from the schools whenever in his judgment the best interests of the school demand such action, such suspension to be reported to the board at its next regular meeting.

17. He shall prepare an annual budget showing by departments appropriations necessary to meet the estimated needs of the ensuing school year, and submit the same to the board for approval on or before the regular meeting in June each year.

18. He shall within the limits of the detailed annual budget for the year, duly approved by the board, have power to direct expenditures and purchases, the board auditing all bills and accounts at each regular meeting, and at the close of each semester in January and June checking all expenditures in terms of the annual budget.

19. He shall recommend to the board transfers from one budget item to another as conditions may require.

20. In the interest of efficient administration he shall have power to decide all matters of detail purely ministerial and administrative in character that may arise, concerning which no specific provision is made in these rules and regulations. All important decisions of the superintendent as herein authorized must be reported by him to the board not later than the first regular meeting of the board following such decisions.

BY-LAWS OF THE BOARD OF EDUCATION OF THE CITY OF DETROIT

I. ORGANIZATION

1. The annual meeting of the board shall be held at twelve noon on the first day of July of each year, except when said day shall be Sunday, in which case it shall be held on the day following. At this meeting a president and president *pro tem* shall be elected for the ensuing year and, unless their term of office shall expire at the end of the year, until their successors are elected and have qualified. This meeting shall be otherwise a regular meeting of the board.

2. The officers of the board shall be a president and a president *pro tem*. The election of these officers shall be by a viva voce vote in each case. The majority of the members of the board present shall be necessary in such case to elect.

3. The president shall have the usual powers and he shall be charged with the ordinary duties pertaining to that office. He shall appoint all special committees, unless otherwise ordered, and call meetings of the board when he shall deem it necessary.

4. The president *pro tem* shall have the powers and perform the duties of the president in case of the absence from the city, sickness, disability, or death of that officer.

5. Regular meetings of the board shall be held on the second and fourth Thursdays of each month, at 8:00 o'clock p.m., excepting that the first regular meeting of July in each year shall be held on the day prescribed by Rule 1.

6. Special meetings may be called by the president, or by not less than three members, but no business shall be transacted except that for which the meeting was called, and which shall be stated in the call. Notice shall be sent by mail or messenger at least twenty-four hours before the hour of meeting.

7. On or before the first day of May in each year the board shall appoint suitable persons to take the school census as prescribed by law, at a compensation to be fixt by the board, and approve the bills, if correct, for doing this work.

8. The board shall appoint the following officers: superintendent of schools, business manager, secretary, architect (when needed), engineer (when needed), and such other officers as may be required from time to time.

9. Order of business:

First—Reading of minutes of the last meeting or meetings

Second—Communications from the superintendent

Third—Reports of special committees

Fourth—Unfinisht business

Fifth—New business

10. The rules of parliamentary practice comprised in *Roberts' Rules of Order* shall govern the board in all cases not otherwise herein provided.

II. SUPERINTENDENT

The superintendent of schools shall be the executive officer of the board of education, and under its direction he shall attend all meetings of the board and be granted the privilege of taking part in its deliberations.

1. He shall establish and change the boundaries of school districts.

2. He alone shall be directly responsible to the board of education for the efficient operation of all school functions of the board of education.

3. He shall have sole power to nominate and to assign, transfer, promote, and demote or suspend all assistant superintendents, supervisors, principals, teachers, and other employes of the board of education as hereinafter provided. All nominations, promotions, demotions, suspensions, assignments, and transfers of employes of the board of education which shall be made by the superintendent shall be reported in writing to the board at its next regular meeting and shall stand confirmed unless disapproved by the board by a vote of not less than four members of the board. He shall have immediate control of all assistant superintendents, supervisors, principals, and teachers. All directions and suggestions to them with reference to the performance of their respective duties shall come thru him.

4. He shall prepare and submit to the board for approval the several courses of study to be followed, and shall select and recommend to the board for adoption all textbooks used in the schools. In the preparation of such courses and the selection of such textbooks he shall have the cooperation of other officers of instruction and of such special committees of teachers, principals, and supervisors as he may from time to time appoint for such specific purposes.

5. He shall, on or before the first meeting of January, submit to the board of education an estimate of expenditure for all purposes of the board of education for the ensuing year.

III. BUSINESS MANAGER

The business manager shall be the secretary of the board and shall be directly responsible to, and under the direction of, the superintendent of schools for the efficient administration of the construction, maintenance, and operation of buildings, purchase, storage, and distribution of supplies, accounting and auditing, and insuring of school property.

1. He shall furnish bond to the amount of \$10,000, cost to be assumed by the board of education.

2. He shall maintain an accounting procedure adequate to record in detail all transactions affecting the acquisition, custodianship, and disposition of values, including cash receipts and disbursements.

3. He shall submit, thru the superintendent at the first regular monthly meeting of the board a statement showing the status of each appropriation item and such other

statements as may from time to time be deemed advisable to show the financial condition of the board.

4. He shall prepare an inventory of the property of the board as of June 30 of each year, and submit the same thru the superintendent to the board not later than August 1 of each year.

5. He shall recommend, thru the superintendent, to the board, the employment and dismissal of all subordinates under his jurisdiction.

6. He shall purchase all supplies and materials approved for purchase by the board, and shall store and distribute the same.

7. He shall have general control of all persons employed in the department of the business manager and shall be responsible for the operation of all buildings.

8. He shall have general supervision of all the repairs to buildings authorized by the board, and of the maintenance of the land and buildings of the board.

9. He shall be responsible for the construction and alteration of buildings in accordance with the plans and specifications approved by the board.

10. He shall be the custodian of all property, real or personal, owned or borrowed by the board.

IV. SUPERVISOR

The supervisor shall inspect construction of new buildings and additions to buildings and extensive repairs upon buildings; shall keep watch of expenditures in such construction and repair work, and shall perform such other duties as may be assigned him by the business manager.

V. CHIEF ENGINEER

The chief engineer shall be directly responsible to the business manager of this board for the maintenance and operation of the heating and ventilating plants in the various schools, and for the cleaning of the various buildings by the janitor force, and for general repairs and supervision of school property, and shall be responsible for the requisitions and specifications of materials involved in said maintenance and general repairs.

The chief engineer shall be charged with the responsibility for economy and efficiency in his department and to that end shall have the authority to hire or discharge any employe in his department.

VI. ASSISTANT SECRETARY OF THE BOARD

The business manager shall designate from his official staff, subject to the approval of the board, some person as assistant secretary of the board, who shall keep the minutes of the meetings of the board and a calendar of all minutes referred to the special committees and others, and report action or non-action on same at each regular meeting. Forty-eight hours before each meeting he shall send each member of the board and superintendent a written notice of the meeting with calendar of all minutes to be brought before the meeting, so far as these are known at the time of sending the notice; receive and reply to all communications of the board according to the directions of the board.

The assistant secretary shall, in case of the absence, sickness, disability, or death of the secretary, perform the duties of the secretary until a new business manager is elected by the board.

VII. TREASURER

The treasurer of the city of Detroit shall be the treasurer of the board of education (Act No. 132, Laws of 1903).

VIII. LIBRARY COMMISSIONERS

A member of the board of commissioners of the Public Library shall be elected by a viva voce vote at the first regular meeting in December of each year. Elections to fill vacancies in the board of commissioners of the Public Library shall be by viva voce vote.

IX. EXPENDITURES

1. *a)* All purchases of furniture and supplies and of all material needed in making repairs and in doing any work shall be made by the business manager, under direction of the superintendent. All purchases exceeding \$100 in amount shall be made from the lowest responsible bidder, unless the board otherwise directs. Purchases shall be made upon numbered orders, and when bills are rendered for such goods, said bills shall give the number of the order upon which goods were supplied.

b) In case of urgent necessity the business manager shall be authorized to incur a liability not exceeding two hundred dollars.

2. *a)* Pay-rolls for salaries, estimates of contractors, and bills for payment of all purchases must in all cases be properly certified and attached to a voucher on which shall be entered the name, date, amount, etc. When so certified and audited, the voucher shall be presented to the board, and if the board shall approve and order payment of same, such action, with the date thereof, shall be indorsed thereon by the business manager. No bills shall be paid unless so audited and approved.

b) All teachers, engineers, janitors, workmen, and other employes drawing money from the board of education, and all claims duly approved as provided by law shall be paid by the city treasurer after being certified by the city controller.

3. Salaries of all positions shall be named at the time or before the nomination or appointment. The pay or workmen shall be fixt by the business manager, at the time of employment, and be at a rate per day.

X. FUNDS

The funds of the board, which shall be kept under separate accounts in conformity with the appropriations allowed by the common council and board of estimates, shall consist of the following:

1. Building Fund—To which shall belong all moneys levied and collected, and which are to be expended for land, buildings, and permanent improvements, as provided in Section 14 of the Amended School Act.

2. Maintenance Fund—To which shall belong all moneys collected for the payment of salaries of janitors, officers, and clerks, for the payment of repairs, both general and special, and all other moneys collected, not specifically provided for.

3. Teachers' Salary Fund—To which shall belong all moneys appropriated and collected for the payment of salaries of teachers.

4. The Contingent Fund is a sum not exceeding two hundred and fifty dollars (belonging to the Maintenance Fund), placed in the custody of the business manager, who shall be accountable for the same.

From the Contingent Fund the business manager is authorized to advance or pay incidental or petty expenses, also items of urgently needed supplies, subject to the approval of the proper committees, and reimbursement thru the action of the board.

XI. SCHOOL CENSUS

The school census of the city must be taken according to law, within twenty days next preceding the first day in June of each year, and the same, with the affidavit of its correctness, to be made by the person or persons taking it, shall be filed with the business manager on or before the last-named day. Said school census shall show the number of children between five and (under) twenty years of age, and the number between fourteen and eighteen, and such other information as may be called for.

XII. REMOVALS

Any officer of this board, whether elected or appointed, may be removed for cause by a vote of two-thirds of the members-elect, under such form of procedure as a majority of the board may direct for the particular occasion.

XIII. AMENDMENTS

These rules may be amended at any regular meeting by a vote of not less than four members of the board, said amendment having been proposed at a previous meeting.

XIV. RULES MAY BE SUSPENDED

The by-laws and rules of the board of education may be suspended at any regular meeting of the board by a two-thirds vote of the members present.

BY-LAWS OF THE BOARD OF DIRECTORS, SCHOOL DISTRICT NUMBER ONE, CITY AND COUNTY OF DENVER

ARTICLE I

SECTION 1. The twentieth amendment of the constitution of the state of Colorado, adopted November, 1902, and declared effective by the governor, December 1, 1902, declares this district to be a body corporate, by the name and style of "School District Number One in the City and County of Denver, and State of Colorado."

SECTION 2. The regular election for filling vacancies in the board of directors shall be held biennially, according to law, on the first Monday in May.

SECTION 3. The board of directors shall consist of five (5) members, elected in accordance with law, for a term of six (6) years each.

SECTION 4. The certificate of election or appointment of members of the board of directors and oaths of office shall be kept on record with the secretary, and on file with the county superintendent. The oath of office shall be made before a notary public within ten (10) days after election.

SECTION 5. At the first meeting of the board of directors after the annual election, the board shall proceed to organize by the electing of a president, who shall be a member of the board, a secretary, and a treasurer. The terms of office of these officers shall be two (2) years.

SECTION 6. At the first regular meeting in January, or at any regular meeting when there is a vacancy in the superintendency, the board shall elect a superintendent of schools for the term of three (3) years, which shall begin July first, following the election, or on such other date as may be determined by the board.

SECTION 7. At the January meeting, the board of directors shall employ an assistant superintendent in charge of business affairs for a term of two (2) years, who shall be and act under the general direction of the superintendent of schools, and at this meeting the board shall also employ an attorney for the district for a term of two (2) years.

ARTICLE II

SECTION 1. The president, when present, shall preside at all meetings of the board and the district. He shall sign all contracts, bonds, and orders for the payment of money. He shall appoint all committees, unless otherwise ordered. The president shall also be custodian of the official bond of the secretary, which shall be recorded in the records of the corporation, and kept by him in a box in a safe deposit company. He shall exercise such other powers as properly appertain to his office, or which may be conferred upon him by the board.

SECTION 2. The secretary shall have charge of all records of the board of directors and of the district. He shall be custodian, and shall keep in a fireproof vault, or other safe place, all contracts, securities, documents, title papers, books of record, insurance policies, receipts, bills, canceled bonds, coupons, and warrants, and, with the exception of his own bond, other papers belonging to the school district.

SECTION 3. The secretary shall have charge of the accounting and bookkeeping department of the board of directors, and of the bookkeepers, stenographers, clerks, and other employes in this department, and, with the approval of the superintendent of schools

he shall recommend to the board, from time to time, such employes as shall be needed for the execution of his work.

SECTION 4. The secretary shall keep the minutes of the meetings of the board of directors and a calendar of all matters referred to committees and others, and report action, or non-action, on the same at each regular meeting.

SECTION 5. The secretary shall send written notices of both special and regular meetings, as provided by these by-laws, and he shall, within three (3) days after each meeting, send a copy of the minutes of each meeting to each member of the board of directors, to the attorney, to the superintendent of schools, and to the assistant superintendent in charge of business affairs. He shall receive and reply to all communications to the board, according to the direction of the board.

SECTION 6. The secretary shall cause the property of the board to be insured in such amounts and with such agents as the board may, from time to time, direct, and he shall keep a record of the insurance on all school property.

SECTION 7. The secretary shall prepare the pay-roll upon information given him by the superintendent and his assistants.

SECTION 8. The secretary shall audit all bills and claims against the district. He shall also draw all warrants in payment of claims against the district.

SECTION 9. The secretary shall audit all cash collections received by the agents of the board and, with the approval of the superintendent of schools, shall determine the kind and form of reports to be required of such collecting agents. He shall receive all moneys collected from tuition, fines, sale of textbooks, sale of school property, lunchroom sales, supplies, use of school property, etc., and he shall deliver the same to the treasurer of the district at least once a month.

SECTION 10. The secretary shall submit to the board of directors and superintendent a monthly report of receipts, disbursements, and budget balances at the regular meeting of the board, and an annual report at the July meeting each year.

SECTION 11. The secretary shall perform all duties imposed upon him by law, and such other duties as may be directed by the board of directors.

SECTION 12. The treasurer of the district shall receive all moneys accruing from the sale of bonds, and shall pay out the same upon warrants signed by the president and secretary on account of erection and furnishing of school buildings and the purchase of school grounds. He shall countersign all warrants drawn upon the county treasurer.

SECTION 13. The treasurer of the district shall keep all necessary accounts pertaining to the duties of his office, and shall render a semiannual report of all moneys received and disbursed by him. He shall furnish such bonds as shall be required by the board.

SECTION 14. The superintendent of schools shall be the executive officer of the board of directors for the management of schools. He shall attend all meetings of the board, unless there is urgent reason for his absence, and he shall cooperate and advise with all committees of the board. He shall have power to make rules not in conflict with law or these by-laws.

SECTION 15. The superintendent shall investigate the need of, and recommend to the board, provision for school facilities in the various districts. When called upon, he shall give opinions to the board or its committees of all matters to be acted upon, and he shall make monthly reports of the general condition of the schools, with such recommendations as he thinks best for their improvement, and which require the action of the board.

At the regular meeting in July, he shall submit an annual report.

SECTION 16. The superintendent shall recommend to the board, from time to time, administrative officers. He shall also recommend attendance officers, principals, supervisors, and teachers, in accordance with the rules of the board, physicians, nurses, stenographers, clerks and other employes in the educational department, as there is need for employes during the year, and before the first day of May, each year, submit the names of all persons to be appointed or reappointed for the ensuing year, with salary.

SECTION 17. The superintendent shall assign all teachers to their positions in the schools, and shall have power to make such change in the position of any teacher as may be necessary for the interest of the school. He shall determine the time and place for the examinations of applicants for positions as teachers; and he shall conduct or cause to be conducted, examinations of applicants for positions as teachers.

SECTION 18. The superintendent shall have power to suspend, temporarily, any teacher or other employe working under his direction, pending the action of the board; and he shall have power to suspend from the privileges of school any pupil guilty of infraction of the rules of the school. Pupils suspended may be reinstated by the superintendent.

SECTION 19. The superintendent shall recommend to the board, for approval, courses of study and improved courses of study, and all textbooks to be used in the schools. He shall prepare, in conference with the assistant superintendent in charge of business affairs, an annual budget showing, by departments, appropriations necessary to meet estimated needs of the ensuing year, and he shall submit the same to the board for approval on or before the first regular meeting in May of each year. He shall, within the limits of the detailed budget of estimated expenses for the year, duly approved by the board, have power to approve and direct all purchases and expenditures, making to the board at any time, in addition to the monthly report, such report of expenditures as the board may request. He shall recommend to the board the transfers from one budget to another, as conditions may require.

SECTION 20. In the interest of efficient administration he shall have power to decide all matters of detail, purely ministerial and administrative in character.

SECTION 21. The assistant superintendent in charge of business affairs shall have charge of the construction, operation, and maintenance of buildings and equipment, the maintenance of grounds, the purchase, storage, and distribution of supplies, material, and equipment, as authorized and directed by the superintendent of schools. And the assistant superintendent in charge of business affairs shall have the supervision of the erection of all buildings. He shall make such reports of the general condition of school property as may be directed by the superintendent of schools. He shall make an annual report to the board and to the superintendent of the general condition of the buildings and other property of the district as to repairs, construction, and improvement. He shall supervise all matters of repairs, and have general charge of all buildings belonging to the board.

SECTION 22. The assistant superintendent in charge of business affairs shall recommend to the board thru the superintendent from time to time such assistants, stenographers, clerks, engineers, janitors, foremen, and mechanics as shall be needed for continuous employment in his department; and he shall have authority, with the approval of the superintendent, to employ such workmen or other employes as are necessary for the execution of the work in this department, and to discharge the same. He shall attend all meetings of the board, unless there is urgent reason for his absence, and he shall give bond for such amount for faithful performance of his duties as shall be required by the board.

SECTION 23. The attorney shall attend all meetings of the board unless there is urgent reason for absence, shall represent the district and such officers and employes of the district as the board shall direct in all proceedings at law to which the district, the board, or any such employe shall be a party, as such, shall render opinions on the legality of titles of property of the district and of contracts entered into by the district, when requested so to do. He shall, when requested, advise the board, or any member or employe of it, on matters pertaining to the business or conduct of the district or its schools.

ARTICLE III

SECTION 1. The regular meetings of the board of directors shall be held on the second Wednesday of each calendar month, and on the last Saturday of the months of March, June, September, and December at the hour of 8 p.m. All meetings of the board shall be held in the offices of the board.

SECTION 2. The order of business at all regular meetings shall be as follows:

1. Roll call
2. Approval of minutes
3. Report of superintendent
4. Report of assistant superintendent in charge of business affairs
5. Report of committees
6. Petitions and communications
7. Report of secretary
8. Unfinished business
9. New business
10. Claims and accounts

Section 3. Special meetings of the board of directors shall be called by the secretary, upon the written request of three (3) members of the board. Written notices of every meeting, whether special or regular, shall be delivered or mailed to the Denver address of each member of the board at least twenty-four (24) hours prior to the time designated for such meeting.

SECTION 4. The majority of all members shall be necessary to constitute a quorum for the transaction of business.

SECTION 5. Upon the request of one (1) member, the "ayes" and "nays" shall be taken upon any motion before the board of directors. Each member present shall vote "aye" or "no" upon all questions, unless excused by the board of directors.

SECTION 6. Except as herein otherwise specified, the proceedings of the board shall be governed by the rules prescribed in *Roberts' Rules of Order*.

SECTION 7. The board of directors shall have one (1) standing committee, designated as the committee of the whole. Preceding each board meeting, when convenient, there shall be a meeting of the committee of the whole for the consideration of all matters pertaining to school affairs.

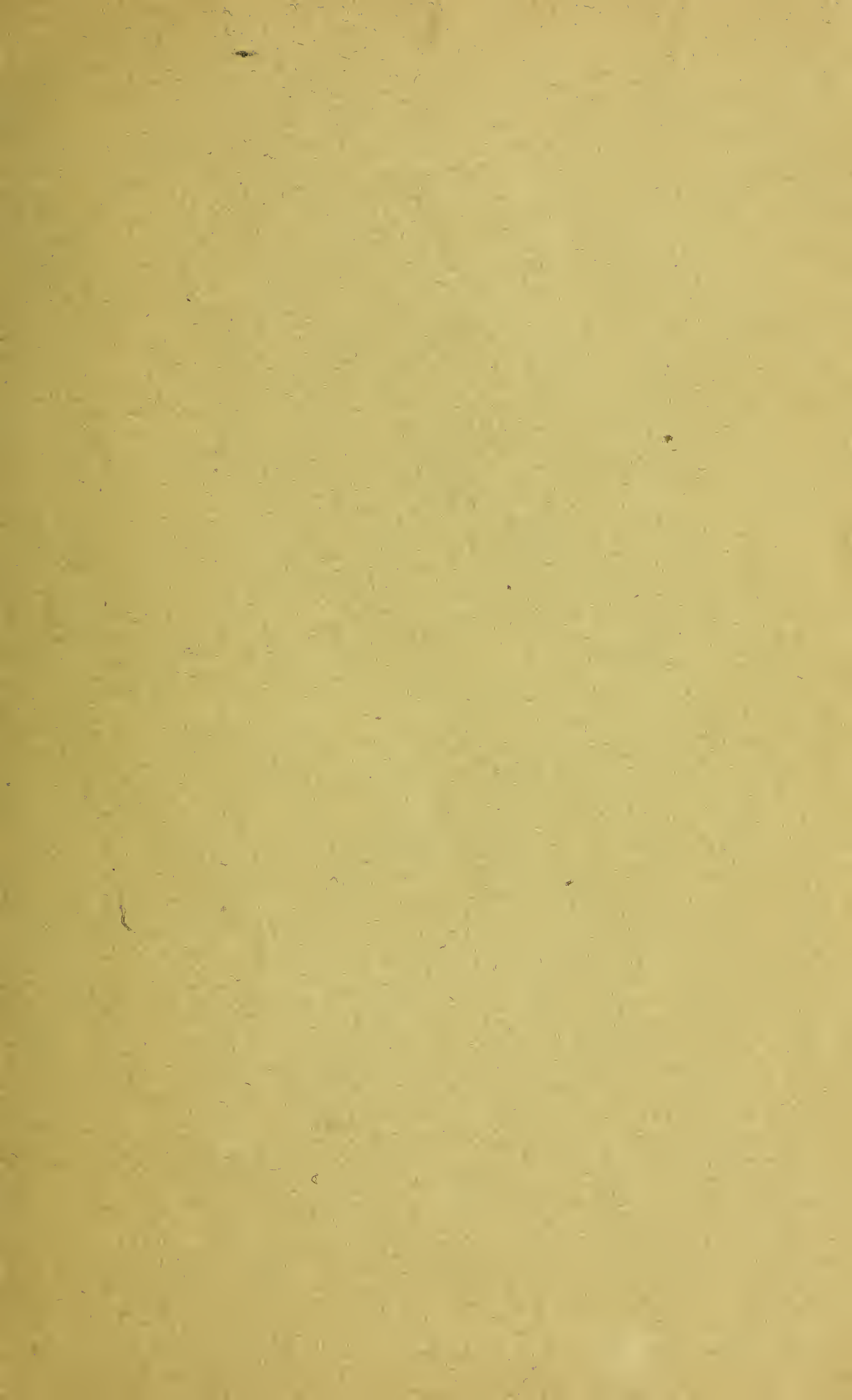
SECTION 8. Special committees of the board appointed by the president, unless otherwise ordered, shall investigate and act for the board in such ministerial matters as may be assigned to them by the board, and in other matters subject to the approval of the board. Such committees shall report to the board in writing, in such manner and at such times as called upon by the board.

SECTION 9. At any regular meeting of the board any by-law of the board may be enacted or repealed by a majority vote of the full board membership, provided that notice of the proposed action shall have been given at the regular meeting last preceding; any by-law may be suspended at any meeting by the unanimous vote of the full board favoring such suspension.

Your Commission has given some consideration to the question of a model school law, but has not been able to complete its study, and asks that it be continued for another year in order that it may give more consideration to this problem and submit a special report concerning the subject.

Respectfully submitted

C. E. CHADSEY, *Chairman*
J. D. SHOOP
H. S. WEET
MARY C. C. BRADFORD
CALVIN N. KENDALL
FRANK E. SPAULDING
WILLIAM M. DAVIDSON
ELLIS U. GRAFF
E. C. MOORE
E. A. EASTON



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