

HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT  
WENHAM, MA

B2001

HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT  
-BY-LAWS-

**ARTICLE I                      POWERS AND DUTIES**

The regional district school committee, herein after called the "Committee", shall have the powers, duties and limitations imposed upon it by law and by the District Agreement, which shall take precedence over any inconsistent provisions of these by-laws. The Committee shall at all times be guided by the best interests of the entire District and shall act in a fair and equitable manner. The Committee shall be open to comments and suggestions from and maintain liaison with officials of the towns of Hamilton and Wenham and shall conduct its affairs in an open and ethical manner, being careful not to disenfranchise any member of the Committee or resident of the member towns.

In carrying out its responsibilities, the Committee shall act as a legislative body, delegating executive functions to the Superintendent of School. It shall act as a committee of the whole. Individual members shall make no commitment for the Committee except when commissioned to do so by the Committee.

**ARTICLE II                      COMMITTEE ORGANIZATION AND OFFICERS**

The Committee shall organize in each year at its first regular meeting following the annual district election and shall elect and appoint its officers in accordance with the provisions of the District Agreement. The Committee shall by majority vote make such additional internal appointments and assign responsibilities as it desires. Vacancies among the elected or appointed officials of the Committee may be filled by the Committee at any time. Incapacity shall be determined by a 2/3rds vote of the Committee as a whole.

A.            Chairperson – The chairperson shall be and perform the duties of the chairman as prescribed in Chapter 71, Section 16A of the General Laws and the District Agreement, shall preside at all Committee meetings, shall sign for the District legal documents and contracts which have been authorized by the Committee and shall perform such other duties as the Committee may determine. The chairperson shall be entitled to vote on all matters.

At public presentation and at meetings with town officials or others at which the chairperson is present in his or her official capacity, the chairperson shall not represent or advocate any position other than the majority Committee position.

B.            Vice-Chairperson – The vice-Chairperson shall exercise the powers and perform the duties of the Chairperson in the absence or incapacity of the Chairperson. Incapacity shall be determined by 2/3rds vote of the Committee as a whole.

C.            Secretary – The secretary shall be responsible for the accuracy of the record of all School Committee business. However, the actual recording, preparation and distribution of minutes may be delegated to the Clerk for the School Committee. The Secretary shall perform the duties specified in the District Agreement and required by law and shall faithfully attest to the actions of the Committee as required.

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D. Assistant Secretary – The assistant secretary shall exercise the powers and perform the duties of the secretary in the absence of incapacity of the secretary.

E. Treasurer – The treasurer, who need not be a member of the Committee, shall be appointed annually by the School Committee. The Treasurer shall receive and take charge of all monies paid to the District or the Committee, and shall deposit the same in such banks as authorized by the Committee. He/she shall render reports of all receipts and disbursements. The treasurer shall sign approved bonds and notes of the District as required by law. He/she will perform all duties required by the Regional Agreement. The treasurer shall countersign along with the assistant treasurer all checks in the amount of \$100,000 or greater. The Treasurer and the Assistant Treasurer may be compensated by the District. The Treasurer shall be bonded in accordance with the laws of the Commonwealth of Massachusetts (MGL Chapter 41, Sections 35 and 109A).

F. Assistant Treasurer – The assistant treasurer, who need not be a member of the Committee, shall act in the absence or incapacity of the treasurer. In accordance with general accounting practices, the assistant treasurer may authorize and sign checks for operating expenses of the district. The assistant treasurer shall countersign along with the treasurer all checks in the amount of \$100,000 or greater. The assistant treasurer shall be bonded in accordance with the laws of the Commonwealth of Massachusetts. In the absence of the treasurer, the assistant treasurer shall perform the duties of the treasurer and shall have the powers and be subject to the requirements and penalties applicable to the treasurer.

G. Superintendent of Schools – The superintendent of schools shall act as the executive officer of the Committee. In addition to the duties as specified by law and by the position description adopted by the Committee, the superintendent shall maintain the permanent records of the Committee and shall be custodian of the district seal.

**ARTICLE III WORKING GROUP ORGANIZATION**

Special working groups, which may include non-Committee members, may be organized with the approval of the Committee to advise the Committee but shall not determine policy or act without the authority of the Committee. Working groups shall be authorized annually with specific charge. Special working groups must comply with the Open Meeting Law, MGL c. 30A, Sec. 18-25.

The appointment of working group members shall be made annually by majority vote of the Committee.

**ARTICLE IV MEETINGS**

Regular meeting will normally be held on the first and third Thursdays of every month at such times and places as the Committee shall from time to time determine. Regular meetings falling on holidays will not be held unless the Committee votes to do so, in which event the meeting shall be held on a date on which the Committee may lawfully act. Notice of all meetings shall be given in accordance with the provisions of M.G.L. c. 30A, Sec. 18-25. In addition to the notice required by law, notice of any change in the time, place or date of regular meeting shall be communicated by the Secretary or designee to any members of the Committee who may have been absent from the meeting at which such change was made.

Special meetings may be called by the chairperson and the superintendent acting jointly and shall be called by either of them upon the request of three members. In addition to the notice required by law, a notice of all special meetings shall be given to each member of the Committee at least 48 hours prior to the time scheduled for the meeting. Under emergency situations, special meetings may be held with less than 48 hours' notice provided that

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2/3rds of all the members of the Committee agree and are present at such special meeting.

Notice of every special meeting shall indicate the matters to be considered thereat and no other business shall be acted upon thereat, except by a 2/3rds vote of those members present.

The agenda and approved minutes of open sessions of all Committee meetings shall be public documents and open for inspection by the public as required by law and placed on the District website. They shall be distributed to such other persons as the committee from time to time determines.

All votes taken in Executive Session shall be recorded roll call votes and shall be part of the record of the Executive Sessions. Minutes of Executive Sessions held in compliance with the Open Meeting Law, the recording or other materials used in the preparation of such minutes and all documents and exhibits used at the session may be withheld from disclosure to the public in their entirety as long as publication may defeat the lawful purposes of the executive session, but no longer. Minutes and related material involving litigation, negotiations, or bargaining position of the School Committee must be disclosed if the litigation, negotiation, or collective bargaining position of the School Committee is no longer jeopardized by the disclosure.

The Committee, the Chair or its designee must at reasonable intervals review the executive session meetings to determine if the provisions of Section 30A Section 22 warrant continued non-disclosure. The determination as to whether the executive session minutes should remain confidential shall be announced at the School Committee's next meeting and included in the minutes of the public meeting.

If the Committee received a request to inspect or copy executive session minutes, the Committee must respond to the request within ten (10) days of receipt of the request and shall release the minutes not covered by the confidentiality exemption under Section 21 f., if the Committee or its designee has not reviewed the minutes, the Committee, the Committee Chair or its designee must review the minutes and release the non-exempt minutes or portion of the minutes within thirty days or the next School Committee meeting whichever occurs first.

Any meeting of the Committee may be adjourned to any succeeding day by vote of a majority of the Committee in attendance of the meeting.

**ARTICLE V QUORUM**

A quorum for the transaction of business shall be a majority of the members of the Committee. A meeting may not be convened without a quorum.

**ARTICLE VI SCHOOL COMMITTEE MEETING – AGENDA, ORDER, AND CONDUCT OF BUSINESS**

The agenda and supporting information shall be prepared by the superintendent, in consultation with the chairperson, and shall be provided to each committee member sufficiently in advance of the meeting to allow for study. Any committee member may place an item on the agenda by notifying the Superintendent or Chairperson in advance of its being assembled for distribution.

The agenda must be posted at least 48 hours in advance of the meeting excluding Saturday, Sundays, and legal holidays. The notice shall be printed in legible, easily understandable format and shall contain the date, time, meeting location and a listing of topics the chair reasonable anticipates will be discussed at the meeting. In an emergency, the meeting notice may be posted as soon as reasonable possible prior to the meeting.

The agenda shall show all tabled and principal pending items.

Policy Review: 1<sup>st</sup> Reading: November 2, 2016

2<sup>nd</sup> Reading: December 1, 2016

Policy Adopted: 06/05/97, 06/19/97, 04/08/10, 12/01/16

Vote: 6-0-0

Chairperson, HWRSD School Committee: Stacey Metternick

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The superintendent shall be given the opportunity to make recommendations on all issues to be voted upon by the Committee.

The regular meetings of the School Committee should include:

- Call to Order
- Opportunity for Public Comment
- Reports & Communications
- Old Business
- New Business
- Approval of Minutes
- Adjournment

The chairperson shall have the authority to deviate from the normal order of business in order to give priority time to items and to accommodate guest. Any such decision or other parliamentary decision by the chair may be overruled by a majority of the Committee present.

The minutes of the meeting shall include the Aye and Nay votes and abstentions on the items voted on. Names of those voting in the minority and abstaining shall be so recorded on all main motions and amendments to mail motions. There shall be no votes by secret ballot.

The Chair may add to the agenda items that he/she did not reasonable anticipate needed to be discussed at the meeting. No item not on the agenda, except for brief informative comments, may be introduced for Committee action unless agreed to by 2/3rds vote of those present.

Robert's Rules of Order shall govern the Committee proceedings except when those rules are in conflict with these by-laws.

**ARTICLE VII AMENDMENTS**

These By-Laws may be amended by a vote of the majority of the Committee as a whole at a regular or special meeting of the Committee, provided notice in writing of the particular change proposed has been mailed to each member at least seven days prior to the regular or special meeting at which the proposed amendment is to be acted upon.

**ARTICLE VIII SEVERABILITY**

If any article or section of any article of these by-laws is declared unconstitutional or illegal by any court, or if disapproved by any state authority having jurisdiction, the validity of the remaining provisions of these by-laws shall not be affected thereby.