

**BY-LAWS
OF
LOUISIANA'S SPECIAL SCHOOL DISTRICT**

Approved: 02/21/2022

**ARTICLE I.
PURPOSE**

- 1.1 General. Pursuant to La. Rev. Stat. Ann. §17.1945 through §17.1945.1, the purpose for which Louisiana’s Special School District (hereinafter referred to as the “Agency”) is organized is to provide _____.

**ARTICLE II. BOARD OF
DIRECTORS**

- 2.1 Function. It shall be the function of the Board of Directors (the “Board”) to govern and manage the affairs of the Agency in its efforts to provide the highest quality of specialized instruction for the children of the State of Louisiana, as provided for in La. Rev. Stat. Ann. §17.1945 through §17.1945.1.
- 2.2 General Powers. The Board may exercise all powers granted to the Agency and do all lawful acts required by the affairs of the Agency so long as the exercise of such powers and the doing of such acts are consistent with the Agency’s prescribed purposes, including the expression of the intention of the legislature in La. Rev. Stat. Ann. §17.1945. Specifically, those powers shall include
- 2.2.1 Accept donations, bequests, or other forms of financial assistance for educational purposes from any public or private person or agency and comply with rules and regulations governing grants from the federal government or from any other person or agency.
 - 2.2.2 Purchase land and equipment and make improvements to facilities necessary for the use of the district in accordance with applicable law.
 - 2.2.3 Lease land or other property belonging to the district, subject to approval of the commissioner of administration and in accordance with applicable law.
 - 2.2.4 Sell or exchange land or other immovable property not needed for district purposes, but only when specifically authorized by law and then in accordance only with the procedures provided in R.S. 41:892 for the sale of unused school lands. The sale shall be authorized by resolution adopted by the board, and the act of sale shall be signed by the president of the board or such other person to whom the signing may be delegated by the board in the authorizing resolution.
 - 2.2.5 Adopt rules, regulations, and policies necessary or proper for the conduct of the business of the board.
 - 2.2.6 Award certificates and issue diplomas for successful completion of programs of study. All such certificates and diplomas shall be in addition to a regular high school diploma which shall be issued by the State Board of Elementary and Secondary

Education in accordance with the provisions of R.S. 17:6(A)(11) to any student who successfully completes the program of study adopted by the state board.

2.2.7 Enter into contracts and agreements which have been recommended by the district superintendent, in accordance with applicable law, and to the extent that funds are specifically appropriated therefor, with other public agencies with respect to cooperative enterprises and undertakings related to or associated with an educational purpose or program affecting education in the district. This shall not preclude the board from entering into other such contracts and agreements that it deems necessary to carry out its duties and functions.

2.2.8 Perform such other functions as are necessary for the governance of the district.

2.3 Specific Duties. The Board shall perform or direct the performance of the duties as provided for under Louisiana Law, which include, but are not limited to, the following:

2.3.1 Adopt rules, regulations, and policies that are necessary for the efficient operation of the district.

2.3.2 Establish criteria to be used in determining eligibility of applicants for enrollment in accordance with R.S. 17:1945(B)(2). No student shall be enrolled without the written consent of the student's parent or legal guardian.

2.3.3 Prescribe and select for use free textbooks and other materials of instruction for children enrolled in the schools and programs under its jurisdiction.

2.3.4 Enter into an agreement, as recommended by the district superintendent, with a city, parish, or other local public school system to participate in educational and academic programs or courses.

2.3.5 Elect from its membership a president, vice president, secretary-treasurer, and any other officers the board considers necessary.

2.3.6 Select a superintendent who shall be the chief administrative officer of the district and who shall administer the rules, regulations, and policies adopted by the board. The board shall delegate to the superintendent such of its powers and duties as it deems appropriate to aid the superintendent in the efficient administration of his responsibility for the implementation of the policies of the board. The superintendent shall be responsible for all of the administrative functions, duties, and needs of the board, including but not limited to the following:

- a. Preparing an annual budget necessary for the continued operation of the district, the Louisiana Special Schools, and the Special School Programs and submitting such budget to the board for adoption.

- b. Paying the salaries and expenses, including but not restricted to facilities, equipment, and supplies, of the faculty and staff of the district out of funds appropriated or otherwise made available for the operating and administrative expenses of the board and the district.
- c. Exercising budgetary responsibility and allocating for expenditure by the district all monies appropriated or otherwise made available for purposes of the district.
- d. Developing and annually updating a student handbook including but not limited to all rules, regulations, and policies for the disciplining of students and submitting such handbook to the board for consideration and adoption.
- e. Determining faculty and staff positions necessary for the efficient operation of the district and selecting personnel for such positions.

2.4 Number and Appointment. The Board shall be composed of twelve (12) persons who shall be appointed in accordance with LA. Rev. Stat. Ann. 17.1945.1(A).

2.5 Term. The terms of the members of the board shall be concurrent with the term of the person making the appointment, and they shall serve at the pleasure of the appointing authority. **Members shall serve until their successors have been appointed and qualified. A vacancy on the board shall be filled in the manner of the original appointment.** No member of the board shall be an employee of the Agency.

2.6 Compensation of Members. Members of the board shall not receive any compensation for their service as members.

ARTICLE III. OFFICERS

3.1 Officers. The Officers of the Agency shall be chosen by the Board of Directors and shall consist of a President, a Vice-President, a Secretary-Treasurer, and such other officers as may be appointed in accordance with the provisions of this Article III.

3.2 Election of President and Vice-President; Secretary-Treasurer. **At the last regular or special meeting of each academic year, the Board shall elect a President of the Board and Vice-President of the Board from among members of the Board pursuant to rules established from time to time by the Board. The President of the Board and Vice-President of the Board shall each hold office for one calendar year, or until a successor has been elected.** Neither the President of the Board nor the Vice-President of the Board shall be allowed to serve more than **two consecutive terms.** The Superintendent of the Agency, selected by the Board as provided by law, shall serve as Ex Officio Secretary of the Board. As ex officio secretary,

he/she shall have powers and functions assigned by the board, among which shall be the authority with the president of the board, to authenticate and verify official documents of the board and to submit agenda items for consideration by the board. The Superintendent is not a member of the Board by virtue of his office.

- 3.3 President. It shall be the duty of the President of the Board to preside at all meetings of the Board, to name the members of all standing and special committees of the Board and to fill all vacancies in the membership of such committees, in accordance with the provisions of these Bylaws.
- 3.4 Vice-President. It shall be the duty of the Vice-President of the Board to preside at all meetings of the Board in the absence of the President of the Board.
- 3.5 Secretary-Treasurer. Secretary-Treasurer of the Board shall serve as custodian of the Board's records. Copies of all minutes, papers and documents of the Board may be certified to be true and correct copies thereof by the Secretary-Treasurer of the Board.

ARTICLE IV. MEETINGS

- 4.1 Regular Meetings. The Board shall meet at least two times per year, ordinarily at the Agency, 2888 Brightside Dr., Baton Rouge, LA. However, from time to time, the Board, by majority vote, may decide to change the meeting location, and shall, on emergency call of the President of the Board, meet at a location to be designated by the President of the Board.
- 4.2 Notice. For all regular and special meetings, notice shall be provided to the public as required by law. Notice shall include the agenda, date, time, and place of the meeting.
- 4.2 Special Meetings. A special meeting of the Board may be called by the President of the Board. Notification shall be sent by email to each member of the Board at least five (5) calendar days before the time of the meeting.
- 4.3 Quorum. Seven (7) members of the Board shall constitute a quorum for the transaction of business, and all official action of the Board shall require the favorable vote of a majority of those members present. All members of the Board shall be voting members.
- 4.4 Rules of Order. When not in conflict with any of the provisions of these Bylaws, Robert's Rules of Order (latest revision) shall constitute the rules of parliamentary procedure applicable to all meetings of the Board.
- 4.5 Order of Business.
- a) The order of business for regular meetings of the Board may ordinarily be as follows:
(1) Roll call

- (2) Correction and approval of minutes of preceding regular meeting and of all special meetings held subsequent thereto
- (3) Unfinished business
- (4) Reports and recommendations of CEO and/or designee(s)
- (5) Reports and recommendations of Board committees
- (6) New business
- (7) Remarks from Board Members
- (8) Remarks from public
- (9) Adjournment

b) The Board may allow public comment at any meeting of the Board prior to taking any vote.

4.6. Open Meetings. All regular meetings of the Board shall be open except when otherwise ordered by the Board for the consideration of executive matters prescribed by law. At least five (5) days prior to each regular meeting of the Board, the President of the Board shall prepare and forward to each member of the Board a tentative agenda for the meeting.

4.7. Matters not on Agenda. Upon unanimous approval of the Board members present at a meeting of the Board, the Board may take up a matter not on the agenda. Any such matter shall be identified in the motion to take up the matter not on the agenda with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting. Prior to any vote on the motion to take up a matter not on the agenda by the public body, there shall be an opportunity for public comment on any such motion in accordance with R.S. 42:15.

4.8. Executive Sessions. Pursuant to R.S. 42:16, the Board may hold executive sessions upon an affirmative vote of two-thirds (2/3) of its constituent members present. An executive session shall be limited to matters allowed to be exempted from discussion at open meetings as prescribed by law; however, no final or binding action shall be taken during an executive session. The vote for each member on the question of holding such an executive session and the reason for holding such session shall be recorded and entered into the minutes of the meeting.

4.9. Minutes.

a) The Board meeting minutes shall record official action taken upon motions or resolutions that are voted upon by the Board, and may contain a summary or report and pertinent discussion. In all cases when the action is not by unanimous vote, the “ayes”, “nays”, and abstentions of the individual members shall be recorded upon the request of any member of the Board. The minutes of the Board become official only when completed by the Secretary of the Board and approved by the Board.

b) The minutes shall include but need not be limited to:

- (1) The date, time, and place of the meeting
- (2) The members of the Board recorded as either present or absent

- (3) The substance of all matters decided, and, at the request of any member, a record, by individual member, of any votes taken.
- (4) Any other information that the Board requests be included or reflected in the minutes.

c) The minutes shall be available to the public within a reasonable amount of time and a copy shall be posted on the Agency's website for at least three months after the posting, unless otherwise provided for under Louisiana Law.

4.10 Reference to Committees. In cases where practicable or desirable, before taking action on any matter clearly within the sphere of any standing committee, the Board shall refer such matter to that committee, which shall submit to the Board the committee's recommendations in writing, together with any appropriate resolutions necessary to implement them.

4.11 Presentation of Materials to the Board. The Superintendent shall be charged with preparing the Board's agenda and materials to be submitted to the Board in concert with the President of the Board.

ARTICLE V. COMMITTEES

5.1 Standing Committees. The Board shall have a Personnel Committee.

5.2 Personnel Committee. There shall be a Personnel Committee consisting of a Chair and two (2) other members appointed by the President of the Board. The Personnel Committee shall be responsible for negotiating a contract with the Superintendent and making a recommendation to the Board, and shall also be responsible for recommending to the Board any contractual agreements made with personnel by the Superintendent. The Personnel Committee will also lead the hiring process for a new Superintendent. There may be a Special Committee established to give support and feedback for this work, but the Personnel/Hiring Committee will constitute the core representation and recommendation committee to the Board.

5.3 Special Committee(s). As need arises, the Board may create special committees with such function, powers, and authority as the Board may determine. Special committees shall be established for temporary periods not exceeding the term of the President of the Board. Unless otherwise provided by the action of the Board for such a committee, the President of the Board shall determine the number of its members, shall appoint the members, and shall designate the Chairperson.

- 5.4 Appointment and Term of Committees. The President of the Board shall appoint of all standing and special committees. The term of committee appointees shall run concurrently with that of the President of the Board. Vacancies occurring among the appointive members of any committee, however arising, shall be filled by the President of the Board for the remainder of the term.
- 5.5 Committee Meetings. It shall be the duty of the chairperson of each committee to call and to preside over the necessary meetings of the respective committees. The Secretary of the Board shall keep minutes of all committee meetings. The minutes of each meeting of the committee, showing its action and recommendation, shall comply with the provisions of Article IV. A simple majority of the members of any committee of the Board shall constitute a quorum for the transaction of business. A committee chairperson at any committee meeting may appoint to membership on the committee in question any other Board Member in attendance at the committee meeting then being held.

ARTICLE VI. AMENDMENT OR REPEAL OF BYLAWS

New Bylaws may be adopted, amended, or repealed at any meeting of the Board by a majority vote of the entire Board. However, no such action shall be taken unless notice of such proposed adoption, amendment, or repeal and a copy of such proposed change(s) was presented at a previous meeting, or unless written notice of the proposed change(s) was served upon each member of the Board at least thirty (30) days in advance of the vote upon such changes; Such notice and delivery may be waived by the approval of two-thirds (2/3) of the entire membership of the Board.

ARTICLE VII RULES AND REGULATIONS OF THE BOARD

- 7.1 Any action by the Board establishing policy or methods of procedure, administrative, business, academic or otherwise not contained in these Bylaws shall be known as “Policies and Procedures of the Board.”
- 7.2 Policies and Procedures of the Board may be adopted by the Board, or may be amended or repealed, in whole or in part, at any meeting of the Board in accordance with law.

**ARTICLE VIII
MISCELLANEOUS**

- 8.1. Capitalized Terms. Capitalized terms used, but not defined herein shall have the meaning ascribed to them in La. Rev. Stat. Ann. §17:1970.21, et seq.

- 8.2. Invalid Provisions. If any part of these Bylaws shall be held invalid or inoperative for any reason, the remaining parts, so far as it is possible and reasonable, shall remain valid and operative.

- 8.3. Headings. The Headings used in these Bylaws are for convenience only and do not constitute matter to be construed in the interpretation of these Bylaws