CITY OF DERBY / DERBY BOARD OF EDUCATION

SHARED FINANCE AND BUSINESS SERVICES GOVERNANCE STRUCTURE RESOLUTION

RESOLUTION ESTABLISHING A SHARED DIRECTOR OF FINANCE AND BUSINESS SERVICES POSITION BETWEEN THE CITY OF DERBY AND THE DERBY BOARD OF EDUCATION AND AUTHORIZING THE INITIAL INCUMBENT TO HOLD THE WORKING TITLE OF CHIEF FINANCIAL OFFICER.

WHEREAS, the City of Derby ("City") and the Derby Board of Education ("Board") each maintain separate finance, business services, operational support, and administrative functions; and

WHEREAS, the City and Board of Education recognize opportunities to improve operational efficiency, fiscal stewardship, coordination of services, and long-term sustainability through shared-services initiatives; and

WHEREAS, the parties desire to establish a governance structure that promotes accountability, transparency, continuity of operations, and shared responsibility while preserving the statutory authority of both governing bodies; and

WHEREAS, the parties recognize that many financial and operational functions, including but not limited to budgeting, accounting, purchasing, grants management, insurance administration, transportation oversight, facilities planning, food service oversight, payroll administration, and enterprise software management, may benefit from coordinated administration; and

WHEREAS, the parties desire to institutionalize such shared services in a manner that survives changes in elected and appointed leadership;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN/ALDERWOMEN OF THE CITY OF DERBY AND THE DERBY BOARD OF EDUCATION AS FOLLOWS:

SECTION 1. ESTABLISHMENT OF POSITION

1.1 The position of Director of Finance and Business Services (“Director”) is hereby established, to serve the City of Derby and the Derby Board of Education jointly. Director of Finance and Business Services shall be the permanent title of the position created by this Resolution.

1.2 Initial Chief Financial Officer Working Title. For the initial incumbent only, the individual appointed to serve in this role is authorized to use the working title of Chief Financial Officer (CFO). The permanent position created by this Resolution shall remain Director of Finance and Business Services. The Chief Financial Officer working title is personal to the initial incumbent and shall not automatically apply to any successor unless separately approved by both governing bodies.

1.3 The Director shall function as the chief financial and business services administrator for both entities. During the initial incumbent's service, the Director may also be referred to as the Chief Financial Officer for purposes of executive leadership, intergovernmental coordination, financial reporting, and shared-services implementation.

1.4 The Director shall provide leadership, coordination, planning, oversight, and administration of financial management, business operations, shared-services initiatives, and related functions assigned pursuant to this Resolution.

1.5 The Director shall serve in a full-time position and shall not be eliminated, substantially restructured, or converted without compliance with Sections 8 and 9 of this Resolution.

SECTION 2. APPOINTMENT PROCESS

2.1 The Director shall be selected through a joint search process.

2.2 A Search Committee shall be established, consisting of:

- The Mayor or designee;
- The Superintendent of Schools or designee;
- One member of the Board of Aldermen/Alderwomen;
- One member of the Board of Education; and
- One member of the Board of Apportionment and Taxation.

2.3 Appointment of the Director shall require both:

- Majority vote of the Board of Aldermen/Alderwomen; and
- Majority vote of the Board of Education.

2.4 No appointment shall be effective unless approved by both bodies.

If both the Board of Aldermen/Alderwomen and the Board of Education have not voted to approve a Director within forty-five (45) days after the Search Committee makes its initial recommendations, the Search Committee shall make an additional round of recommendations. If both governing bodies have not voted to approve a Director within forty-five (45) days after the Search Committee makes its additional recommendations, the Shared Services Agreement shall terminate as a matter of law.

2.5 Initial Appointment and Title

Notwithstanding Sections 2.1 through 2.4, the City and Board of Education may, by approval of both governing bodies, designate the current City Finance Director as the initial incumbent of the shared Director of Finance and Business Services position and authorize the initial incumbent to use the working title of Chief Financial Officer (CFO). This initial designation shall not require a joint search process and shall apply only to the initial incumbent. Upon vacancy of the position for any reason, the permanent position shall continue as Director of Finance and Business Services unless both governing bodies expressly approve a different title.

2.6 Successor Appointments

Upon a vacancy in the position, any successor shall be appointed to the permanent position of Director of Finance and Business Services through the process established in Sections 2.1 through 2.4, unless both the Board of Aldermen/Alderwomen and Board of Education expressly approve a different title.

SECTION 3. TERM OF EMPLOYMENT

3.1 The Director shall serve as an at-will employee unless otherwise provided by a contract approved by both governing bodies.

SECTION 4. REPORTING STRUCTURE

4.1 The Director shall:

- Report functionally to the Mayor or designee regarding municipal financial operations, procurement, insurance administration, budgeting, and related municipal business functions;
- Report functionally to the Superintendent of Schools regarding Board of Education financial operations, transportation services, food service operations, facilities planning, grants administration, and related school business functions;
- Provide regular reports to both governing bodies concerning financial performance, operational efficiency, and shared-services initiatives.

4.2 The Director shall owe equal fiduciary and professional duties to both entities.

4.3 Nothing contained herein shall be construed to transfer educational authority, instructional authority, personnel authority, or statutory responsibilities of the Superintendent of Schools to the Director.

4.4 Nothing contained herein shall be construed to diminish or impair the authority of the Board of Education under the Connecticut General Statutes.

4.5 Nothing contained herein shall be construed to transfer, limit, or diminish the Mayor's authority as outlined in the City's charter.

4.6 Nothing contained herein shall be construed to transfer, limit, or diminish the Board of Apportionment and Taxation's authority as outlined in the City's charter.

4.7 Nothing contained herein shall be construed to transfer, limit, or diminish the Board of Aldermen/Alderwomen's authority as outlined in the City's charter.

SECTION 5. DUTIES AND AUTHORITY

5.1 The Director shall be responsible for oversight, coordination, planning, reporting, and administration of:

- Accounting and financial reporting;
- Financial planning and budget development;
- Purchasing and procurement administration;
- Payroll administration and oversight;
- Insurance and risk management;
- Grant budgeting, administration, and financial reporting;
- Transportation services oversight;
- Food service operations oversight;
- Facilities and maintenance planning;
- Capital planning and long-range facilities planning;
- Financial software and enterprise resource planning systems;
- Shared services planning and implementation;
- Administering personnel functions
- Operational efficiency initiatives; and
- Additional duties may be assigned by mutual agreement of the parties.

5.2 Specific operational responsibilities may be further defined through a Memorandum of Operational Responsibilities approved by both parties.

5.3 The Director shall coordinate with the Superintendent, Mayor, municipal administration, facilities personnel, transportation providers, food service personnel, information technology personnel, human resources personnel, and other staff as necessary to carry out assigned responsibilities.

5.4 School Business Administrator Designation.

The Director shall serve as the Board of Education's designated School Business Administrator and shall be responsible for the administration, coordination, oversight, and reporting of business and operational functions assigned by the Board of Education and consistent with applicable Connecticut statutes and regulations.

Nothing herein shall diminish the statutory authority of the Board of Education or the Superintendent of Schools.

5.5 Certification Compliance.

The City and Board of Education shall ensure that the Director possesses or obtains any certification required by Connecticut law, regulation, or guidance applicable to the duties assigned under this Resolution.

Pending a determination of any certification requirements, responsibilities may be assigned in a manner consistent with applicable law and the operational needs of the City and Board of Education.

SECTION 6. PERFORMANCE EVALUATION

6.1 The Director shall undergo an annual performance evaluation.

6.2 The evaluation shall be conducted jointly by:

- The Mayor or designee; and
- The Superintendent of Schools.

6.3 A consolidated written evaluation shall be presented to both the Board of Aldermen/Alderwomen and the Board of Education.

6.4 Evaluation criteria shall include:

- Financial stewardship;
- Budget management;
- Audit outcomes;
- Regulatory compliance;
- Operational effectiveness;
- Shared-services implementation;
- Cost-savings initiatives; and
- Achievement of mutually established goals.

SECTION 7. COMPENSATION AND COST SHARING

7.1 The Director's salary and cost of benefits shall be allocated equally between the City and the Board of Education, with each party responsible for fifty percent (50%) of the total salary cost. This allocation shall remain in effect unless modified by affirmative action of both the Board of Aldermen/Alderwomen and the Board of Education.

SECTION 8. DIRECTOR DISPUTE RESOLUTION AND REMOVAL PROCESS

8.1 Any dispute arising under this Agreement concerning the Director's authority, duties, reporting relationships, performance evaluation, budget authority, procurement authority, grant administration, financial reporting, operational oversight, or administration of the Shared Services Agreement shall be resolved as follows:

- **Step 1:** The Mayor and the Superintendent shall first confer in good faith to attempt to resolve the dispute.
- **Step 2:** If the dispute remains unresolved, the parties shall participate in nonbinding mediation.
- **Step 3:** If the dispute remains unresolved following mediation, the matter shall be decided by a majority vote of the Board of Aldermen/Alderwomen and a separate majority vote of the Board of Education to take one of the following actions:

  • Terminate this Shared Services Agreement;
  • Remove the Director;
  • Remove the Director and terminate this Shared Services Agreement.

If one governing body votes in favor of removal or termination and the other governing body does not, this Shared Services Agreement shall automatically terminate.

In the event this Agreement is terminated, either the City or the Board of Education may retain the Director in either a transitional or permanent capacity, as determined by the retaining party or parties.

SECTION 9. WITHDRAWAL, MODIFICATION, OR TERMINATION

9.1 This shared-services governance structure shall remain in effect unless terminated in accordance with this Section or Section 8

9.2 Either party seeking termination shall provide at least one hundred eighty (180) days' written notice to the other party.

9.3 Transitional Implementation.

Upon approval of this Resolution, the City Finance Director and Deputy Finance Director may be assigned responsibilities under this Resolution pending full implementation of the shared-services structure.

The Superintendent, Mayor, Board of Education, and Board of Aldermen/Alderwomen may establish a phased implementation plan to transfer responsibilities and administrative functions to the Director of Finance and Business Services.

9.4 This Resolution shall survive changes in elected or appointed officials.

9.5 Successor Title. The Chief Financial Officer (CFO) working title authorized for the initial incumbent shall be valid for the duration of the initial incumbent's service in the position but shall not, by itself, create a separate permanent Chief Financial Officer position. Upon separation, resignation, retirement, removal, non-reappointment, or other vacancy of the initial incumbent, the position shall be advertised, filled, and administered under the title of Director of Finance and Business Services unless both the Board of Aldermen/Alderwomen and the Board of Education vote to authorize use of the Chief Financial Officer title for a successor.

SECTION 10. EFFECTIVE DATE

This Resolution shall take effect upon approval by both the Board of Aldermen/Alderwomen and the Derby Board of Education.

ADOPTED this _____ day of _____, 20____.

CITY OF DERBY

By: _____

DERBY BOARD OF EDUCATION

By: _____