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## **BA: Board Operational Goals**

The Board is responsible to the communities the school district serves. The board is committed to educating all students to the best of their individual abilities. It is charged with accomplishing this while also being responsible for wise management of resources available to the district. By virtue of its responsibility and commitment the Board must establish those purposes, programs, and procedures that will respond to the district's immediate problems and long-term needs.

The Board must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting a superintendent to implement policy and by evaluating the results. Further, it must carry out its functions openly, while seeking the involvement and contributions of public, students and staff in its decision-making processes.

Additionally, the Board commits itself to the following objectives:

1. To interpret the educational needs and aspirations of the community, and to meet them through the formulation of policies, goals and objectives that stimulate the learner and the learning process;
2. To continually evaluate the district's educational goals and their implementation in the district schools;
3. To formulate a sound fiscal policy in the interests of fiscal economy;
4. To provide the superintendent with sufficient and adequate guidelines to effectively carry out the goals and objectives of the school district;
5. To maintain effective communication with the public served by the schools, and with staff and students in order to maintain awareness of attitudes, opinions, desires, and ideas.

Adopted: 10/10/16

Amended: 4/8/19

## **BB: School Board Legal Status**

The School Board derives its authority from the Constitution of the State of South Dakota, from the acts of the State Legislature, the electorate of the district and the regulations of the State Board of Education and State Board of Vocational Education.

As expressed in the law, the Board is the governing board of a school district, and is created ". . . for the purpose of organizing, maintaining, and locating schools and for providing educational opportunities and services for all citizens residing within the school district."

The Board will consist of seven members, elected at large by the registered voters of the district. Except as otherwise provided by law, Board members will hold office for terms of three years.

Adopted: 10/10/16

## **BBA: School Board Powers and Duties**

Under the laws of South Dakota, the School Board acts as the governing body of the public schools with full powers of direction and control. The Board derives its authority from the state legislature and will function within the framework of state and federal laws and regulations, court decisions and attorney general opinions.

Recognizing the authority of the state, the Board considers the following its general functions:

1. To select and employ a Superintendent of schools and support him or her in the discharge of his or her responsibilities.
2. To formulate and enact policy and to delegate the application of policies to the Superintendent and his staff, who will be held responsible for the effective administration and supervision of the entire school system.
3. To provide for the planning, expansion, improvement, financing, construction and maintenance of the physical plant of the school system.
4. To appoint a delegate to maintain records, accounts, archives, and procedures incidental to the conduct of school business.
5. To approve the budget, financial reports, audits, major expenditures, payment of obligations and policies that enable the administration to formulate regulations and other guides for the orderly accomplishment of business.
6. To estimate and levy taxes for the operation, support, maintenance, improvement and extension of the school system.
7. To adopt courses of study and provide instructional materials.
8. To employ support and certificated personnel to carry out school programs, and provide fair and equitable compensation.
9. To determine the effectiveness of the schools in achieving the educational purpose of the school system.
10. To provide for the dissemination of school district information to the public and maintain open lines of communication with the community.

Adopted: 10/10/16

### **BBA: Board Member Authority**

The powers delegated to a School Board by the state are delegated to the Board as a whole. No authority is granted to Board members acting as individuals.

The Board exercises its powers and duties only in properly called meetings, where a majority of the Board constitutes a quorum to transact business. Except when performing a specific duty as ordered by the Board, the decision and actions of a single member of the Board are not binding on the entire Board.

Adopted: 10/10/16

Amended: 4/8/19

### **BBB: School Board Elections**

The school board shall select the date of the annual school election by resolution no later than the first regular meeting after January 1st of each year. The annual election shall be set between the second Tuesday in April and the third Tuesday in June between the hours of 7:00 a.m. and 7:00 p.m. on Election Day.

The school district and the municipality have the option of holding combined school district-municipal elections. Subject to approval of the governing bodies, the combined election may be held on the date set by the school district or the general municipal election (second Tuesday in April). Expenses and all other governmental responsibilities of a combined election are to be shared in an agreed upon manner by the governing bodies of the school district and the municipality.

Adopted: 10/10/16

Amended: 4/8/19

### **BBE: School Board Member Vacancy**

When a vacancy occurs on the board due to the failure to elect a person to succeed a school board member whose term has expired, or an elected school board member's failure to qualify, or a school board member's resignation, the vacancy shall be appointed by all school board members, including the vacating member.

When a vacancy occurs on the board due to one of the following,

- Death
- Removed from the board pursuant to law
- Ceases to be a resident of the school district
- Is convicted of any infamous crime
- Offence involving a violation of the member's oath of office
- Judgment against the member for breach of member's official bond
- Is incapacitated and is unable to attend to the duties of the position
- Assumes the duties of an office incompatible with the duties of a school board member

The remaining board members are responsible for the appointment of a new board member.

The new appointee will qualify as if elected, at or before the next school board meeting. The appointee will serve until the next succeeding election, at which time a successor will be elected to serve the unexpired term.

\*\* A school board member who is displaced from the district by flood, tornado, fire, or other natural disaster may continue to serve until the expiration of the member's term.

## **BBEA: Unexpired Term Fulfillment Procedure**

Appointments to unexpired terms will be made by the board as follows:

1. If a vacancy occurs at or near the time of the board election, the next candidate with the highest vote total will be considered first. If that candidate does not accept the position, the following will be followed.
2. An announcement of the vacancy will be published in the official newspaper.
3. The announcements will invite individuals to submit applications or nominations to the Board by a date set by the Board. An application form may be obtained at the school business office.
4. The Board will meet in executive session to discuss qualifications, interests, attitudes, and goals of the potential candidate.
5. The Board will interview potential appointees in executive session.
6. The appointment of the new member will be made by a majority of the Board members at an open meeting.
7. Action on the appointment will be included on the published agenda for the meeting.

Adopted: 02/10/2020



### **BC: Place of Meeting**

All meetings of the board shall be held in the office of the superintendent unless each member of the board has been notified by the business manager to the contrary. In the event of such a change, the business manager shall take appropriate steps to inform the public.

Adopted: 11/9/16

## **BCF: Policy Adoption**

Adoption of new policies or changing existing policies is solely the responsibility of the Board. Policies will be adopted and/or managed only by the affirmative vote of a majority of the members of the Board when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all new policies or amendments to policies and to provide an opportunity for others to react, proposed policies or amendments will be presented as an agenda item to the Board in the following sequence:

1. Discussion item- first reading of proposed policy or policies; response from superintendent; report from Board or advisory committee; Board discussion and directions of any redrafting.
2. Action item- second reading of proposed policy or policies; discussion, adoption or rejection.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Board so directs.

In certain instances, the Board may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon adoption by the board. Once adopted, policies of the board will be put on the school website for community, staff and students to view.

Adopted: 3/13/17

Amended: 4/8/19

## **BCG: Policy Review and Evaluation**

District policies are to be used consistently as a basis for Board action and administrative decision. The Colome Consolidated School Board will review its policies on a continuing basis.

The Board will evaluate how the adopted policies have been executed by the school staff and will weigh the results. It will rely on the school staff, students, and the community for providing evidence of the effectiveness of the policies.

The Superintendent is given the continuing commission of calling to the Board's attention all policies that are out of date or for other reason appear to need revision. Each board policy that is reviewed by the Superintendent will be presented to the Board as part of the District's effort to continually review board policy.

The Board directs the Superintendent to recall all policy and regulation manuals periodically for purposes of administrative updating and Board review.

Adopted: 6/11/18

Amended: 4/8/19

### **BD: Vacancies**

A vacancy on the board shall be filled by appointment by the remaining members of the board at any legally constituted meeting. Such a vacancy is filled in this manner until the next annual election.

Adopted: 11/9/16

### **BDA: Electronic Communication By Board Members**

An exchange of information by audio, video, or electronic medium, including the internet, by a quorum of the school board and when official business of the school district is discussed or decided, or public policy is formulated, is subject to school district policy BDDA and open meetings laws.

1. Board members shall not use electronic communication as a substitute for discussion or decision-making at regular or special board meetings open to the public.
2. School board members shall not use electronic communication to discuss or reach a consensus, majority opinion or unofficial decision, related to school district business.

### **BDC: Executive Sessions**

It is the Board's belief that educational matters should be discussed and decisions be made at public meetings of the Board to fulfill the rationale for the creation of public governing bodies.

However, some matters are more properly discussed by the Board in private session. As permitted by law, an executive or closed session may be held for the sole purposes of: (1) Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public office or employee. The term "employee" does not include any independent contractor; (2) Discussing the expulsion, suspension, discipline, assignment of or the educational program of a student; (3) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters; (4) Preparing for contract negotiations or negotiating with employees of employee representatives; (5) Discussing marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business. All discussions will be considered confidential, but all official actions concerning the matters discussed will be made only at an open official meeting.

An executive session may be held only upon a majority vote of the Board present and voting.

Any Board member who violates these provisions will be guilty of a misdemeanor.

Adopted: 11/15/18

### **BDDD: Quorum**

A majority of the school board membership constitutes a quorum for the transaction of school business.

Adopted: 11/15/18

## **BDDG: Minutes**

The minutes of the meetings of the School Board are the written permanent records of the school district. The business manager will keep minutes of all the official actions of the Board. The minutes will include:

1. A record of all actions taken by the Board, with the vote of each member recorded except in cases of unanimous votes.
2. Resolutions and motions. This will include a detailed statement of all expenditures of money, with names of persons to whom payment is made for service rendered or goods furnished; a detailed statement of receipts, and balance on hand; and expenditures and receipts of trust and agency funds.
3. A record of the disposition of all matters on which the Board considered, but did not take action.
4. The salaries of all employees will be published after the July organizational meeting, and total payroll by department monthly.

The unapproved minutes will be available for inspection by any person within 10 business days after the meeting.

Within 20 days after a Board meeting, minutes of the meeting will be published in the local newspaper, as in accordance with law. The business manager will sign each legal publication submitted to the newspaper.

A request to include comments made by a school board member in the school minutes must be made during the meeting of which they were said. The board must agree on what specifically was said.

The Board will approve the minutes of every meeting within 45 days after that meeting. The presiding officer and the business manager will sign the minutes of all regular and special meetings after approval by the Board. Any change or correction in the minutes will be reflected in the minutes of the meeting at which the changes are made.

Following each annual school election held pursuant to §13-7-10, the school board, within 60 days of the official canvas, shall include in the school board minutes the following information:

1. The number of registered voters of the school district on the date voter registration closes;
2. The number of registered voters of the school district who voted in the election;
3. The percentage of registered voters of the school district who voted in the election;
4. The date of the election, and if the election was held in conjunction with a regular municipal election as provided in §13-7-10.1 or with the regular June primary as provided in §13-7-10.3.



If the annual election was not held because there was not a contested vacancy for the school board and no question was submitted to the voters, the school board shall provide that information in the school board minutes.

All minutes will be open to inspection by the public during the regular office hours of the business manager.

Adopted: 02/10/2020

## **BIJ: Advisory Committees to the Board**

The Board will, when it deems appropriate, appoint citizens committees to counsel and assist the district in planning programs and projects.

The following policies will govern the appointment and functioning of citizens committees:

1. The composition of a citizens committee will be broadly representative and will take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to such committee as members or consultants, as found desirable.
2. All appointments will be made by the Board, which may name a community selection committee to make nominations for the purpose of obtaining broader community representation. The appointment of any staff members to such committees will be made by the Board upon recommendation of the superintendent.
3. Each committee will be clearly instructed as to –
  - a. The length of time each member is being asked to serve.
  - b. The service the Board wishes the committee to render; the extent and limitations of its responsibility.
  - c. The resources the Board will provide
  - d. The approximate dates on which the Board wishes to receive major reports.
  - e. Board policies governing citizens committees and the relationship of these committees to the Board as a whole, to individual Board members, to the superintendent, and other members of the professional staff.
  - f. Responsibilities for the release of information to the press
4. Recommendations of citizens and committees will be based on research and fact.
5. A school board possesses certain legal powers and prerogatives which cannot be delegated or surrendered to others. Therefore, all recommendations of a citizens committee must be submitted to the Board for official action

The Board will have the power to dissolve any advisory committee and will reserve the right to exercise this power at any time during the life of any committee.

Adopted: 11/15/18

## **BDDH: Public Participation at Board Meetings**

The Board welcomes public attendance and involvement at its meetings.

In order to assure that persons who wish to appear before the Board may be heard, and, at the same time, conduct its meetings properly and efficiently, the procedure for public participation at school board meetings is as follows:

1. Any individual who desires to speak about an item on the agenda, is asked to present the "request to speak" to the Superintendent, the business manager or the Board President. The request may be communicated orally prior to the meeting or in written form.
2. Anyone, who wishes to speak on an item that is not on the agenda, are asked to present such request to the Superintendent or the Board President, prior to the beginning of the meeting. Anyone who presents such a request will be allowed to speak about the topic.
3. Anyone, who desires to address the board on an item not on the agenda, will submit the item to the Superintendent's office prior to the meeting. If the citizen wishes the board to **take action** they must submit the proposal under the special rules "item 5a. through 5c."
4. Everyone has a right of privacy and confidentiality. For that reason personnel matters will be addressed in executive session.

The Board vests in its President or other presiding officer, authority to terminate the remarks of any individual when they do not adhere to the rules established below.

1. Any individual or delegation (with one person being the spokesperson for the delegation) who desires to address the school board regarding an item, whether on the posted proposed agenda or not, shall sign in prior to the meeting being called to order, on a form prepared by the school district, which identifies the meeting date, the name and address of the person wishing to address the school board, and the topic on which the person wishes to speak.
2. Anyone having signed in shall be recognized by the school board during the public forum portion of the meeting, beginning with persons wishing to speak on a topic which is not on the agenda and then by anyone wishing to speak on agenda items in the order in which they appear on the agenda. Each speaker will be allowed 5 minutes to speak on the agenda item.
3. Upon receiving a request for an extension of time from the speaker, the school board, upon a motion being made and passed by a majority of school board members, may grant an additional amount of time not to exceed 5 additional minutes.
4. Anyone wishing to address the school board on the same agenda item, or should the comments become repetitious, the school board may shorten the time for comments in order that anyone wishing to address the school board may be heard and still allow the school board sufficient time to conduct its agenda business.
5. Special rules related to requests for specific action by the school board:

- a.** Any person or delegation (with one person being the spokesperson for the delegation) making a specific request to the school board which would require formal action by the school board are requested to present their request in writing (what is requested and why, and signed by anyone making the request) to the Superintendent at least five calendar days before the school board meeting in order to allow for the item to be placed on the proposed agenda as a “new business” item which is posted prior to the meeting.
  
- b.** Any person or spokesperson for a delegation which has submitted a specific request to the school board pursuant to 5.a. and the item is on the posted agenda will be granted 10 minutes to explain the request to the school board. Upon receiving a request for an extension of time from the speaker, the school board, upon a motion being made and passed by the majority of school board members present, may grant an additional amount of time not to exceed 5 additional minutes.
  
- c.** Requests to the school board for specific action and having been made after the proposed agenda has been posted may, in the sole discretion of the school board, be added to the agenda as a new business item for discussion purposes only, or be added to the agenda as a new business item for discussion and possible action, or the request may be deferred until the next regular meeting or a special school board meeting.

Adopted: 8/8/16

Amended: 4/8/19

### **BE: Adjourn and Special Meeting**

1. Adjourn meeting; any legal meeting may be adjourned to a specific time and place. The items remaining on the agenda of the meeting adjourned should be acted upon first at the continuation of the adjourned meeting.
2. Special meetings may be held upon call of the president or in his/her absence by the vice president or a majority of the board members. Notice of such meeting shall be given by the business manager to the board members either orally or in writing in sufficient time to permit their presence, and public notice of such meeting will be given in a 24 hour notice via media.

Adopted: 11/9/16

### **BG: Duties of the President**

- The president of the board of education shall preside at the board meetings and shall countersign with the business manager all checks and notes which have been approved by the board.
- Appoint or provide for the election of all committees.
- Confer with the superintendent as may be necessary and desirable regarding school or related matters.
- Call special meetings of the board.
- Entitled to vote on and discuss all matters coming before the board.
- Perform such other duties as may be prescribed by the school board.

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Adopted: 11/9/16

### **BH: Duties of the Vice President**

The Vice-president of the board shall assume the duties and responsibilities of the president in his/her absence and shall perform such other duties as may be assigned by the school board.

Adopted: 11/9/16

## **BI: Board Member Conflict of Interest**

Public office is a trust created in the interest of the common good and for the benefit of the people. As public officials holding the respect and trust of the community, board members will not use their position office for personal advantage.

A board member will not have any direct financial interest in a contract with the school district or furnish directly any labor, equipment or supplies to the district unless the amount involved is less than five thousand dollars (\$5,000).

Each member shall decide if any potential conflict of interest requires disqualification from participation in board discussion or action. No board member may participate in discussion or vote on any issue in which the member has a conflict of interest if the following circumstances apply:

1. "Direct financial interests," when a school board member votes on a matter benefiting the board member's own property or affording a direct financial gain;
2. "Indirect financial interests," when a school board member votes on a matter that financially benefits one closely tied to the official, such as an employer, or family member;
3. "Direct personal interest," when a school board member votes on a matter that benefits a blood relative or close friend in a non-financial way; and
4. "Indirect Personal Interest," when a school board member votes on a matter in which an individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies; or
5. At least two-thirds of the Board votes that a member has an identifiable conflict of interest that should prohibit the member from voting on a specific matter.

Adopted: 4/12/17