

**Arlington School District 38-1**

**SECTION B**

**Board Governance and Operations**

<b>NEPN Code</b>	<b>Title of Policy</b>	<b>Next Scheduled Review</b>
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BB	<u>School Board Legal Status</u>	FY2023
BBA	<u>School Board Powers and Duties</u>	FY2023
BBAA	<u>Board Member Authority</u>	FY2023
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BHD	<u>Board Member Compensation and Expenses</u>	Yearly (Pink)
BJ	<u>School Board Memberships</u>	FY2023

All Staff	All Staff need to be made aware of policy each year
Approve Each year	Board should approve all policies in this color each year
Green	Students and parents need to be made aware of policy each year

<b>Arlington School District 38-1</b>	<b>NEPN Code: BA</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD OPERATIONAL GOALS**

The Board is responsible to the people for whose benefit the school district has been established, and committed to the education of all students as appropriate 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-range needs.

The Board must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer 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 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.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BB</b>
<b>School Board Policy Reference Manual</b>	

## **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 five 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.

### **Established by law**

Legal References: SDCL 13-6-2 et seq.; 13-6-13.1; SDCL 13-8-1 through 13-8-5

Cross References: AA, School District Legal Status

BBA, School Board Powers and Duties

BBB, School Board Elections

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

*Representative areas are authorized by SDCL 13-6-13.1, SDCL 13-8-7.1, and SDCL 13-62 et seq*

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBA</b>
<b>School Board Policy Reference Manual</b>	

## **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 establish and maintain records, accounts, archives, management methods 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 evaluate the educational program to determine the effectiveness with which the schools are 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.

Legal References: SDCL 13-8-1; 13-8-39;

SDCL 13-10-2 generally, but powers and duties of school boards established throughout Title 13.

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBAA</b>
<b>School Board Policy Reference Manual</b>	

### **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 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.

Legal References: SDCL 2-14-15;

SDCL 13-8-10; 13-8-39

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023



<b>Arlington School District 38-1</b>	<b>NEPN Code: BBB</b>
<b>School Board Policy Reference Manual</b>	

## **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 first 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.

### **Established by law**

Legal References: Constitution of the State of South Dakota, Art. VII sec 1; Constitution of the State of South Dakota Art. VII Sec 2;

Constitution of the State of South Dakota Art. VII Sec. 3; SDCL 12-14-1;

SDCL 13-6-13.1;

SDCL 13-7-4; 13-7-4.2; 13-7-5; 13-7-6; 13-7-6.1; 13-7-7; 13-7-8;

13-7-8.1; 13-7-9; 13-7-9.1; 13-7-10; 13-7-10.1; 13-7-10.2;

13-7-10.3; 13-7-10.4; 13-7-11; 13-7-12; 13-7-13; 13-7-14;

13-7-17; 13-7-18; 13-7-19.2;

SDCL 13-8-2; 13-8-4; 13-8-7.1; 13-8-25;

SDCL 13-10-7

Cross References: BBFA, Board Member Conflict of Interest

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

*Representative areas are authorized by SDCL 13-6-13.1, SDCL 13-8-7.1 and SDCL 13-663 and 13-6-75.*

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBBA</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD MEMBER QUALIFICATIONS**

A person is legally qualified to become a member of a school board if he or she is a United States citizen, complies with the provisions of law relating to the registration of voters and is a qualified elector, at least 18 years of age and not otherwise disqualified.

In accordance with state law, no elective county, municipal, or state officer or holder of any other office, whose duties are incompatible or inconsistent with the duties of the school board member will be eligible for such membership. This includes the elected offices of legislator, county commissioner and the municipality.

### **Established by law**

Legal References: SDCL 3-1A-4; 3-1A-2; 3-1A-3; 3-1A-4; 3-1A-5; 3-1A-6;

SDCL 12-3-1;

SDCL 13-7-3

Cross References: BBFA, Board Member Conflict of Interest

GBCA, Staff Conflict of Interest

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBBB</b>
<b>School Board Policy Reference Manual</b>	

### **BOARD MEMBER OATH OF OFFICE**

Before taking office, all Board members will take an oath of office as required by law. Newly elected members will take and subscribe to the oath on the second Monday in July at the annual meeting, at which time they also assume their duties of office. Appointed members will take and subscribe the oath at the meeting following their appointment. All oaths will be filed in the office of the business manager.

#### **Established by law**

Legal References: Constitution of the State of South Dakota, Article XXI, Sec. 3;

SDCL 3-1-5; 3-1-8; SDCL 13-8-14; 13-8-15

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBBB-E</b>
<b>School Board Policy Reference Manual</b>	

### **BOARD MEMBER OATH OF OFFICE FORM**

Do you solemnly swear, or affirm, that you will support the Constitution of the United States and the Constitution of the State of South Dakota; and that you will faithfully and impartially perform your duties as a member of the School Board of Arlington School District, Kingsbury County, South Dakota, to the best of your ability, and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is elected and qualified? (The answer is: "I do.")

\_\_\_\_\_

Board Member's Signature

Some school boards may have additional ceremony, which may include a swearing-in ceremony with a pledge similar to the following:

I SWEAR THAT:

1. I will observe and enforce state laws and regulations pertaining to education.
2. I will accept office as a board member as a means of unselfish service.
3. I will transact school business only in regular sessions.
4. I will represent the entire community without fear or favor.
5. I will remember at all times that I am one of a team.
6. I will accept all board decisions once they are made and assist in carrying them out effectively.
7. I will delegate action to the chief school administrator as the board executive and to confine board action to policymaking, planning and appraisal.
8. I will employ only competent, trained personnel and these only on the recommendation of the chief school administrator.

9. I will preserve the right and obligation of teachers to teach controversial issues fairly and without bias.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBC</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD MEMBER RESIGNATION / REMOVAL FROM OFFICE**

According to the provisions of state law, a vacancy occurs on the School Board when an incumbent:

1. Dies;
2. Is removed from office;
3. Fails to qualify as provided by law;
4. Ceases to be a resident of the district, or representation area, where elected;
5. Is convicted of an infamous crime or of any offense involving a violation of the official oath of office;
6. Has a judgment obtained against him for breach of official bond;
7. Becomes incapable of attending to the duties of a board member;
8. Assumes the duties of an office incompatible with the duties of the board member;
9. Resigns and a successor is appointed and qualified as prescribed by law.

The resigning member will continue to serve in his or her official capacity as a Board member until the successor is appointed and qualified as prescribed by law.

### **Established by law**

Legal References: Constitution of the State of South Dakota, Art. XVI, Sec. 4-8;

SDCL 3-17-6; 3-17-7; 3-17-8; 3-17-9; 3-17-10; 3-17-11;

SDCL 13-8-22; 13-8-23; 13-8-24

Cross References: BBE, Unexpired Term Fulfillment

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023



<b>Arlington School District 38-1</b>	<b>NEPN Code: BBE</b>
<b>School Board Policy Reference Manual</b>	

### **UNEXPIRED TERM FULFILLMENT**

When a vacancy occurs on the Board for a reason allowed by law, 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. He or she will serve until the next succeeding election, at which time a successor will be elected to serve the unexpired term.

#### **Established by law**

Legal References: SDCL 3-14-1; 3-14-2; 3-14-3; 3-14-4;

SDCL 13-8-25; 13-8-44

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBEA</b>
<b>School Board Policy Reference Manual</b>	

### **UNEXPIRED TERM FULFILLMENT PROCEDURE**

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

1. The board would start by canvassing the last election and offering the open position to the highest vote getter not currently on the board. If the top vote getter declines then the board will go to step two.
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.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBE-E</b>
<b>School Board Policy Reference Manual</b>	

**APPLICATION FOR BOARD OF EDUCATION MEMBERSHIP FORM**

Applicants Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

When are you available for a personal interview? \_\_\_\_\_

Community/school activities in which you have been involved and dates: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reason you want to serve on the board? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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List contributions you believe you could make towards improving education as a member of the school board?

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Signature

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Date

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBF</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD MEMBER CODE OF ETHICS**

Members of the District’s Board of Education recognize that they are state officials of local government, elected to provide public education to the children in their communities. Members understand that alone, they have no authority – but convened as a board at a legal meeting, they provide governance to the district and strive to improve student achievement.

In working to do so, the following standards of conduct will serve as a guide for the official conduct of Board members:

1. I will consider myself a trustee of public education and will do my best to provide children in my community with high quality educational opportunities.
2. I will recognize that the responsibility of the school board is to govern the District and forward its visions and goals by establishing effective policies, planning and appraisal.
3. I will practice good stewardship of the District’s resources.
4. I will encourage community stakeholders to be engaged in public education and supportive of their students and schools.
5. I will leave the daily administration of schools to the Superintendent.
6. I will respect the privileged communications from executive sessions and other administrative sources, and will not discuss confidential business of the Board at home, on the street or at work.
7. I will keep myself informed about education issues, through individual study and professional development, in an effort to become a more effective board member.
8. I will express my honest and thoughtful opinions at board meetings and will listen to the opinions of other board members.
9. I will make no disparaging remarks, in or out of the board meeting, against board members or their opinions.

10. I will refuse to use my position as a board member for personal gain or the gain of special interests or partisan politics.
11. I will render decisions only after I have discussed matters with board members, reviewed applicable data, and considered recommendations from the Superintendent and community members – once a majority vote has been reached, I will support Board decisions.
12. I will support the administration in hiring the most competent and best-trained personnel available as recommended by the Superintendent, and will support them in the performance of their duties.
13. I will refer complaints, including personal criticism, to the Superintendent. Only after the failure of administrative solution will I discuss the matter at a board meeting.
14. I will observe and enforce school district, state and federal laws and regulations.
15. I will remember that my first and greatest concern is the educational welfare of all students attending the District's schools.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BBFA</b>
<b>School Board Policy Reference Manual</b>	

**BOARD MEMBER CONFLICT OF INTEREST**

**DISTRICT OFFICIAL CONFLICT OF INTEREST**

**CONFLICT DISCLOSURE AND AUTHORIZATION**

This policy requires Arlington School District Officials to disclose interests in, or direct benefits from a District contract, when the amount of interest or benefit is more than \$5,000 within a 12 month period. Additionally, such direct benefits are prohibited unless the board authorizes a waiver.

**DEFINITIONS:**

1. "District Official" refers to a board member, business manager, administrator, or other person with the authority to enter into a contract or spend money in an amount greater than \$5,000.
2. "Interest in a contract" is when a District Official, the spouse of a District Official, or any other person with whom the District Official lives and commingles assets
  - a. is employed by a party of any contract with the district; or
  - b. receives more than nominal compensation or reimbursement for actual expenses for serving on the board of an entity that derives income or commission directly from the contract or acquires property under the contract.
3. "Direct benefit from a contract" is when a District Official, the spouse of a District Official or any other person with whom the District Official lives and commingles assets
  - a. is a party to or intended beneficiary of the contract between the district and a third party;
  - b. has more than a five percent ownership interest in an entity that is a party of the District contract;
  - c. acquires property under the contract with the District; or
  - d. receives compensation, commission, promotion, or other monetary benefit directly from the contract.

**EXCEPTIONS:**

If any of the following apply, disclosure (and authorization, if a direct benefit) is not required:

1. when the person's relationship to the contract is based solely on the value associated with the person's publicly-traded investments or holdings;

2. when the person's relationship to the contract is due to participating in a vote or a decision in which the person's only interest arises from an act of general application;
3. when the person does not receive compensation or a promotion directly attributable to the contract and is not employed in an area related to the contract;
4. when the contract is for the sale of goods or services, or for maintenance or repair services, in the regular course of business at or below a price offered to all customers;
5. when the contract is subject to a public bidding process;
6. when the contract is with the official depository as set forth in SDCL 6-1-3;
7. when the person only receives nominal income or compensation, a per diem authorized by law, or reimbursement for actual expenses incurred; or
8. when the contract or multiple contracts with the same party within a twelve-month period with whom the cooperative contracts in an amount less than five thousand dollars.

**DISCLOSURE REQUIREMENT:**

District Officials must disclose any interests and direct benefits received from contracts. However, waivers are only required for authorizing direct benefits. (Mere interests in a contract do not require board authorization.)

Conflicts of interest which extend into consecutive fiscal years must also be disclosed at the annual reorganization meeting.

All conflict of interest disclosures must be documented in the official board minutes.

**BASIS FOR A WAIVER:**

A waiver may be granted by the board to authorize District Officials to receive a direct benefit from the District's contract with a person or entity (public, private, for-profit, non-profit) if the following conditions are met:



1. That person provides a full written disclosure to the board. Written disclosure must include the following information.
  - a. all parties to the contract
  - b. the District Official's role in the contract
  - c. the purpose or objective of the contract
  - d. the consideration or benefit agreed to be conferred upon each party
  - e. the duration of the contract
  
2. To the extent that circumstances allow, disclosure must be given prior to entering into any contract that requires a waiver. If circumstances do not permit disclosure prior to entering into the contract, then the details must be disclosed within forty-five days after entering into it. If the contract extends into consecutive fiscal years, then disclosure shall also be made at the annual board meeting.
  
2. The board determines that the transaction and terms of the contract are fair and reasonable and not contrary to the public interest.

The public records laws (SDCL Ch. 1-27) apply to all requests for a waiver.

**BOARD ACTION ON A REQUEST FOR WAIVER:**

1. The District will have an agenda item at the beginning of each board meeting agenda when the board will address conflict of interest disclosures and requests for a waiver.
  
2. Disclosures and requests for a waiver submitted before the conflict of interest agenda item is acted on will receive action during the scheduled meeting.
  
3. Disclosures and requests received after the conflict of interest agenda item has been acted on will be deferred to the next scheduled meeting.
  
4. If the board believes the request form information is incomplete, the board must ask the person requesting the waiver for additional information. The board may receive the needed information from the requesting party at the board meeting when the waiver request is being addressed.
  
5. When considering a waiver request, the school should be able to determine the requesting party's relationship to the contract, the requesting party's relationship to the outside contracting party, whether the contract terms are reasonable and in the public interest, and any other factors the board believes will help establish the relevant facts and circumstances surrounding the contract (s) and the request for waiver.
  
6. At the meeting when the waiver request will be considered by the board, the District Official submitting the waiver request should be present and prepared to answer questions from the board.
  
7. The request and the Board's determination must be included in the minutes of the meeting.

8. If the authorization is granted, a written authorization shall be prepared following the meeting and signed by the President/Chair of the Board or other authorized Board Member, and filed with the Auditor General.

**MISCELLANEOUS:**

1. Knowingly violating the conflict of interest laws set forth in SDCL 3-23 is a criminal act. District Officials who do so will be removed from office or employment and are disqualified from holding any public office, elective or appointive. Additionally, any contract made in violation of this policy may be voided by the board of directors, and any benefits gained thereby are subject to forfeiture.
2. The district attorney may answer general questions about the applicability of SDCL Ch. 3-23 or about the other laws that address conflicts of interest. However, the cooperative attorney represents the cooperative and its board of directors, not District Officials in their individual capacities. District Officials should consult with their private attorneys if they have specific questions as to how conflict of interest laws and this policy apply to their individual interests and contracts.

## CONFLICT OF INTEREST DISCLOSURE

Date: \_\_\_\_\_

Name of the District Official submitting the disclosure:

\_\_\_\_\_

This disclosure is for the purpose of notifying the board of directors about:

\_\_\_ an interest in a contract

\_\_\_ a direct benefit from a contract (requires board action)

Identify the following:

(1) all parties to the contract

(2) the person's role in the contract or transaction

(3) the purpose(s)/objective(s) of the contract

(4) the consideration or benefit conferred or agreed to be conferred upon each party

(5) the length of time of the contract

(6) any other relevant information

If this disclosure relates to the District Official deriving a direct benefit from a contract, how the terms of the contract are fair, reasonable, and not contrary to the public interest such that authorization should be granted by the board.

Signature of District Official:

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**THIS IS A PUBLIC DOCUMENT**

**WAIVER AUTHORIZATION PURSUANT TO SDCL 3-23-3**

A conflict of interest disclosure of a direct benefit, dated \_\_\_\_\_

was received from \_\_\_\_\_.

This request was considered by the members of the Arlington School Board during a meeting held on

\_\_\_\_\_.

\_\_\_ The request for authorization was denied because the terms of the contract were not considered fair and reasonable, or contrary to the public interest.

\_\_\_ The request for waiver was authorized because the terms of the contract are fair and reasonable, and not contrary to the public interest such that a waiver should be granted.

\_\_\_ The request for waiver was authorized because the terms of the contract are fair and reasonable, and not contrary to the public interest such that a waiver should be granted, subject to the following conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Board President/Chairperson or Authorized Member

\_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Date Mailed to Auditor General: \_\_\_\_\_

## **STAFF CONFLICT OF INTEREST**

Employees of the Cooperative will not engage, directly or indirectly, in any activity that conflicts (or raises a reasonable question of conflict) with their duties and responsibilities performed for the Cooperative.

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through Cooperative sources.

Employees will not sell textbooks, instructional supplies, equipment, reference books, or any other educationally related products to the schools in the Cooperative.

In order that there is no conflict of interest in the supervision and evaluation of employees, at no time may any administrator be responsible for the supervision and/or evaluation of an employee who is the spouse, the parent or step-parent, child or step-child, grandparent or grandchild, aunt, uncle, cousin, niece or nephew of that administrator.

Employees must disclose actual or potential conflicts to the Director as soon as they become aware of them. Failure to make required disclosures or resolve conflicts of interest satisfactorily can result in discipline up to and including termination of employment.

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BCA</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD ORGANIZATIONAL MEETING**

The annual organizational meeting of the Board will be held on the second Monday of July, unless otherwise designated by the Board at the previous regular meeting.

The meeting will be called to order and the oath of office given to all new Board members. The Board will elect a president and vice-president from its membership, to serve until the next annual meeting. The superintendent or the business manager will preside over the election of the president.

### **OTHER BUSINESS ITEMS**

Other items of business will come before the annual meeting as appropriate.

These items will include:

1. Designation of official depository.
2. Designation of the custodians of all accounts.
3. Designation of official legal newspaper.
4. Authorization of continuation of existing funds or accounts and the establishment of any new accounts, if necessary.
5. Setting of date, time and place for regular meetings.
6. Reviewing and adopting of board policies.
7. Establishment of advisory committees where applicable.
8. Reviewing of bonds for business manager and other bonded personnel.
9. Appointment of administrator of trust and agency accounts.
10. Appointment of individual authorized to direct federal programs.
11. Authorization of administrator to institute school lunch agreement.
12. Authorization of advertising of bids for materials not already purchased.

13. Re-designation of Robert's Rules of Order or other rules as parliamentary procedure for Board meetings.
14. Investment resolution: Authorization of business manager to invest and reinvest funds in institution, which serves greatest advantage to school district.
15. Selecting date of annual school election.
16. Setting admission charges for year.
17. Setting closing of school motion: Authorization of superintendent to close school in emergency situations and in case of inclement weather and setting chain of command in event superintendent is absent.

Legal References: SDCL 13-8-10; 13-8-4

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

*Districts reorganized prior to July 1, 1977 should also cite SDCL 13-6-64.*



<b>Arlington School District 38-1</b>	<b>NEPN Code: BCB</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD OFFICERS**

### **PRESIDENT**

The president will preside at all meetings of the Board and will perform other duties as directed by law, state regulations and by this Board. In carrying out these responsibilities the president will:

1. Countersign all orders drawn by the business manager for claims approved by the Board;
2. Appoint or provide for the election of all committees, of which he or she will be an ex-officio member;
3. Confer with the superintendent as may be necessary and desirable on school or related matters;
4. Call special meetings of the Board;
5. Be entitled to vote and discuss on all matters before the Board; and
6. Perform such other duties as may be prescribed by the Board.

### **VICE-PRESIDENT**

The Vice-President of the Board will assume the duties and responsibilities of the President in his or her absence. He or she will also perform such other duties as may be assigned by the Board.

Legal References: SDCL 13-8-10; 13-8-26

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BCC</b>
<b>School Board Policy Reference Manual</b>	

## **APPOINTED BOARD OFFICIALS**

The Board will employ a business manager who may be authorized to make all purchases for the School Board, in compliance with state law and within the budget approved by the Board. Other duties of the business manager include:

### **Qualifications:**

Must have experience and/or education in fiscal management and use of computerized accounting system or be willing to learn these skills. The business manager must satisfy requirements as established by Department of Education or be willing to meet these requirements in a timeline sufficient to satisfy the board.

### **Job Description:**

1. The business manager shall keep the minutes of the Board of Education meetings.
2. Business manager shall publish such proceedings of the Board of Education as may be determined by the Board, consistent with the law.
3. Shall set up a system of accounting to adequately control school district revenue and expenditure.
4. Shall keep a record of all regular or special elections.
5. Shall arrange for all school board elections by hiring all clerks and judges meeting School Board approval for each election.
6. Shall compute earnings and issue payroll checks for all employees.
7. Shall supervise proper handling of all clearing accounts.
8. Shall be responsible for the district's books and documents.
9. Shall prepare the annual report of the district for the Department of Elementary and Secondary Education.
10. Shall compile and maintain a proper inventory of equipment.

11. Shall have custody of all money belonging to the district. Upon receipt of district funds, he/she shall promptly deposit such funds in the depositories designated and approved by the Board of Education.
12. Shall prepare and submit to the Board, in writing, a monthly report of the state of the finances of the district.
13. Shall set bid requirements for purchasing equipment and supplies for all school buildings.
14. Shall plan and maintain an insurance program to adequately cover all phases of school business: namely; buildings, equipment, supplies and liability.
15. Shall be responsible for the administration of the proper loyalty oath and/or the oaths of office designated school board members and school officials.
16. Shall be responsible for obtaining the appropriate surety bond for those school personnel as designated by law. (SDCL 13-8-17, 13-8-18, 13-8-19, and 13-8-20)
17. Shall supervise the school census when authorized by the Board of Education.
18. Shall issue all warrants for the payment of verified bills presented for payment by the Board.
19. Shall call attention to the superintendent legal requirements in those matters for which the school district is responsible.
20. Shall handle all legal advertisements.
21. Shall be responsible for billing any tuition due the district.
22. Shall be responsible for the preparation of ticket manifests and sales for Arlington Public School Athletic Events as well as tournaments held in the Arlington Public School facilities.
23. Shall arrange for the school audit as provided by law.
24. Shall do a four year budget projection each year by the January board meeting.
25. Shall formulate and prepare and annual school budget with assistance from the CEO/Superintendent and principal(s).
26. Shall set up a pay schedule for all extra curricular duties to ensure employees are paid accurately and on time.
27. Shall perform such other duties requested by the Board of Education, superintendent, or as may be requested by law.
28. As bus coordinator shall supervise the operation of buses, establish bus routes and schedule activity trips.
29. Performing such other duties as the Board may require and as required by law.

Legal References: SDCL 13-8-35  
SDCL 13-8-43  
SDCL 13-8-18

Cross References: DH, Bonded Employees and Officers  
DIC, Financial Reports and Statements

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BCD</b>
<b>School Board Policy Reference Manual</b>	

## **SCHOOL BOARD & SUPERINTENDENT RELATIONSHIP**

The Board believes that the legislation of policies is its most important function and that the execution of those policies is the function of the Superintendent. Together, the Board and the Superintendent are a team, each playing a well-defined position.

The Superintendent will be responsible for the administrative and advisory functions of the Board. Planning, policy making and evaluation are the functions of the Board.

The Board holds the Superintendent responsible for the administration of its policies, the execution of Board decisions, the operation of internal machinery designed to serve the school program, and for keeping the Board informed about school operations and problems.

Legal References:

Cross References: BCD-E, School Board & Superintendent Relationship Functions

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BCD-E</b>
<b>School Board Policy Reference Manual</b>	

## SCHOOL BOARD & SUPERINTENDENT RELATIONSHIP FUNCTIONS

<b><u>BOARD FUNCTIONS</u></b>	<b><u>SUPERINTENDENT FUNCTIONS</u></b>
Decides the nature and extent of the instructional program 1. requirements for graduation 2. extracurricular activities 3. special education	Directs the instructional program 1. puts curriculum into effect 2. supervises teachers 3. classifies pupils 4. sets up pupil records
Employs personnel policy	Nominates and assigns all personnel
Establishes personnel policy 1. sets qualifications 2. defines sick leave 3. defines leave of absence	Administers personnel policy 1. administers sick leave 2. arrange for substitutes 3. keeps personnel records
Adopts the budget, with or without modification	Prepares the budget
Adopts salary schedules, with or without modification	Prepares and recommends salary schedules
Reviews the monthly receipts and expenditures	Supervises proper accounting procedures and reports
Adopts the school calendar	Prepares the school calendar
Approves purchases of equipment, supplies and textbooks	Recommends purchases of equipment, supplies and textbooks
Purchases sites and adopts building plans	Prepares building plans with assistance of an architect
Adopts public relations policy	Directs the public relations program
Evaluates the school program	Helps board evaluate by submitting studies, reports or surveys

Legal References:

Cross References: BCD, School Board & Superintendent Relationship

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Associated School Boards of South Dakota</b>	<b>NEPN Code: BCE</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD COMMITTEES**

The Board may authorize the establishment of committees from among its membership as it finds it necessary to study operations in specific areas and to make recommendations for Board action.

All committees will be appointed by the Board president. The Board president and the Superintendent will serve as ex-officio members of all committees.

The functions of committees will ordinarily be fact-finding, deliberative and advisory, and their reports will be made to the Board for discussion and action. All committee appointments will be for no longer than necessary to discharge the completion of their assignment.

Legal References: SDCL 13-8-26

Cross References: BDC, Executive Sessions

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023



<b>Arlington School District 38-1</b>	<b>NEPN Code: BCF</b>
<b>School Board Policy Reference Manual</b>	

## **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 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.

### **COMMITTEE APPOINTMENT AND FUNCTIONS**

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 presentation. 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, and 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 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.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BCG</b>
<b>School Board Policy Reference Manual</b>	

### **SCHOOL ATTORNEY**

The Board may appoint an attorney at its discretion to advise and represent the district.

It will be the duty of the school attorney to advise the Board and the Superintendent on the specific legal problems submitted to him or her. The school attorney will attend meetings upon request and will be sufficiently familiar with Board policies, practices and actions under these policies and requirements of the school code to enable him or her to offer the necessary legal advice.

Legal References: SDCL 13-8-39;

SDCL 13-10-2

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BD</b>
<b>School Board Policy Reference Manual</b>	

## **SCHOOL BOARD MEETINGS**

### **REGULAR MEETINGS**

All regular School Board meetings will be held on the second Monday of each month, unless otherwise designated at the annual organizational meeting of the Board. The time and place for all regular meetings will be set at the organizational meeting. Public Notice shall be given by posting the proposed agenda in the business office at least 24 hours prior to the meeting.

### **SPECIAL MEETINGS**

Special meetings may be called by the President of the Board, or in his or her absence the Vice-President, or a majority of the Board members. Notice stating the time and place of any special meeting and the purpose for its call, will be given each Board member and the Superintendent by the Business Manager, either orally or in writing, in sufficient time to allow each member's presence. No business other than that stated in the notice will be transacted at a special meeting. Local news media that have requested notice will be notified of the special meeting prior to the meeting. The 24 hour notice for special meetings shall be complied with when circumstances permit.

### **TELEPHONE CONFERENCE CALL**

Meetings, including executive meetings, may be conducted by telephone conference call. Members shall be deemed present if they answer present to the roll call taken over the phone. No conference call can be used to conduct hearings.

Legal References: SDCL 1-25-1; 1-25-1.1; 1-25-1.2;

SDCL 1-26-4; 1-26-8;

SDCL 1-27-1.16;

SDCL 13-8-10

Cross References: BDC, Executive Sessions; BDDA, Notification of School Board Meetings

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDA</b>
<b>School Board Policy Reference Manual</b>	

## **ELECTRONIC COMMUNICATION BY BOARD MEMBERS**

Use of electronic mail (e-mail) by members of the Board of Education shall conform to the same standards of judgment, propriety and ethics as other forms of school board-related communication. Board members shall comply with the following guidelines when using email in the conduct of Board responsibilities:

1. The Board shall not use e-mail as a substitute for deliberations at board meetings or for other communications or business properly confined to board meetings.
2. Board members shall be aware that e-mail and e-mail attachments received or prepared for use in board business or containing information relating to board business may be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.
3. Board members shall avoid reference to confidential information about employees, students or other matters in e-mail communications because of the risk of improper disclosure. Board members shall comply with the same standards as school employees with regards to confidential information.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDB</b>
<b>School Board Policy Reference Manual</b>	

## **SCHOOL BOARD STUDY SESSIONS AND WORK RETREATS**

The Board is tasked with a constant flow of governance issues that require action and is determined to expedite the business of the District. The Board is also mindful of the importance of planning, brainstorming and thoughtful discussion.

At its discretion, the board may schedule study sessions or working retreats in order to provide the governance team an opportunity to deliberate without taking action. All study sessions or work retreats shall be open to the public and comply with state open meetings and public records laws.

Generally, study sessions and work retreats are not open to public input. However, the Board may solicit input as the discretion of the Board Chair.

Legal References: SDCL 1-25-1 (Meetings of public agencies to be open)

SDCL 1-25-1.1 (Notice of meetings of public bodies)

SDCL 13-8-35 (Publication of minutes of board)

SDCL 1-27 (Public Records and Files)

Cross References: BD, School Board Meetings

BDDA, Notification of Board Meetings

BDDB, Agenda Format

BDDC, Agenda Preparation and Dissemination

BDDG, Board Meeting Minutes

Adopted: FY2011

Last Review: FY2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDC</b>
<b>School Board Policy Reference Manual</b>	

## **EXECUTIVE SESSIONS**

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

However, the Board more properly discusses some matters in private session. The Board will make a motion to enter into executive session specifying the statute of SDCL: 1-25-2 and which reason as listed below 1 – 5. As permitted by law, an executive or closed meeting 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 officer 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 or 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.

By the very nature of the matter discussed in closed/executive session, the matters discussed shall be kept confidential by the Board and individual Board members (and the administration, as agents of the Board) unless and until allowed to be disclosed publicly by the individual(s) to whom the discussion relates or unless and until authorized or required by law.

It is therefore the policy of the Board that the Board and Board members shall respect the right of privacy of District employees and students, and neither the Board nor individual Board members shall disclose nor convey confidential information regarding District employees or students, the knowledge of which was acquired during closed/executive sessions and except during closed/executive session, unless authorized or required by law to disclose the same.

An executive session may be held only upon a majority vote of the members of the Board present and voting. Violation of the "Open Meeting Law" can result in personal liability and potential criminal charges.

Legal References: SDCL 1-25-1; 1-25-1.1; 1-25-1.2; 1-25-2; 1-25-3

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023



<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDA</b>
<b>School Board Policy Reference Manual</b>	

## **NOTIFICATION OF SCHOOL BOARD MEETINGS**

Notice of all regular meetings of the Board will be given to the press, the public and all Board members. Dates of regular meetings of the Board will be provided in annual announcements made available in printed form to the news media and the public, following the setting of the dates, times and place of Board meetings at the annual meeting.

Public notice shall be given by posting the proposed agenda in the business office at least 24 hours prior to any meeting. Local news media that have requested notice will be notified in person, by mail or telephone. Meetings conducted via telephone conference call are subject to the public notice law.

Except in rare emergencies, notification for all special, rescheduled meetings will be sent to the media in time for the public to be notified at least 24 hours in advance. When 24 hours printed notice of a special meeting cannot be given to the public, the business manager will make every effort to make the meeting known to the public through other channels.

All Board members will be personally notified by the business manager of special meetings in sufficient time to allow each member's presence.

Legal References: SDCL 1-25-1.1;

SDCL 1-27-1.16;

SDCL 13-8-10

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDB</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD MEETING AGENDAS AND FORMAT**

The school board is committed to conducting the public's business in public and providing community members an opportunity to observe and participate in school board meetings. In keeping with those commitments, and to provide for the orderly conduct of the district's business, the superintendent, in cooperation with the board president, will prepare board meeting agendas that outline matters to be brought to the school board's attention at meetings.

The district will attempt to accommodate anyone who may request to have an item placed on a board meeting agenda, provided the request is reasonable, timely and made in a manner consistent with board policy and board meeting procedures. Each agenda will reflect that the board reserves suitable time at each meeting to allow citizens to address the board.

The board will follow the order of business established by the agenda unless the order is altered or items amended by a vote of the board.

### **CONSENT AGENDA**

To encourage efficiency during school board meetings, the school board may elect to use a consent agenda for items which usually do not require discussion or explanation. A consent agenda allows the board to consider and vote on certain items as a group with a single motion.

Any school board member may request to remove any item from the consent agenda. The request does not require a second or a vote by the school board. An item removed from the consent agenda will be discussed and acted upon immediately following the consideration of the consent agenda.

### **AGENDA FORMAT**

At regular meetings, the following will be the customary order of business however the particular order may vary from meeting to meeting in keeping with the business at hand:

1. Call to order.
2. Roll call.
3. Establishment of a quorum.
4. Approval of minutes.

5. Consideration of claims (*a possible consent agenda item*).
6. Financial report.
7. Hearing of delegations.
8. Written petitions and communications.
9. Special committee reports.
10. Superintendent's report.
11. Policies.
12. Unfinished business.
13. New business.
14. Adjournment.

Legal References: SDCL 1-25-1 (Official meetings open to the public)

Cross References: BD, School Board Meetings

BDC, Executive Sessions

BDDA, Notification of Board Meetings

BDDH, Public Participation at Board Meetings

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDC</b>
<b>School Board Policy Reference Manual</b>	

### **AGENDA PREPARATION AND DISSEMINATION**

The agenda for all meetings of the Board will be prepared by the Superintendent in consultation with the Board President.

Items of business may be suggested by any Board member, staff member or citizen of the district. Any citizen that would like to be on the school board agenda should make the request to the superintendent at least 96 hours prior to the scheduled meeting. The request should state the topic of the agenda item and any other pertinent information that the board and superintendent should know in order to prepare for the agenda item. The agenda, however, will always allow suitable time for the remarks of the public who wish to speak briefly before the Board.

The Board will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider the item. The Board, however, may not revise Board policies, or adopt new ones, unless such action has been scheduled.

The agenda, together with supporting materials, will be distributed to Board members at least 24 hours prior to the Board meeting to permit them time to give items of business careful consideration. The agenda will also be made available for public inspection in the business office 24 hours in advance of the meeting upon request.

Legal References: SDCL 1-25-1.1 (Notice of meetings of public bodies)

SDCL 1-27-1.16 (Material relating to open meeting agenda)

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDCA</b>
<b>School Board Policy Reference Manual</b>	

### **AGENDA RELATED SUPPLEMENTAL INFORMATION**

The school board is committed to making informed decisions on behalf of the citizens and to conducting school district business in a transparent and responsible manner

To ensure the board has the information necessary to make informed decisions, the superintendent may prepare and disseminate information to supplement items on the boards meeting agenda. All members of the school board will receive the agenda and any related supplemental information in advance of the board meeting and with ample time to review the material.

To ensure the public has access to information that the board may use to make decisions, agenda-related supplemental information provided to all board members in advance of the meeting will be available for public inspection in the business office 24 hours in advance of the meeting and during the school board meeting. However, any information protected from disclosure by state or federal law shall not be disclosed to the public.

Legal References: SDCL 1-27-1.16 (Material relating to agenda to be made available)

SDCL 1-27-1 (Public records open to inspection and copying)

SDCL 1-27-1.1 to 1-27-1.15, inclusive (Public records laws)

USC 20 Section 1232g (FERPA)

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDD</b>
<b>School Board Policy Reference Manual</b>	

### **QUORUM**

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

Legal Reference: SDCL 2-14-15;  
SDCL 13-8-10

Cross Reference: BDDF, Voting Method

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDE</b>
<b>School Board Policy Reference Manual</b>	

## **RULES OF ORDER**

For the general transaction of business, the ordinary parliamentary rules will be observed. If any disputed question may arise, Robert's Rules of Order, Revised, will be taken as authority.

The Board will follow Robert's Rules of Order, Revised, latest edition as modified by this policy and subsequent rules.

The purpose of modified rules adopted by the Board are:

1. To establish guidelines by which the business of the governing board can be conducted in a regular and internally consistent manner;
2. To organize the meetings so that all necessary matters can be brought to the Board and that decisions of the Board can be made in an orderly and reasonable manner;
3. To insure that members of the Board, concentrating on the substantive issues at hand, have the necessary information to make decisions, and to insure adequate discussion of decisions to be made; and
4. To insure that meetings and actions of the Board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDEA</b>
<b>School Board Policy Reference Manual</b>	

## **PARLIAMENTARIAN**

Meetings of the school board will be conducted in accordance with Robert's Rules of Order, Revised, and the Board President or designee will function as the parliamentarian for resolving any questions related to the rules of order.

The Board, however, will not be precluded from pursuing deliberations in an atmosphere of free exchange of information and opinion and will not be bound to adhere to the rules of order whenever more informal deliberations may be determined warranted by the Board President or the Board.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023



<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDE-E</b>
<b>School Board Policy Reference Manual</b>	

### **PARLIAMENTARY PROCEDURES SUMMARY**

- To obtain the floor to speak your mind, first address the chairperson.
- To introduce a motion, say, "I move that... ."
- A motion may be withdrawn by the maker with general consent or by majority vote if objection to withdraw is made.
- To amend a motion, say, "I move to amend the motion by...." Ways of amending are:
  - a) Striking out parts of the motion;
  - b) Inserting one or more words;
  - c) Striking out and inserting; and
  - d) Substituting a new motion.
- To close discussion on a motion when everyone seems to have made up his or her mind, informally call for the question to be voted. Just say, "Question!" If others joint you in this request, the chair will call for a vote on the motion under discussion. The chair should avoid closing a discussion when members wish to speak. If a member calls out "Question," he or she must be supported by a majority in the judgment of the chair. The formal procedure is to say, "I move the previous question."
- This formal motion, if made subsequent to recognition by the chair, needs no second, is not debatable, and must be put to a vote immediately.
- A motion to reconsider a decision made by the board must be introduced by one who voted with the prevailing side in that previous vote, but is not in order if any part of the decision has been put into action.
- If the parliamentary procedure of the board is to be questioned, say, "Point of order!" The chair must allow you to state your point, and then he or she must rule on it – as taken or not taken. If the chair denies a point of order, his or her decision may be appealed and either upheld or not upheld by a majority vote.
- If you have a question to ask about a matter under discussion or a procedure to be followed, say, "Point of information!" The chair must allow you to state your question and see whether or not the information can be supplied.
- All members of the board, including the chair, should vote on all matters before the board. A tie vote does not gain a majority and means that the motion is defeated.

- A legal quorum or action requires the assent of a majority of those members voting.
- A school board is a public board and the vote of its official actions should be part of the published minutes. A roll call vote may not be necessary. E.g., if at the beginning of the minutes all those present are listed, later a list of those voting nay and any abstentions would be adequate. But it should be clear from the minutes how members of the board have voted. The business manager should rotate the person voting first on a matter before the board.
- Some boards provide for citizenry comment before committee reports and others just before adjournment. In any case, once citizens have their opportunity to speak, they should be allowed to address the board only upon invitation of the chair.
- The primary vehicle of action is through a main motion before it is acted upon. The chair may assist the mover with wording for clarity.
- Each motion may deal with only one issue or idea. A chair or a member can ask that a motion be rephrased or rewritten or divided into two motions if it deals with two or more different matters.
- Debate should follow, not precede, a main motion. A chair should require a motion to be stated and seconded before debate is allowed. A chair may allow general informal discussion, but not debate, before the motion.
- Debate must be limited to the issue at hand. Speakers who wander or attempt to enter new matters should be ruled out of order.
- No new main motions may be made while another is on the floor.
- Main motions may be amended. Votes on amendments must be taken before the original motion.
- No more than one amendment to an amendment can be allowed or accepted for discussion.
- Before a vote on a main motion is taken, business can be interrupted by a motion to:
  - a) Lay it on the table;
  - b) Postpone action;
  - c) Refer it to a committee;
  - d) Withdraw it from consideration; or
  - e) Adjourn the meeting.
- Debate can be closed formally with a subsidiary motion (to close debate or to move the previous question) and a 2/3 affirmative vote. In cases where the chair believes discussion to have ended, a vote on the main motion may be taken without a formal motion to close debate unless a member objects.

- Board members need not stand before speaking.
- A motion once voted down cannot be renewed at the same meeting of the board without the consent of a majority of the members of the board.
- When a blank is to be filled, the question shall be first taken on the largest sum, the greatest number, and the remotest day.
- If any member acts in any respect in a disorderly manner, it shall be the privilege of any member, and the duty of the President to call him or her to order.
- If any member considers himself or herself aggrieved by a decision of the chair, it shall be his or her privilege to appeal to the board, and the vote on such appeal shall be taken without debate.
- Members should not decline to vote on any question without weighty reasons, conflict of interest for example.
- When the chair has commenced taking a vote no further debate or remark shall be admitted, unless there has evidently been some mistake, in which case the mistake shall be rectified, and the chair shall recommence taking the vote.

Legal References: SDCL 2-14-15 (Majority exercising joint authority)

SDCL 13-8-10 (# of votes required to take action)

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDF<sup>(2)</sup></b>
<b>School Board Policy Reference Manual</b>	

## **VOTING METHOD**

As the elected officials responsible for the governance of the school district, the board sets the direction for the school district through the establishment of policies and by taking other official actions.

It is the intent of the board that motions be carried by a majority of members elect. In the event, however, that board members must abstain from voting due to conflict of interest, board action may be taken if it is approved by the majority of members voting.

Votes on all motions and resolutions will be by “ayes” and “nays.” No secret ballots will be used.

At the discretion of the president or on the request of a member, a show of hand vote will be made and the vote of members will be recorded. Any member may request a roll call vote.

Legal References: SDCL 2-14-15;

SDCL 6-1-17;

SDCL 13-8-10

Cross References: BBFA, Board Member Conflict of Interest;

BDDD, Quorum

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDG</b>
<b>School Board Policy Reference Manual</b>	

## 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 in full. This will include a detailed statement of all expenditures of money, with names of persons to whom payment is made and 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 teachers and other employees will be published after the July organizational meeting.

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.

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.

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

Legal References: SDCL 1-27-1.17 (Draft minutes of public meeting to be available); SDCL 6-1-10 (Publication of Payroll information); SDCL 13-8-34 (Approval and signing of minutes of school board); SDCL 13-8-35 (Publication of minutes of board); SDCL 13-8-43 (Records of bus. manager open to public inspection)

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BDDH</b>
<b>School Board Policy Reference Manual</b>	

## **PUBLIC PARTICIPATION AT BOARD MEETINGS**

The Board welcomes citizens of the district to attend its sessions so they may become better acquainted with the operation and programs of the schools.

In order to assure that citizens who wish to appear before the Board may be heard, and, at the same time, conduct its meetings properly and efficiently, the following procedures have been adopted:

1. Citizens, who desire Board discussion/action on an item not on the agenda, will submit the item to the Superintendent's office, at least 5 days prior to the meeting of the Board, at which they wish for the item to be considered. The item will then be added to the agenda provided citizen and said item has followed the proper chain of command prior to making the request.
2. Presentations on agenda items should be as brief as possible. Unless an extension of time is granted, a speaker will be limited to five minutes.

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 above.

Legal References:

Adopted: 2013

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BF</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD POLICY DEVELOPMENT**

The Board considers policy development one of its chief functions. It is the intent of the Board to develop policies and put them in writing so that they may serve as guidelines and goals for the successful and efficient functioning of the public schools.

It is through the development and adoption of written policies that the Board will exercise its leadership in the operation of the school system; it is through study and evaluation of reports concerning the execution of its written policies that the Board will exercise its control over school operations.

It is the Board's intention that its written policies serve as guides for the discretionary action of those to whom it delegates authority and as a source of information and guidance for all persons who are interested in, and affected by, the district schools.

The policies of the Board are developed, and are meant to be interpreted, in terms of state laws, regulations of the State Board of Education, and other applicable county, state and federal regulations. The policies are also framed, and meant to be interpreted, in terms of those educational objectives, procedures and practices that are broadly accepted by leaders and authorities in the public education field.

Changes in needs, conditions, purposes and objectives will require revisions, deletions and additions to the policies of present and future boards. The Board will welcome suggestions for ongoing policy development.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BFB</b>
<b>School Board Policy Reference Manual</b>	

### **PRELIMINARY DEVELOPMENT OF POLICIES**

Proposals regarding school district policies and operations may originate at any of several sources: a parent, a student, a community resident, an employee, a member of the Board, the Superintendent, a consultant, a civic group.

A careful and orderly process will be used in examining such proposals prior to action upon them by the Board.

Final action on such proposals, whatever their source, will be by the Board in accord with its policy on policy adoption. The Board will take action on most matters on the basis of recommendations presented to the Board by the Superintendent. The Superintendent will base his or her recommendations on the outcomes of study and upon the judgment of the professional staff and study committees.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023



<b>Arlington School District 38-1</b>	<b>NEPN Code: BFC</b>
<b>School Board Policy Reference Manual</b>	

## **POLICY ADOPTION**

Adoption of new policies or changing existing policies is solely the responsibility of the Board. Policies will be adopted and/or amended 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. Information item – distribution with agenda (this may be an announcement that a policy is being developed in a particular area and that interested persons may submit suggestions).
2. Discussion item – first reading of proposed policy or policies; response from superintendent; report from any Board or advisory committee assigned responsibility in the area; Board discussion and directions for any redrafting.
3. Action item – 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 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 shall be distributed to the community, staff and students.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

*Notes: Except in an emergency situation, policies should not be adopted at the meeting at which they are initially introduced.*

<b>Arlington School District 38-1</b>	<b>NEPN Code: BFCA</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD REVIEW OF REGULATIONS**

The Board reserves the right to review administrative regulations at its discretion, but it will revise or veto such rules only when, in the Board's judgment, they are inconsistent with policies adopted by the Board.

Administrative regulations need not be approved by the Board in advance of issuance except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, make it necessary or advisable for the regulation to have the Board's advance approval.

Before issuance, regulations will be properly titled and coded as appropriate to subject and in conformance with the codification system selected by the Board. Those officially approved by the Board will be so marked; all others appearing in this manual will be considered approved provided they are in accordance with the accompanying Board policy.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BFD</b>
<b>School Board Policy Reference Manual</b>	

### **POLICY DISSEMINATION**

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the rules and regulations needed to put them into effect.

Accessibility is to extend at least to all employees of the school system, to members of the Board, and, insofar as conveniently possible, to all persons in the district.

All policy manuals distributed to anyone will remain the property of the Board and will be considered as "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time for updating.

The Board's policy manual will be considered a public record and will be open for inspection at the Board offices during regular office hours.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BFE</b>
<b>School Board Policy Reference Manual</b>	

### **ADMINISTRATION IN POLICY ABSENCE**

In the absence of Board policy specifically covering any action that the Superintendent feels he or she must take for the orderly execution of the Superintendent duties, he or she may take temporary action that he or she feels will be in harmony with the overall policy of the Board. However, the Superintendent will not be free to act when the action involves a duty of the Board that by law cannot be delegated.

In each case in which the Superintendent must take such action, he or she will present the matter to the Board for its consideration at its next meeting.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BFF</b>
<b>School Board Policy Reference Manual</b>	

## **SUSPENSION OF POLICIES**

Board policies may be suspended only upon a majority vote of all the members of the Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of all members of the Board when no such written notice has been given.

Policies regarding Board operation will be suspended only upon a majority vote of all members of the Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of all the members of the Board when no such written notice has been given.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BFG</b>
<b>School Board Policy Reference Manual</b>	

## **POLICY REVIEW AND EVALUATION**

In an effort to keep its written policies up to date so that they may be used consistently as a basis for Board action and administrative decision, the Board will review its policies on a continuing basis.

The Board will evaluate how the 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 effect of the policies, which it has adopted.

1. 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.
2. Each Board policy that is reviewed by the Superintendent shall be presented to the Board as part of the District's effort to continually review board policy.
3. The Board directs the Superintendent to recall all policy and regulation manuals periodically for purposes of administrative updating and Board review.

Legal Reference:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BHA</b>
<b>School Board Policy Reference Manual</b>	

### **NEW BOARD MEMBER ORIENTATION**

The Board considers it important that a new member be knowledgeable about school governance and operations, and, insofar as possible, prepared to discuss and cast informed votes on matters before the Board.

To maintain high standards and continuity in operating the school system, new Board members will be given special attention promptly after election.

The Board will compile copies of policies and regulations, which are revised regularly, to be given each new member. A retiring member should furnish the new member with his or her accumulated materials.

The Superintendent will be responsible for arranging a conference(s) with new Board members on the Board's work, objectives and purposes and will discuss the legislative function of the Board with the administrative functions of the Superintendent. The new members will be given a tour of the school(s), be provided with a map of the district; past and current surveys and reports on curriculum, teaching standards and certification, school services, facilities, finances, and taxes; a calendar of business; and copies of minutes.

New members have a responsibility to inform themselves about the educational program, employed personnel, laws and Board procedure, Board policies, teaching materials and facilities, school services, needs of community, interested public service organizations and techniques of good public relations.

Legal References:

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BHAA</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD MEMBER EDUCATION**

It is the policy of the District to encourage and support Board members' efforts to remain knowledgeable about their roles and the issues with which they deal.

Individual Board members will take advantage of opportunities to understand their roles, education issues in general, school programs, State Department of Education functions and legislative activities. The Board Chair, with the assistance of the Superintendent, will be responsible for assuring that information on leadership development opportunities is available to all members.

New members will participate in a district orientation session and other opportunities designed to familiarize themselves with all aspects of Board operation.

Members who take part in workshops and seminars offered by Associated School Boards of South Dakota and other organizations will be reimbursed for travel and other expenses related to participation in training activities provided prior approval is obtained from the Board and funds for these purposes are available.

Legal References: SDCL 13-8-10.1; 13-8-10.2; 13-8-37; 13-8-38

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023



<b>Arlington School District 38-1</b>	<b>NEPN Code: BHB</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD MEMBER DEVELOPMENT OPPORTUNITIES**

Board members will be encouraged to participate in meetings and activities of area, state and national school boards associations, and of other educational groups, and to study and examine the materials received from these organizations.

Upon Board approval, travel and convention expenses will be provided individual members within budgetary limitations to advance their development as school board members.

To help members develop understanding of the educational program, the Superintendent will request members of the professional staff to appear before the Board from time to time to present and discuss new developments in various areas of curriculum and instruction.

Legal References: SDCL 13-8-10.1; 13-8-10.2

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023

<b>Arlington School District 38-1</b>	<b>NEPN Code: BHD</b>
<b>School Board Policy Reference Manual</b>	

## **BOARD MEMBER COMPENSATION AND EXPENSES**

All board members may receive a per diem of \$60.00 (not to exceed seventy-five dollars) for attendance of each regular meeting of the board and \$30.00 for a special school board meeting.. A board member may receive the per diem only for each meeting actually attended, and also for each day the member was actually engaged in the service of the Board when authorized by the Board.

In addition to the per diem, Board members will receive a travel allowance as authorized by the State Board of Finance.

Legal References: Constitution of the State of South Dakota, Art. XXI, sec. 2;

Governor's Budget Report (odd-numbered years);  
Attorney General Opinion #85-27;

SDCL 4-7-10.4;

SDCL 13-8-10.2; 13-8-37; 13-8-38

Adopted: 2012

Last Review: FY2020

Next Review Scheduled For: FY2021

<b>Arlington School District 38-1</b>	<b>NEPN Code: BJ</b>
<b>School Board Policy Reference Manual</b>	

### **SCHOOL BOARD MEMBERSHIPS**

The Board at its discretion will maintain membership in the Associated School Boards of South Dakota and in other state, regional and national educational organizations for the benefits that can be derived for the district.

The materials and other benefits of institutional memberships will be distributed and used to the best advantage of the district.

Legal References: SDCL 13-8-10.1

Adopted: 2011

Last Review: 2018

Next Review Scheduled For: FY2023